

2018/0991

Reg Date 23/11/2018

Chobham

LOCATION: 79-81 WINDSOR ROAD, CHOBHAM, WOKING, GU24 8LD

PROPOSAL: Two storey building comprising 1 dwelling and 8 flats including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage following demolition of existing buildings containing 2 retail units and 2 flats. (Additional information rec'd 07/01/2019 & 21/01/2019.) (Amended plan rec'd 10/01/2019.) (Amended plan rec'd 17/01/2019.) (Amended plan rec'd 18/02/2019.)

TYPE: Full Planning Application

APPLICANT: East Street Homes (South East) Ltd

OFFICER: Ross Cahalane

The application would normally be determined 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 Victoria Wheeler due to concerns regarding overdevelopment.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a two storey building comprising 1 dwelling and 8 flats including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage following demolition of existing buildings containing 2 retail units and 2 flats.
- 1.2 The principle of the loss of the retail use for additional residential development in this location is supported, being within the Green Belt settlement of Chobham and outside of any of the policy designated local shopping parades within the village. It is considered that the proposed flat and dwelling building would not lead to an over-dominant or incongruous addition to the streetscene, as the quantum of built form, staggered layout and traditional design approach would respect the surrounding building designs, heights and building lines. It is also considered that the separation distances to all surrounding boundaries and elevations are sufficient to avoid a cramped appearance or unacceptable harm to amenity. The proposal has the support of the County Highway Authority, Surrey Wildlife Trust and the Council's Scientific Officer and Arboricultural Officer.
- 1.3 The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site is located on the western side of Windsor Road, between the junctions with Bowling Green Road and Fowlers Mead, within the settlement area of Chobham. The site comprises a two storey building that appears to have originally formed a pair of semi-detached late-Victorian/Edwardian dwellings, now extended and remodelled to provide two retail units and two flats behind/above. The existing building abuts the front boundary with Windsor Road. One retail unit has been vacant for some years, with the other in use as a convenience store for many years. There is substantial hardstanding coverage on the northern side to provide a parking area. A garden area is located to the rear.
- 2.2 The surrounding area is residential but with a mix of building types, including two storey detached and semi-detached dwellings of varying size and architectural era, along with a two storey building immediately to the south (Saddlers Court) converted from offices to seven flats.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Various permissions have been granted between the 1950s-1960s for extensions to provide the existing retail units, living accommodation and parking area.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of a two storey building comprising one dwelling and eight flats (six two-bed and two three-bed), including rear dormer windows, additional vehicular access from Windsor Road, parking, landscaping and bin/cycle storage, following demolition of existing buildings containing 2 retail units and 2 flats.
- 4.2 The proposed building would consist of a series of pitched roofs, with front and rear gable ends including second floor rear windows and side rooflights and lower interlocking ridges between the roof valleys. The proposal would have a combined width of approx. 27m, maximum depth of approx. 17m, eaves height of approx. 5.9m and maximum ridge height of approx. 9.6m.
- 4.3 The proposed development would be served by two dedicated car parking spaces to the front of the proposed 3-bed dwelling, along with a new vehicular access on the other end of the site to provide 12 parking spaces for the eight flats. This would also provide access to a communal amenity space to the rear and the bin/cycle store buildings.
- 4.4 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
 - Design and Access Statement

- Transport Statement
- Preliminary Ecological Appraisal
- Drainage Technical Note
- Arboricultural Report
- Geo-Environmental Site Assessment Report
- Utilities Statement.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--------------------------------------|---|
| 5.1 | County Highway Authority: | No objection, subject to conditions <i>[See Section 7.5]</i> . |
| 5.2 | Council Arboricultural Officer | No objection, subject to condition <i>[See Section 7.5]</i> . |
| 5.2 | Council Arboricultural Officer: | No objection, subject to condition <i>[See Section 7.6]</i> . |
| 5.3 | Surrey Wildlife Trust | Comments <i>[See Section 7.8]</i> . |
| 5.4 | Council Scientific Officer | No objection, subject to condition <i>[See Section 7.11]</i> |
| 5.5 | Council Environmental Health Officer | No objection. |
| 5.6 | Chobham Parish Council: | <p>Object for the following summarised reasons:</p> <p>Loss of convenience store damaging to local community; building's height and massing out of keeping/dominant and hardstanding amounts to overdevelopment; insufficient amenity space for rural/village setting; and, uncertainty over parking for disabled users. If permitted construction traffic should not block the highway, impede traffic flow or sightlines. CPC also queries the submission with the application form stating there are no existing residential units on site (there are two flats as outlined in the plans); and, reference in the PS to the longevity of the off-licence.</p> |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 16 objections have been received from 12 residences and the Chobham Society, raising the following concerns:

Principle of development

- Loss of local shop used for over 60 years – now the only general store serving north end of Chobham
- Elderly residents not able to walk elsewhere
- Shop is invaluable for community and social interaction
- Contrary to NPPF – reduces community’s ability to meet its day-day needs
- Retail unit should be incorporated in to proposal
- Greater pressure on local doctors and schools
- Already enough new homes and apartments in Chobham

[See Section 7.2]

Character

- Overdevelopment
- New buildings more dominant than surrounding

[See Section 7.3]

Residential amenity

- Overshadowing

[See Section 7.4]

Highways

- Adjacent to busy road and junction
- Additional car trips to shops in village centre will lead to additional traffic
- Inadequate parking

[See Section 7.5]

7.0 PLANNING ISSUES

- 7.1 The application site is located in Chobham, a settlement area “washed over” by the Green Belt as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP14, DM2, DM9, DM10, DM11 and DM14 of the CSDMP. The National Planning Policy Framework 2018 (NPPF)

is also a material consideration. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted in 2017 and therefore forms an additional material consideration in the determination of this application. The main planning issues in the determination of this application are:

- The principle of the development;
- The impact on the character of the area;
- The impact on residential amenities;
- The impact on highway safety;
- Other matters (including trees, drainage/flood risk and ecology)
- The impact on local infrastructure, and;
- The impact on Thames Basin Heaths SPA.

7.2 Principle of the development

- 7.2.1 The current proposal relates to the redevelopment of a building for the provision of additional residential development within the Green Belt settlement of Chobham. Whilst the village is a “washed over” Green Belt settlement, normal settlement policies would apply, instead of national Green Belt policy. The proposal also involves the loss of two Class A1 retail units. However, the site is outside of a defined local shopping parade as outlined in Policy DM12 of the CSDMP. The site is not within the local centre of Chobham as outlined under Policy CP9 – which is located approx. 0.8km to the southeast.
- 7.2.2 One of the retail units is currently occupied as a convenience store. There has been a convenience store at this location for many years, with the other vacant unit last used as an off-licence. A village shop such as this could fall under the description of “community facilities” as outlined in the revised NPPF, whereby Paragraph 92c) states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.
- 7.2.3 The Planning Statement identifies other existing Class A1 convenience store locations within the village, including a Spar shop (Chertsey Road) and a Co-op shop (Bagshot Road) approx. 850-900m from the application site. There is also a pharmacy premises at Windsor Road approx. 400m to the southeast. It is accepted that there are numerous dwellings within the village boundary further to the north of the application site. However, Chobham village benefits from designated local shopping parades, within its centre and also along the abovementioned Chertsey Road site, which can continue to be protected. Given the above context, it is considered that the proposed loss of the convenience store function would not adversely impact on the village’s wider ability to meet its day-to-day needs, therefore not conflicting with Para 92c) of the NPPF.

7.2.4 It is therefore considered that the proposal would be a sustainable form of development and that the principle of the loss of the retail function and redevelopment for additional residential units is acceptable.

7.3 Impact on character of the surrounding area

7.3.1 The revised NPPF 2018 requires planning policies and decisions to ensure that new development makes efficient use of land and is visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character and history, including the surrounding built environment and landscape setting. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents (paragraphs 122, 127 and 130 of the NPPF). Policies CP2 (iv) and DM9 (ii) of the CSDMP reflect these requirements.

7.3.2 Principle 7.4 of the Residential Design Guide (RDG SPD) advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. The proposed flat building would be set back between approx. 0.5m-3m from the highway boundary, on account of its staggered layout. This would be noticeably further set back from the existing building which abuts the highway boundary and the proposed adjoining dwelling would be set back further, to be in line with the detached dwelling of No. 83 Windsor Road to the north. This staggered arrangement is considered to form an appropriate transition from this neighbouring dwelling towards the Saddlers Court flat building abutting the front boundary to the south, whilst also allowing for introduction of landscaped areas to the front.

7.3.3 Although the proposed height of the replacement building as a whole would be greater, the streetscene plan shows that it would not be higher than No. 83 and only marginally higher than the largest gable frontage of Saddlers Court at the other end. The proposed maximum depth of the flat building would be less than the existing building and commensurate with that of Saddlers Court. The proposed replacement flat building would be sited approx. 4.7m from Saddlers Court, to allow for a new vehicular access. The proximity of the adjoining dwelling to No. 83 on the other side would be approx. 1m to its single storey side elevation and approx. 2m to its two storey main elevation. Given the lower proposed eaves and ridge height of the dwelling, along with the maintenance of the front elevation setback, it is considered that the proposed building as a whole would not appear cramped within its plot. It is also considered that the proposed siting, height and depth, in the context of the existing on-site building and the buildings at either side, would not lead to an over-dominant relationship with the surrounding streetscene.

7.3.4 Principle 7.5 of the RDG SPD advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that architectural detailing should be used to create attractive buildings that positively contribute to the character and quality of an area.

Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.

- 7.3.5 The proposed building would include pitched roof forms and front gable ends. Surrounding buildings all contain pitched roofs and with a mixture of hipped ends and gabled frontages, with a wide variety of eras including the Locally-Listed Quince Cottage (No. 85 Windsor Road further to the north), Edwardian and post-war dwellings. The proposed pitched roof forms with decorative front gable ends and lower interlinking pitched roofs closely reflect the roof form of Saddlers Court immediately to the south. The use of smaller interlocking roof valleys assist in reduction of the roof bulk, and the use of the decorative front gables add interest and articulation. The overall traditional design approach is therefore supported as an appropriate response in this location. A planning condition can be imposed to ensure that all the proposed external materials would respect the palette of the surrounding buildings.
- 7.3.6 Principle 6.7 of the RDG SPD advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough and ensure developments are not functionally and visually dominated by cars. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. Although the main proposed parking area for the flats includes five side-to-side parking spaces, the other spaces are broken up by landscaping or pedestrian pathways to the communal amenity area. Given its secluded location to the rear and adjacent to an existing rear parking area of Saddlers Court, this arrangement is considered acceptable. Although the two spaces for the proposed dwelling are to the front, they would be surrounded by landscaping to the side and rear and would represent a significant reduction in hardstanding from the existing shop parking area. It is therefore considered that the overall parking layout would not give rise to an unacceptable prominence of parking in the streetscene.
- 7.3.7 In light of all the above considerations, it is not envisaged that the proposed design, siting and quantum of built form would lead to a cramped, over-dominant or incongruous addition to the streetscene, and would therefore comply with the design requirements of Policy DM9 of the CSDMP and the supporting design principles of the RDG SPD.

7.4 Impact on amenities of neighbouring properties and future occupiers

- 7.4.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the Residential Design Guide SPD states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted.
- 7.4.2 The proposed first floor rear elevation bedroom windows of the dwelling would be sited approx. 9m from the rear boundary with the garden area of No. 83 Windsor Road, and the upper floor flat windows would be sited between approx. 10m-15m from this boundary. However, this neighbour contains an irregularly-shaped private

garden area, meaning that the proposed development would not overlook the primary amenity space directly to the rear of No. 83, as it is sited to the north. Furthermore, the nearest existing first floor flat window is sited approx. 10.5m from this neighbouring boundary. Given this context, it is considered that the proposed development would not lead to adverse impact upon No. 83 in terms of loss of privacy.

- 7.4.3 The proposed flat building would include two first floor side elevation habitable room windows facing the Saddlers Court flat building to the south. It is considered that the separation distance of approx. 17m to the side elevation windows of this neighbouring flat building, with its existing undercroft vehicular access sited in between, would be sufficient to avoid adverse harm in terms of loss of privacy. The Saddlers Court side elevation adjacent the new proposed vehicular access contains no windows. Given this arrangement along with the existing access and parking area of Saddlers Court, it is considered that the proposed flat parking would not lead to adverse impact in terms of noise and disturbance.
- 7.4.4 Paragraphs 8.5-8.6 of the RDG SPD advises that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Para 8.12 of the RDG SPD further advises that potential design solutions to prevent material loss of daylight to neighbouring windows and overshadowing of habitable external spaces include ensuring that the centre of an existing window serving a habitable room does not fall within 45 degrees towards a proposed two storey development.
- 7.4.5 The two storey rear outshot of the proposed dwelling would project approx. 1.8m beyond the rear elevation of No. 83 Windsor Road. However, the separation distance of approx. 5m to the side boundary would avoid a breach of the abovementioned 45 degree test, and is considered sufficient to avoid adverse impact in terms of overbearing impact. This neighbour contains no side elevation windows facing the proposal and therefore, the proposed increased proximity of built form would not lead to material harm to the amenity of this neighbour in terms of loss of light, outlook, or overbearing impact.
- 7.4.6 The proposed flat building would project approx. 5.5m beyond the nearest rear elevation of the Saddlers Court flat building. However, this neighbouring elevation contains no windows. The distance of approx. 17m to the nearest side elevation windows of Saddlers Court is considered sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact.
- 7.4.7 It is considered that the proposed development as a whole would be sited at sufficient distance from other neighbouring boundaries and habitable windows to avoid material harm to amenity.
- 7.4.8 Principle 8.5 of the RDG SPD advises that flatted developments should provide outdoor amenity space for each unit. In flatted developments, communal open space will be expected. This should be: connected to the building; easily accessible to all residents; screened from public view; free of vehicles; located to receive sunlight for a substantial part of the day, and; actively overlooked to provide

surveillance and security. The proposed flats would be provided with communal private amenity space to the rear, with an area of approx. 150 sq m. Additionally, two of the proposed first floor flats would be provided with rear balcony space. In this instance, the proposed amenity space provision is considered to be sufficient for the proposed flats to comply with Principle 8.5 of the RDG SPD. Approx. 87 sq. m private rear garden space is proposed for the three-bed dwelling, which would meet the minimum requirement as advised under Principle 8.4 of the RDG SPD.

- 7.4.9 The overall floorspace and storage provision for each flat would meet the requirements as set out in the national minimum space standards, and it is also considered that future occupiers would be afforded with sufficient outlook. Although the proposed relationship between the ground floor side bedroom and the adjoining dwelling is somewhat unusual, as no direct overlooking towards windows or private amenity areas would arise it is considered unreasonable to raise a sole objection on this issue.
- 7.4.10 In light of all the above built form and boundary relationships, it is considered that the proposed development would sufficiently respect the amenity of all surrounding neighbours and future occupiers, in compliance with the amenity requirements of Policy DM9 of the CSDMP and the relevant principles of the RDG SPD.

7.5 Impact on highway safety

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.5.2 The proposed development would be served by two dedicated car parking spaces to the front of the proposed 3-bed dwelling and a new vehicular access on the other end of the site to provide 12 parking spaces for the eight flats (including one visitor space). Two spaces would be assigned to each of the three largest flats containing two/three bedrooms. The proposed new access width would be sufficient for emergency services access and for two cars to pass simultaneously. Within the proposed parking area, a minimum width of 6m would be provided as sufficient turning space, as outlined by the County Highway Authority (CHA) standing advice. A section of the existing parking area in front of the shop premises will also be retained, and it is noted that this space is currently used for car parking for the shop. Cycle parking spaces would be accommodated within a separate enclosed building to the rear. The proposed communal bin storage would be located within sufficient distance of the Windsor Road access to avoid refuse vehicles having to enter the site.
- 7.5.3 The proposed development would be accessed via a well-used regional A-route. The applicant has provided a Transport Statement, which includes a traffic survey to outline the average road speed to form the desirable minimum stopping sight distances from each side of the proposed new access. The CHA has been consulted and has not objected on safety, capacity or policy grounds, subject to conditions, commenting that although the visibility splays fall slightly below the standard requirements when exiting right from the site, this is acceptable in this location as the applicant has demonstrated a safe reduced visibility distance on account of average 85 percentile traffic survey speeds (29.8mph travelling towards

the zebra crossing/mini-roundabout). The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

- 7.5.4 Concern has been raised in respect of lack of disabled parking provision. The CHA does not outline a minimum requirement for disabled parking provision. However, the applicant's written response letter to the Parish Council objection states that a dedicated disabled space could be agreed under a planning condition. It is noted that the paving around two of the spaces currently allocated to Flat 8 would allow an amended parking width to meet the minimum 3.3m required under separate Building Control regulations. It is therefore considered that one of these spaces could be widened as dedicated disabled space and that the subsequent loss of the dedicated visitor space within this parking court would be offset by the retained layby to the front. Specific details can be secured through a planning condition.

7.6 Other matters

- 7.6.1 The Council's Arboricultural Officer raised no objection, subject to a standard pre-commencement condition requiring evidence of the implemented tree and ground protection measures as recommended in the Tree Survey Report. Similarly, the Council's Scientific Officer raises no objection subject to the standard precautionary contamination condition.
- 7.6.2 A Drainage Technical Note has been provided, which advises that the surface water from the development will discharge via the existing surface water sewer connection at a reduced rate when compared with the existing. The parking bays will be constructed using permeable paving. The Council's Drainage Engineer has reviewed the submission and raises no objection, but has advised the applicant to contact Surrey County Council as the Lead Local Flood Authority and owners of the external surface water drainage system to clarify the use of this for the proposed development. It is considered that subject to a planning condition to secure compliance with the drainage scheme, the proposed development would not lead to an increased risk of flooding within the site or the surrounding area, in compliance with Policy DM10.
- 7.6.3 The Preliminary Ecological Appraisal identified evidence of roosting bats in the main building roof void. It was therefore recommended that three nocturnal emergence surveys be undertaken. As the recommended further bat surveys were not provided with the application due to hibernation pattern time constraints, Surrey Wildlife Trust (SWT) commented that the LPA should seek confirmation from the applicant that the proposed development could accommodate the likely requirement for replacement bat roosts. The applicant's ecologist has subsequently written to confirm that the conditioning of the further nocturnal bat surveys, as recommended in the initial Appraisal, ensuring that the favourable conservation status of the protected bat species found at the site will be maintained in accordance with the legal requirements of wildlife law. In the officer's opinion, in this case, this would meet the precautionary test under OPDM Circular 06/2005, given the low conservation status of the roosts identified to date and the capacity within the site for bespoke new roosting areas for higher-status species. These additional surveys and subsequent mitigation measures can be secured as a pre-commencement condition for consultation with SWT.

7.6.4 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.

7.7 Impact on local infrastructure

7.7.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build.

7.7.2 As the proposal includes additional market housing units, the development is CIL liable. CIL is a land charge that is payable at commencement of works. An informative advising of this will be added.

7.8 Impact on Thames Basin Heaths SPA

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. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for 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.

7.8.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £3,866 is needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. It is intended that this be secured in a Section 106 agreement between the applicant and the Council.

8.0 CONCLUSION

- 8.1 The proposed flat and dwelling building would not lead to an over-dominant or incongruous addition to the streetscene, a cramped appearance or unacceptable harm to amenity. The proposal has the support of the County Highway Authority, Surrey Wildlife Trust and the Council's Scientific Officer and Arboricultural Officer. The application 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 completion of a legal agreement to secure the SAMM financial contribution, and the following conditions:

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:

Proposed floor plans and roof plan (Drawing No. 2704-A-3000-C);
Proposed elevations and section (Drawing No. 2704-A-3001-B); Proposed refuse and cycle store floor plans and elevations (Drawing No. 2704-A-1006-A); Proposed streetscenes (Drawing Nos. 2704-C-1210-C; 2704-C-1211-A)- all received on 05 November 2018;
Proposed site plan (Drawing No. 2704-C-1005-E - received on 10 January 2019);

Proposed highway works plan (Drawing No. 20114-04 Rev B - received on 17 January 2019), unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

4. 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 ACD Environmental and dated 07 November 2018.
Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5.
 1. No development shall take place until full details of both hard and soft landscaping works have been 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. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details.

3. 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.

6. Arboricultural work to existing trees shall be carried out prior to the commencement of any other development; otherwise all remaining landscaping work and new planting shall be carried out prior to the occupation of the development or in accordance with a timetable agreed in writing with the Local Planning Authority. Any trees or plants, which within a period of five years of commencement of any works in pursuance of the development die, are removed, or become seriously damaged or diseased shall be replaced as soon as practicable with others of similar size and species, following consultation with the Local Planning Authority, unless the Local Planning Authority gives written consent to any variation.

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

7. No part of the development shall be first occupied unless and until the proposed vehicular access to Windsor Road has been constructed and provided with visibility zones in accordance with the approved plan Drawing No. 20114-04 B (received on 17 January 2019) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. No part of the development shall be first occupied unless and until the proposed amendments to the road markings and the zebra crossing lights has been implemented in accordance with the approved plans.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. No development shall commence until a Construction Transport

Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) measures to prevent the deposit of materials on the highway

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

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

11. The development hereby approved shall not be occupied unless and until at least 20% 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.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. The development hereby approved shall not be first occupied unless and until the existing accesses from the site to Windsor Road have been remodelled in accordance with the approved plan Drawing No. 20114-04 B (received on 17 January 2019) and any kerbs, verge, footway, fully reinstated.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. The development hereby approved shall not be first occupied unless and until facilities for the secure parking of at least 8 bicycles within the development site have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

14. The development hereby approved shall not be first occupied unless and

until details outlining the location of one disabled parking space have been submitted to and approved in writing by the Local Planning Authority. Thereafter this parking space shall be retained and maintained for its designated purpose.

Reason: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

15. (i) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
- (ii) The above scheme shall include :-
- (a) a contaminated land desk study and suggested site assessment methodology;
 - (b) a site investigation report based upon (a);
 - (c) a remediation action plan based upon (a) and (b);
 - (d) a "discovery strategy" dealing with unforeseen contamination discovered during construction;
 - and (e) a "validation strategy" identifying measures to validate the works undertaken as a result of (c) and (d)
 - (f) a verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out
- (iii) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed

Reason: To ensure that a satisfactory strategy is put 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.

16. No development shall take place unless and until additional bat emergence surveys and mitigation proposals (as recommended in Section 4.3 of the Extended Phase 1 Habitat Survey and Preliminary Roost Potential Assessment Report [CGO Ecology Ltd dated 15th October 2018]) are submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be undertaken in accordance with all agreed recommendations and mitigation measures supporting these bat emergence surveys. The development hereby approved shall in all other respects be undertaken in accordance with the recommendations and mitigation measures contained within the abovementioned Extended Phase 1 Habitat Survey, unless otherwise agreed upon in writing by the Local Planning Authority.

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.

17. The development hereby permitted shall be undertaken and maintained in accordance with the Drainage Technical Note [Meyer Brown - received on 23 November 2018], unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: To ensure the development does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Highway informatives

The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing

be reinstated to conform with the existing adjoining surfaces at the developers expense.

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.

It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

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).

3. Contaminated land survey informative

For the avoidance of doubt, the following definitions apply to the above condition (No: 15) relating to contaminated land:

Desk study- This will include: -

- (i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
- (ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.

Site Investigation Report: This will include: -

- (i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
- (ii) a risk assessment based upon any contamination discovered and any receptors.

Remediation action plan: This plan shall include details of: -

- (i) all contamination on the site which might impact upon construction workers, future occupiers and the surrounding environment;
- (ii) appropriate works to neutralise and make harmless any risk from contamination identified in (i)

Discovery strategy: Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of: -

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination.

Verification of remediation report - This will include:-

- (i) a strategy for verification of remediation
- (ii) all information and data relating to contamination to evidence and substantiate the remediation action plan has been followed and completed.

4. The applicant is advised to contact Surrey County Council as the Lead Local Flood Authority as the owners of the external surface water drainage system to clarify the use of this for the proposed development.

In the event that a satisfactory legal agreement has not been completed by 22 April 2019, the Executive Head of Regulatory be authorised to REFUSE for the following reason:

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).