

## DELEGATED REPORT SHEET

**CASE NO:** 2018/0001  
**LOCATION:** DOONE COTTAGE, LINFIELD AND LITTLE ROSEWARNE, POTTERIES LANE, MYTCHETT, CAMBERLEY, GU16 6EX  
**PROPOSAL:** Erection of 6 No. three bedroom and 2 No. two bedroom houses with landscaping, parking and accesses (to Potteries Lane and Coleford Close) whilst retaining existing dwellings on reduced residential curtilages and footpath link. (Additional Information rec'd 19/04/2018.) (Amended plans rec'd 12/07/2018 and 13/07/2018.)  
**TYPE:** Full Planning Application  
**APPLICANT:** Mr C Foster  
 Rio Homes  
**OFFICER:** Duncan Carty

Registration Date	Earliest Decision Date	Statutory Expiry Date
10/01/2018	14/02/2018	07/03/2018

Site Visit(s): 23/02/2018

### 1.0 RELEVANT PLANNING HISTORY

- 1.1 The application site has an extensive planning history of which the following are most relevant:
- 1.2 SU/05/0117 - Outline planning application for the erection of a detached dwelling house with access onto Potteries Lane (means of access to be considered) relating to the north part of the current application site (renewal of outline permission SU/02/0147). Approved in April 2005.
- 1.3 SU/05/0118 - Outline planning application for the erection of a four bedroom detached dwelling house with access onto Roberts Way (means of access to be considered) relating to land to the south west part of the current application site (renewal of outline permission SU/02/0149). Approved in April 2005.
- 1.4 SU/05/0119 - Outline planning application for the erection of a four bedroom dwellinghouse with garage (means of access to be considered) on land relating to the south east part of the current application site (renewal of outline permission SU/02/0148). Approved in April 2005.
- 1.5 SU/08/0161 - Renewal of outline planning permission SU/05/0119. Refused on SPA grounds in April 2008.
- 1.6 SU/08/0163 - Renewal of outline planning permission SU/05/0117. Refused on SPA grounds in April 2008.
- 1.7 SU/08/0164 - Renewal of outline planning permission SU/05/0118. Refused on SPA grounds in April 2008.
- 1.8 Overall, three houses had been approved across the wider application site (in outline only) in 2005 with the renewal applications which, following the adoption of the Thames Basin Heaths Special Protection Area (SPA) in late 2005, were refused permission solely on SPA grounds.

## 2.0 CONSULTATION RESPONSES

2.1	County Highway Authority	No objections
2.2	Countryside Access Officer	No objections
2.3	Natural England	No objections
2.4	Surrey Wildlife Trust	No objections
2.5	Archaeological Officer	No objections
2.6	Arboricultural Officer	No objections

## 3.0 REPRESENTATIONS

At the time of preparation of this report 56 representations have been received, 17 in support and 39 raising an objection to the proposal.

3.1 The representations raising an objection on the following grounds:

- Increase in movements of cars and deliveries through Potteries Lane, including its narrowing close to the site entrance [See paragraph 6.5]
- Lack of improvements to road surface in Potteries Lane. The impact of the resulting increased use of Potteries Lane on its surfacing (such pleas were ignored for the Coleford Paddocks development) [Officer comment: *This is a private road with the responsibilities for its upkeep with the residents of that highway. Any damage that could occur to this highway would be a matter for the developer and those residents outside of the planning acts*]
- Footpath should be improved for its length through to White Acres Road (i.e. the full length of Potteries Lane) prior to commencement of development [Officer comment: *Noting the comments of the County Highway Authority and Countryside Access Officer above who have both not specifically requested this provision for this development to be acceptable, it is not considered that this requirement would meet the Government tests for imposing conditions (i.e. necessary, relevant to planning and the development to be permitted, enforceable, precise and reasonable in all other respects); and/or legal obligations on development (i.e. necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development). In addition, see paragraph 6.5*]
- Previous refusal for housing on this site [Officer comment: *See planning history above*]
- Council's responsibility to upkeep the footpath in Potteries Lane with a recent inspection concluding (wrongly) that there was no fault with this access [Officer comment: *The upkeep of the public footpath network would be a matter for the Countryside Access team at Surrey County Council. In addition, see paragraph 6.5*]
- Conflict between pedestrian and vehicular traffic at Coleford Bridge Road and the Potteries access points and the wider road network [See paragraph 6.5]
- Conflict between pedestrian and construction traffic when under construction [See proposed Condition 3, Informative 1 and paragraph 6.5]
- Conflict with pedestrian traffic between school/nursery and main bus routes/local shops [See paragraph 6.5]
- Conflict between pedestrian/cycle traffic and new vehicular accesses across public

footpath [See paragraph 6.5]

- Site is part of the Basingstoke Canal SSSI [Officer comment: *This site is about 480 metres from this SSSI*]
- Site is within 500 metres of the SPA (a reason for refusal and an objection raised by Natural England on this impact) [See paragraph 6.6]
- Ecological and tree reports were undertaken following removal of trees (and impact on species/habitats e.g. bats) [See paragraph 6.10]
- Overlooking of property [See paragraph 6.4]
- Loss of view (open field) [Officer comment: *This is not a material planning consideration*]
- Loss of light/daylight [See paragraph 6.4]
- Impact from increased light and noise pollution [See paragraph 6.4]
- Only letter of support (received at that time) was from land owner [See paragraph 3.2]
- Applicant should make good the road and footpath to an acceptable standard with a view to adopting these highways. Making good the road surface in Potteries Lane should be undertaken before construction commences [Officer comment: *This is a private road with the responsibilities for its upkeep with the residents of that highway. Any damage that could occur to this highway would be a matter for the developer and those residents outside of the planning acts*]
- Provision of "premium" properties with an unsuitable access for cars [See paragraph 6.5]
- Overspill parking, e.g. visitors, on local roads creating more congestion [See paragraph 6.5]
- Overdevelopment of the site [See paragraph 6.3]
- Impact on water mains running under Potteries Lane and flood risk from damage to the pipes from increase traffic [Officer comment: *This is a private road. Any damage to the public mains system would be a matter for the developer to resolve with the water authorities*]
- Maximum road speed is 5 mph (rather than 30 mph) due to loose surface [See paragraph 6.5]
- Impact on character and ambience of lane [See paragraph 6.3]
- Verbal concerns raised by local residents at public consultation not picked up in statement [Officer comment: *This is not a material planning consideration for this proposal*]
- Traffic impact statement projection of increased vehicle movements is unrealistic (i.e. too low) [See paragraph 6.5]
- No improvements to IT and other communications technology [Officer comment: *Noting the size of the development proposal, this would not be a reason to refuse this application*]
- Loss of an important micro beauty spot [See paragraph 6.3]
- Proposal should be smaller and provide retirement homes for local people [Officer comment: *The current application is considered on its own merits*]

- Residents are at the mercy of large organisations who are experts in using rules and targets to full advantage [*Officer comment: The current application is considered on its own merits*]
- Level of street lighting in The Potteries is insufficient for the extra traffic provided by this proposal [*See paragraph 6.5*]
- Provision of yellow lines (to restrict parking) on highways close to the site entrance onto Coleford Close should be undertaken by developer [*See paragraph 6.5*]
- Loss of hedges and fencing would result in a loss of privacy from front window facing the public footpath [*Officer comment: The proposal would seek replacement hedging, in part, to both sides of the realigned public footpath (delivered as a part of a wider landscaping scheme by condition. In addition, see paragraph 6.5)*]
- Loss of wildlife and habitats [*See paragraph 6.9*]
- Maintenance of hedging adjacent to public footpath [*Officer comment: The proposal would seek replacement hedging, in part, to both sides of the realigned public footpath (delivered as a part of a wider landscaping scheme by condition. In addition see paragraph 6.5)*]
- Surrey County Council threat of action against local residents due to condition of the highway at The Potteries (under Sec 230 of the Highways Act 1980) [*Officer comment: This is a matter for the highway authority. In addition see paragraph 6.5*]
- An adequate public safety risk assessment due to impact on footpath use has not been provided [*See paragraph 6.5*]
- Proposal, providing terraced properties with small gardens, is out of keeping with properties in The Potteries and Coleford Paddocks which are detached with large gardens [*See paragraph 6.3*]
- Increased flood risk with a high ground water table in the area high due to surrounding lakes, canal and Rover Blackwater [*See paragraph 6.8*]
- Vehicular access between Coleford Bridge Road and Mytchett Road would be used as a short cut [*Officer comment: Such an access is not being proposed*]
- Estimated time period (three years) for construction causing significant disruption to peaceful living [*Officer comment: Planning law can only stipulate a minimum time period to commence a development, normally 3 years, before any permission expires*]
- Impact on air quality and temperature [*Officer comment: This would not be a reason to refuse this application*]
- Increase in density of development [*See paragraph 6.3*]
- Loss of green space [*Officer comment: The application site is not a designated green space*]
- Bungalows approved on adjoining site (12-20 Roberts Way) to ensure no overlooking [*Officer comment: This relates to permission SU/88/0248 relating to a development of 10 bungalows. Each proposal is considered on its own merits*]
- The three trees on the site should be protected with a Tree Preservation Order [*See paragraph 6.3*]
- Impact on species (frogs, toads, bats, slow worms, bumble bees, stag beetles, nuthatches, song thrush, foxes, badgers, etc.) [*See paragraph 6.10*]

- Local support letters are from residents who do not live locally, or will benefit from the proposal, and would not be directly impacted. Personal interests should be declared [*Officer comment: There is no legal requirement for respondents to applications to make any such formal declaration*]
- Use of electric/hybrid cars (with electric points to be provided) which would not be heard and would cause a safety hazard to pedestrian use of public footpath [See paragraph 6.5]
- Amended scheme does not address any previous concerns [*Officer comment: This is noted*]
- Lack of infrastructure improvements [See paragraph 6.9]
- Safety of pedestrians using the public footpath needs to be guaranteed (liability for any accidents with the Council) [*Officer comment: The safety of users of the public footpath would be a matter for the users of the footpath*]
- Photo images provided do not include nearby bungalows or dormer bungalows [*Officer comment: These details are provided for information and do not form a part of the validation needs for this application submission. In terms of the wider impact of the proposal on local character, see paragraph 6.3 below*]
- Amended scheme includes a narrowing of access road (to the rear of Doone Cottage) which will exacerbate difficulties in vehicular manoeuvres [See paragraph 6.5]
- Amended scheme reduces car parking by one space [See paragraph 6.5]
- Existing footpath would be perfectly functional if cut back [See paragraph 6.5]
- Notion that the applicant is being generous by not providing flats is laughable and irrelevant [*Officer comment: Flats do not form a part of the application proposal*]
- Saturation point has been reached for development in this locality putting services such as schooling, medical care, social services, etc., under undue pressure [See paragraph 6.9]
- The Council has an obligation to specify the minimum footpath width [*Officer comment: This would be a matter for the Countryside Access team. However, in terms of this application, the Countryside Access Officer raises no objection. In addition, see paragraph 6.5*]
- Existing signage on the public footpath has been subsumed by vegetation [*Officer comment: This would be a matter for the Countryside Access team*]

### 3.2 The representations in support make the following comments:

- Proposal, both in terms of layout and appearance, will fit in well with the surroundings
- The retention of the existing bungalow and cottages will preserve the character
- In support of improvements to footpath width, and removal of high hedges, to improve access (especially for mothers with children) and alleviate security risk/personal safety at night
- Limited access for fire, ambulance and refuse vehicles
- Only bungalows can be built in this area
- Family housing provided rather than flats

- Relative positions and orientation of dwellings should exclude potential difficulties with overlooking of any properties
- Having separate accesses from Potteries Lane and Coleford Close is a sensible way to minimise any environmental impact from increased traffic
- Existing vehicular access across public footpath (serving Little Rosewarne) does not cause any problems
- Wildlife (mammals/reptiles) not seen at the site
- Layout to maximise parking for the new dwellings has been carefully designed and alleviates the need to reverse up the lane
- Opening up of accesses will improve visibility across the public footpath
- Density of development is not as high as it could have been
- Two and three bedroom (i.e. smaller to medium sized) houses are desperately needed
- Development will enhance the area
- Note comments regarding maintenance of Potteries Lane from local residents but it is the responsibility of those residents for its upkeep
- If not approved, future developers may provide vehicular link between The Potteries and Coleford Lane
- Not aware of any safety issues with existing access (from Little Rosewarne) across public footpath
- Previous planning applications were not refused for access grounds; with the last application refused in 2008 on SPA grounds
- Removal of hedges will remove "tunnel effect" of existing public footpath
- Ample parking to be provided
- Electric cars are a Government initiative so difficult to understand reasons for objections raised to this
- Responsibility of parents to ensure children safety on public footpath
- Amendments to the proposal address issues raised following the application submission
- Amended plans significantly improve the parking arrangements eliminating a potential car park effect adjacent to Appledyke and in front of Little Rosewarne and number of additional vehicles using Potteries Lane will be sizably reduced
- Use of footpath is no greater than on neighbouring paths

#### **4.0 SITE DESCRIPTION**

- 4.1 The application site relates to a site between Coleford Close and Potteries Lane lying within the settlement of Mytchett. The 0.38 hectare site includes the residential properties, Doone Cottage, Linfield and Little Rosewarne on the west side of this site and a field on the east side of the site. In between, public footpath No. 31 bisects the site running from north to south. The existing properties, all located on the west side of the footpath, front onto this footpath. Potteries Lane is a private road, but with the footway on the south side of this

highway in County ownership/control and part of the adopted highway network.

- 4.2 The north (majority) part of the application site (Plots 3-8 and the existing dwellings) lies within a "Historic Route - Lanes" character area as defined within the Western Urban Area Character SPD 2012; with the southern part of the application site (Plots 1 and 2) lying within a "Post War Open Estate" character area as defined within this SPD.
- 4.3 The Western Urban Area Character SPD 2012 differently defines these contrasting character areas. The "Historic Route - Lanes" character area is indicated to be characterised by their narrow gravel roads, intense, small scale forms of development and a high number of buildings that date from Victorian or earlier periods. All of the lanes have their origins in the Victorian era or earlier and most formerly provided access to a business or farm.
- 4.4 The "Post War Open Estate" character area is defined as estates of houses with a common age (normally built between the 1950's and 1970's) and architectural styling, with no enclosure of front gardens by fences or walls and long winding avenues and numerous cul-de-sacs. In Mytchett, these new estates were small scale and more in the nature of infill or redevelopment of the existing urban fabric.
- 4.5 The site lies within about 480 metres from the Thames Basin Heaths Special Protection Area.

## **5.0 THE PROPOSAL**

- 5.1 The application proposal relates to the erection of eight dwellings (in the amended form of 4 no pairs of semi-detached two storey dwellings, made up of 2 no two bed and 6 no three bed units), whilst retaining the three existing dwellings on reduced curtilages. Plots 1 and 2 would be provided fronting Coleford Close (and, in part, Roberts Way). In its amended form, Plots 3 and 6, would be set back from Coleford Close and would face a new access road from Coleford Close. Plots 4 and 5 would be positioned between the retained dwellings Little Rosewarne and Linfield, facing the public footpath. Plots 7 and 8 would face the access to Potteries Lane.
- 5.2 The proposed houses would have maximum heights of about 7.9 - 8.1 metres and be traditional in design, proposed materials and detailing with window and door hoods; raised corner/string brickwork courses; traditional window frames (sash); and gable roof storm porches provided for these dwellings. A garage would be provided for Plot 4. Overall, 21 parking spaces would be provided for the existing and proposed dwellings.
- 5.3 The existing public footpath will be slightly realigned and provided with a width of 1.8 metres for the length of the application site. Separate vehicular accesses would be provided from Potteries Lane and Coleford Close; but with no vehicular through route.

## **6.0 PLANNING ISSUES**

- 6.1 This application is considered against Policies CP1, CP2, CP5, CP6, CP11, CP12, CP14, DM9, DM10 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as amended) (SEP); the National Planning Policy Framework 2018 (NPPF); and advice within the Western Urban Area Character SPD 2012 (WUAC); the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (TBHSPA); and the Residential Design Guide SPD 2017 (RDG).
- 6.2 As such, the main considerations for this application include:
  - impact on character and trees;

- impact on residential amenity;
- impact on parking and highway safety;
- impact on the SPA;
- impact on affordable housing provision;
- impact on drainage and flood risk;
- impact on local infrastructure; and
- impact on ecology and sustainability.

### 6.3 Impact on character and trees

- 6.3.1 Policy DM9 of the CSDMP indicates that developments should respect and enhance the local character paying particular regard to scale, materials, massing, bulk and density. Principle 7.4 of the RDG indicates that new development should reflect the spacing, heights and building footprints of existing buildings and Principle 7.8 of the RDG requires the use of architectural detailing to create attractive buildings that positively contribute to the character and quality of the area.
- 6.3.2 The existing dwellings in the immediate area are a mix of bungalows (including Little Rosewarne, 4-20 Coleford Close and 12-20/27-35 Robert Way); chalet bungalows (including 2-10/1a-25 Robert Way and 2 Coleford Close); but predominantly two storey dwellings (Linfield and Doone Cottage; 1, 3, 9-33 and 22-24 Coleford Close; 1-5 and 2-10 Lynfields; and the properties in Potteries Lane).
- 6.3.3 The current proposal would provide two storey dwellings reflecting predominantly the residential development to the north (Potteries Lane) and east (Lynfields and the north side of Coleford Close, as well as its access to Coleford Bridge Road). The proposed dwelling for Plot 1 would be sited along side the chalet bungalow, 2 Roberts Way, a relationship which is repeated in a number of locations in the Borough. The spacing between these buildings, providing a gap of about 8 metres between the two storey elements of these dwellings, and a very limited difference in height between these existing and proposed structures, would provide an acceptable relationship in character terms.
- 6.3.4 The design of the proposed dwellings would be traditional with detailing to include window and door hoods; raised corner/string course brickwork; traditional window frames (sash); gable roof storm porches and pitched roof front canopies; which would be sympathetic to the design of the traditional dwellings, particularly within Potteries Lane, and add interest to these dwellings.
- 6.3.5 Principle 6.4 of the RDG indicates that housing development should seek to achieve the highest density possible without adversely impacting on amenities or compromising local character. Principle 6.3 of the RDG indicates that new development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Fine residential plot divisions will be supported and encouraged, particularly in intensifying urban areas. Plot boundaries will be expected to be clearly and strongly defined.
- 6.3.6 Principle P01 of the WUAC indicates that within the "Post War Open Estate" character area new development should pay regard to the maintenance of space around buildings, use of designs to reflect the post war architecture, consist of two storey dwellings. Principle L1 of the WUAC indicates that within the "Historic Routes - Lanes" character area, development should have regard to the two storey building height, the need to reflect historic plot dimensions, high quality architectural detailing of publicly visible elevations, provision of opportunities to soften closely set buildings with vegetation and protection of hedgerows as boundaries, and to address/face the lane with elevations good articulation and active frontages.



- 6.3.7 The current proposal would provide a layout which reflects the siting between two distinct areas; the traditional properties (pre-1945) particularly within Potteries Lane and the more modern (1950's onwards) later additions within Coleford Close, Wynfields and Roberts Way. The application site presents the gap between these two areas, closing off any potential vehicular link whilst maintaining the existing pedestrian link (with the public footpath No. 31 retained, on an amended route).
- 6.3.8 The proposed dwellings would provide dwellings similar in scale and spacing to those nearby, especially in Potteries Lane. The proposed dwellings would provide a traditional Victorian/Edwardian design approach in keeping with the general style of buildings in Potteries Lane. This approach contrasts with the more homogenous, modern dwellings in the later developments to the south (i.e. Robert Way, Wynfields and Coleford Close). However, more recent infill development (1, 2a-2c and 3 Coleford Close) adds a greater variety of dwelling types and styles to this streetscene to which the proposed dwellings at Plots 1 and 2 fronting onto Coleford Close would add to and complement; with this greater mix of housing on the approach to the application site from Coleford Bridge Road.
- 6.3.9 The proposals would provide well defined plot boundaries and development (subject to details of landscaping agreed by condition), with narrower front gardens, part of which follows the existing development within the site fronting onto the public footpath (Plots 4 and 5), with new properties also fronting onto Coleford Close (Plots 1 & 2) and new access road off Coleford Close (Plots 3 & 6), with new properties (Plots 7 & 8) fronting the access onto Potteries Lane. Each of these properties are orientated so that they address the street whether this relates to the adjoining streets, access roads or public footpath. The retained gaps would provide a balance between the need to provide a more spacious form of development reflecting its location and the need to make best use of land.
- 6.3.10 Principle 6.1 of the RDG requires residential developments to connect into and complement the local existing network of routes and ensure connections for pedestrians, cyclists and other non-car methods of transport to have the highest priority. Principle 6.7 of the RDG indicates that parking layouts should be high quality and designed to ensure that developments are not dominated by cars. Principle 6.8 of the RDG indicates that on-plot parking should be provided to the side or rear and where provided to the front should be enclosed by landscaping and not dominate the appearance of the plot or the streetscene with extensive hardstanding or multiple/over wide vehicle cross overs with Principle 6.9 of the RDG indicating that car parking courts should be designed with active frontages and, where designed to the front of dwellings, should be enclosed with strong landscape screens and not be dominant in the streetscene. Principle 9.1 of the RDG indicates that all boundary treatments in residential developments will be expected to be of high quality and reflect the character of the development and the surrounding context.
- 6.3.11 The proposal would retain the pedestrian link (Public Footpath 34), in a slightly amended position, through the site linking Coleford Bridge Road and Mytchett Road via this route. The proposed parking is provided in a number of ways including within on-plot drives either to the front/side or rear (Plots 1, 2, 4 and 7 as well as for Linfield and Doone Cottage); to the front (Plots 5 and 8, as well as Little Rosewarne) and in small parking courts to the front (Plots 3 and 6) This provides variety and breaks up the hardstanding areas. Those provided to the front are to be framed by soft landscaping areas, and would be set back and/or obscured from the existing highway network. This overall provision would be acceptable and would not adversely impact upon local character.
- 6.3.12 Policy DM9 of the CSDMP indicates that development will be acceptable where they protect trees and other vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate.
- 6.3.13 There are a number of major trees close to the approaches to the sites accesses and to site boundaries, but none are protected under any Tree Preservation Order. The tree report indicates that all of the major trees will be retained, and the Arboricultural Officer raises no objections to the proposal. Subject to the implementation of the development in

accordance with the recommendations set out in the tree report, no objections are raised on these grounds. Under these circumstances, it is not considered prudent to protect these trees further (e.g. by imposing a Tree Preservation Order), and approach supported by the Arboricultural Officer in this instance.

- 6.3.14 The proposal would result in the loss of hedging particularly to either side of the footpath edge and Coleford Close frontage, which forms part of the character of the application site. However, it is anticipated that there will be opportunities to replace the hedging to much of the footpath length through the application site and provided as a part of the landscaping scheme (by condition). The front gardens of Plots 1 and 2 would be relatively open which would reflect the character of the properties in Robert Way, Coleford Close and the wider "Post War Open Estate" character area.
- 6.3.15 As such, the proposal is considered to be acceptable in terms of its impact upon local character and trees, complying with Policy DM9 of the CSDMP; as well as advice within the WUAC and RDG.

#### 6.4 Impact on residential amenity

- 6.4.1 Policy DM9 of the CSDMP indicates that developments should provide sufficient private amenity space and respect the amenities of the occupiers of neighbouring properties and uses. Principle 8.1 of the RDG indicates that new developments 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. Principle 8.3 of the RDG indicates that the occupants of new dwellings should be provided with good quality daylight and sun access levels to habitable rooms and external spaces. developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.
- 6.4.2 The dwelling at Plot 1 would be located about 8 metres from the flank wall of 2 Roberts Way and rear wall is located (in part) about 3 metres beyond the rear wall of this dwelling.
- 6.4.3 The dwelling at Plot 2 would be located with a rear wall set about 7.8 metres from the rear boundary of the site (the flank boundary of Little Rosewarne), and about 12.7 metres for the flank wall of this property.
- 6.4.4 The dwelling at Plot 4 would be provided with a flank wall set about 3.7 metres from the flank wall of Little Rosewarne and with a rear wall 11.3 metres from the rear boundary with 14 Robert Way, and about 23.3 metres from the rear wall of this property.
- 6.4.5 The dwelling at Plot 5 would be set-in about 2 metres for the flank boundary with Linfield and about 6.7 metres from the flank wall of this property. The rear wall of the property would be positioned about 12 metres from the rear boundary and 17.3 metres from the rear wall of 16 Robert Way beyond.
- 6.4.6 The dwelling at Plot 8 would face the front garden of Appledyke, set roughly at right angles to this dwelling, with a minimum separation of 15.3 metres between these dwellings. The front walls of Plots 7 and 8 would face the front garden of Appledyke, with a minimum separation distance of 13.3 metres to the flank boundary of this garden. The rear garden of this property would be positioned at an angle to the rear boundary of 3 Wynfields, but with a minimum separation distance of 17.3 metres between these dwellings. The front wall of the dwelling at Plot 8 would be angled away from the rear garden of 3 Wynfields, but with some views across the rear corner of this rear garden.
- 6.4.7 The flank wall of the dwelling for Plot 6 would face the rear boundary of 1 Wynfields, with a separation distance of about 13.3 metres between the rear wall of 1 Wynfields and this property. The proposed dwelling for Plot 6 would be set a minimum of about 13 metres for the rear of 27 Coleford Close. The front wall of the dwelling at Plot 6 would be angled away from the rear garden of 7 Coleford Close, but with some views across the rear corner of this rear garden.

- 6.4.8 The rear walls of the dwellings for Plots 3 and 6 would be set a minimum of 22 metres from the rear walls of the dwellings for Plots 7 and 8. The dwellings would be positioned to either side of the front elevations of the existing dwellings, Linfield and Doone Cottage.
- 6.4.9 The proposed principle habitable room windows are to be positioned in the front and rear elevations with any windows proposed in the flank elevations, at first floor level, serving either non-habitable spaces (e.g. bathrooms) or provided as secondary windows. It is proposed to impose limitations to ensure the insertion, and retention, of obscure glazing to all first floor flank windows which would result in material overlooking of adjoining or nearby residential properties by condition.
- 6.4.10 The relationship of the proposed dwellings, noting their height, mass and siting, with the existing properties on the application site, the neighbouring (and adjoining) properties and other proposed dwellings within the development in the manner indicated in Paragraphs 6.4.2 to 6.4.8 above, are considered to be acceptable and would not lead to a material loss of residential amenity from any loss of light or privacy, or resulting overshadowing or overbearing impacts.
- 6.4.11 The proposal would result in the loss of hedging to the site frontages potentially opening up the frontages of the existing dwellings within the site which front onto the public footpath. Whilst this may result in some loss of privacy to the ground floor windows in the front elevation of these dwellings, this is a typical relationship for dwellings elsewhere in the Borough and, as such, this impact would be more limited. However, this hedging is not protected and, as indicated in Paragraph 6.3.10 above, it is anticipated that replacement hedging will be provided to these site frontages to reduce this loss.
- 6.4.12 The proposed development would increase activity in the immediate area from the future occupiers of this development and increased traffic movements, but it is not considered that, noting the residential character of the local area, this impact would be materially harmful in this respect, noting the number of proposed dwellings.
- 6.4.13 As such, no objections are raised to the proposal on residential amenity grounds, complying with Policy DM9 of the CSDMP, and advice within the RDG.
- 6.5 Impact on parking, highway safety and public footpath access
- 6.5.1 The proposal would provide an increase of eight dwellings on this site, although the traffic to these additional dwellings would be split between Potteries Lane (2 dwellings) and Coleford Close (6 dwellings). This level of increase onto the road network has been accepted by the County Highway Authority, noting the access onto Potteries Lane would traverse this unmade private highway (leading to Mytchett Road) and onto Coleford Close on the outside of a bend in the road and close to the road junction with Roberts Way (leading to Coleford Bridge Road).
- 6.5.2 The proposal would lead to amendments to the line of the public footpath that bisects the application site. The Countryside Access Officer raises no objection to the proposal but provides advice upon their powers, in terms of the need to secure their prior approval of these works as well as the prior approval of any temporary footpath diversion or closure during demolition and construction phases. These matters are considered under Informative 1.
- 6.5.3 The proposal would provide 21 parking spaces to serve the new (and existing) dwellings within the site, i.e. for 11 dwellings, to meet parking standards. No objections are raised on these grounds.
- 6.5.4 The proposal is considered to be acceptable on these grounds, complying with Policies CP11 and DM11 of the CSDMP and the NPPF.
- 6.6 Impact on the SPA

6.6.1 The application lies about 480 metres from the Thames Basin Heaths Special Protection Area (SPA). In January 2012, the Council adopted the TBHSPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity. The proposal is CIL liable and this provision would normally be provided under the CIL charging scheme.

6.6.2 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution is required through an upfront payment or a planning obligation to secure this contribution. The contribution (£4,895) has been received and no objections are therefore raised on these grounds with the proposal complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP and the NPPF.

#### 6.7 Impact on affordable housing provision

6.7.1 Policy CP5 of the CSDMP indicates that development which provides 8 dwellings will provide an affordable housing of 2 units for such developments. However, the NPPF indicates that affordable housing should not be provided for minor schemes (of 10 net units or less) or schemes of 1,000 square metres or less (about 850 square metres net gain in this case). As such, no affordable housing (or contribution towards provision elsewhere in the Borough) is required with the proposal complying with Policy CP5 of the CSDMP and the NPPF in this instance.

#### 6.8 Impact on drainage and flood risk

6.8.1 The application site falls within an area of low flood risk (Zone 1) and has an area of less than 1 hectare. As such, this level of development would not require the provision of a flood risk assessment or drainage strategy or fall under the jurisdiction of the Local Lead Flood Authority or Environment Agency.

6.8.2 However, the site falls within an area of poor drainage and, noting the scale of the development proposal, it is considered prudent to require the prior approval of drainage details for this scheme, which is an approach supported by the Council's Drainage Engineer. Under these circumstances, no objections are raised on these grounds with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

#### 6.9 Impact on local infrastructure

6.9.1 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list) which would include open space, local and strategic transport projects, pedestrian safety improvements, play areas and equipped play spaces, indoor sports and leisure facilities, community facilities, waste and recycling, and flood defence and drainage improvements. These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. This Council charges CIL on residential development and it is estimated for this development to be around £155,000. CIL is a land charge that is payable at commencement of works. An informative advising of this is to be added.

6.9.2 It is therefore considered that the proposal would not have an adverse impact on infrastructure delivery and complies with Policy CP12 of the CSDMP, and the NPPF.

#### 6.10 Impact on ecology and sustainability

6.10.1 This application has been supported by an ecological report, with a later addendum report, confirming that bats use the area for feeding and the proposal would result in the loss of bird nesting habitat. Care is also suggested in terms of hedgehogs during construction and translocation may be required, prior to construction, for any reptiles found on the site. The Surrey Wildlife Trust has confirmed no objections to the proposal, subject to the undertaking of the precautionary actions set out in the provided reports. As such, no objections are raised to the proposal on ecological grounds, with the proposal complying with Policy CP14 of the CSDMP and the NPPF.

#### 6.11 Other matters

6.11.1 Noting the limited sizes of the proposed dwellings and their respective residential plots, it is considered prudent in this case to remove permitted development rights for house extensions and outbuildings (including garages) for these new residential properties.

6.11.2 This application is recommended for approval.

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

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

#### RECOMMENDATION

GRANT subject to the following conditions:-

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

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

2. The proposed development shall be built in accordance with the following approved plans: 1369/P-03A and 1369/P-05A received on 2 January 2018; 1369/G-01 received on 10 January 2018; and 1369/P-01E, 1369/P-104 and 1369/P-106 received on 31 July 2018, 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 a Method of Construction Statement, 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) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) hours of construction
- (g) confirmation in writing that no on-site burning of material will take place during the site clearance, demolition and construction phases

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

Reason: The condition above is required in order that the development should not prejudice highway safety or residential amenities, 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 and the National Planning Policy Framework.

4. 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, guttering 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.

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. 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**
3. A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the

development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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. The development hereby approved shall be implemented in accordance with the Arboricultural Impact Assessment and BS:5837 Tree Survey by Sapling Arboriculture Ltd. dated July 2018 [Ref: J1045.03] and received on 23 July 2018. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.

Reason: In the interests of amenity and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. The development shall be implemented in accordance with the recommendations set out in the Ecological Assessment Phase 1 Habitat & Protected Species Survey by ERAs Consultancy dated 25 August 2017 and received on 2 January 2018, and the additional ERAs Consultancy Report received on 19 April 2018. In this respect, details of the reception site for reptiles shall be submitted to and agreed with the Local Planning Authority prior to translocation.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

8. The parking and garage spaces shown on the approved plan 1369/P-01E received on 13 July 2018 shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

9. Notwithstanding the provisions of the Classes, A, B, and E of Part 1 of Schedule 2 of Town and Country Planning (General Permitted Development) Order 2015, as amended (or any Order revoking and re-enacting that Order), no further extensions to the approved dwellings, or garages or other buildings within their respective curtilages, shall be erected without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement,

improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

10. Before first occupation of the development hereby approved, the first floor window(s) in the flank elevations of the approved dwellings within Plots 1, 3, 4, 5, 6, 7 and 8 shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the amenities enjoyed by neighbouring residents and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

11. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of nature conservation and visual amenities and to accord with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

12. The development hereby approved shall not be occupied unless and until each dwelling has been provided with a fast charge socket (current minimum requirement - 7 kw Mode 3 with Type 2 connector - 230v 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 and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote the use of sustainable transport methods and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2018.

13. The development hereby approved shall not be occupied unless and until the proposed vehicular accesses to Robert Way and Potteries Lane have been constructed in accordance with the approved plan 1369/P-01E.

Reason: In the interest of highway safety and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

14. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.



Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

15. No development shall take place until full details of surface water drainage systems and foul water drainage system are submitted and approved in writing by the LPA. The surface water drainage system details to include attenuation of 1:100 year event at 40% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### Informative(s)

1. The applicant is advised that the application site is bisected by Public Footpath 31 and to be aware of the content of the consultation letter response from the Senior Countryside Access Officer received on 12 February 2018, particularly in relation to the amendments to the position of the public footpath and need for any temporary footpath closure or redirection.

Further details and guidance can be provided by the Countryside Access Team of Surrey County Council. However, the applicant is advised that such matters should be resolved with the Countryside Access Team of Surrey County Council prior to any works being undertaken in respect of this planning permission.

2. With regards to Condition 12 above, 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.

3. 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](http://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 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).

5. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.
6. Party Walls (etc) Act 1996 DE3

Issued Authorised By:

Date: