

LOCATION: QUEEN ANNE HOUSE, BRIDGE ROAD, BAGSHOT, GU19 5AT

PROPOSAL: Erection of detached two storey building with roof accommodation to provide 6 no. flats with associated parking, landscaping, cycle storage and refuse storage compound. (amended plan rec'd 07/08/2019)

TYPE: Full Planning Application

APPLICANT: Ms N Currie & Mr R Aird

OFFICER: Patricia Terceiro

This application would normally be determined under the Council's Scheme of Delegation, however, it is being reported to the Planning Applications Committee at the request of Cllr White, due to concerns over impact on trees and boundary issues.

RECOMMENDATION: REFUSE

1.0 SUMMARY

- 1.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. This building is currently used as offices and lies within a generous corner plot with significant level changes. The proposal is for the erection of a detached two storey building with accommodation in the roof to provide 6 no flats.
- 1.2 By reason of its scale, massing, crown roof design and angled position, the proposal would appear incongruous with the streetscene and fail to address the road. In addition, it would fail to be subservient to Queen Anne House and would be detrimental to its setting. In the Officer's opinion, the proposal would dilute the special interest of the Listed Building and is therefore recommended for refusal.

2.0 SITE DESCRIPTION

- 2.1 Queen Anne House is a Grade II Listed Building located within the settlement of Bagshot, adjacent to Station Road to the north and Bridge Road to the west. The three storey brick building dates the 18th century and would have been built as a house, but by 1982 it was converted from a restaurant to offices, which remains its current use. The building has been extended over time with these developments being undertaken in matching materials.
- 2.2 The application plot, which is irregular and large, contains two areas of lawn on each side of the building and is laid to hardstanding on its central and eastern areas. The hardstanding is used for parking purposes. There are level changes on site and the land slopes up towards the east.

2.3 The surrounding development is mixed in character and comprises offices, residential, service station and retail/restaurant units further to the south, on approach to the village centre.

3.0 RELEVANT PLANNING HISTORY

3.1 There is no planning history relevant for the proposed development.

4.0 THE PROPOSAL

4.1 Full planning permission is sought for the erection of a detached two storey building with accommodation in the roof to provide 6 no flats with associated parking, landscaping, cycle storage and refuse storage compound.

4.2 The proposed building would sit on the eastern area of the site, in an angled position, with its rear elevation facing towards Queen Anne House. The building would have a crown roof (with dormer windows and rooflights), with a hipped projection to the front and a pitched and hipped projection to the rear. The proposal would measure 17.6m in width, 13.6m in depth, 6.3m in height to the eaves and 8.7m in ridge height. The proposal would accommodate two 2-bedroomed flats on the ground floor and first floor, whereas the roof accommodation would contain two 1-bedroom flats.

4.3 The vehicular access to the flats would remain as currently existing from Bridge Road and a pedestrian access would be created towards Station Road. Parking for the development would be provided in the central area of the site. The bike and bin storage would be placed on the site's eastern corner.

5.0 CONSULTATION RESPONSES

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| 5.1 | Surrey County Highway Authority | No objections, subject to planning conditions. |
| 5.2 | Conservation Officer | Objects to the proposal. |
| 5.3 | Windlesham Parish Council | Objects to the proposal, as this would encroach onto land owned by SCC. Concerns were also raised regarding the trees on site. |
| 5.4 | Scientific Officer | No objections, subject to planning conditions. |
| 5.5 | Tree Officer | Objects to the proposal. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 3 no written representations have been received objecting to the proposal on the following grounds:
- The boundary outlined in the application is not correct *[Officer note: the applicant has submitted amended plans to address this. In any event, Surrey County Council has not raised any concerns regarding land ownership. Furthermore, any boundary issues would constitute legal matters between the applicant and the landowner];*
 - The proposal would constitute overdevelopment of the application site due to its height and bulk;
 - The proposal would detrimentally impact on the health and condition of the trees on site and there should be an appropriate landscape plan.

7.0 PLANNING CONSIDERATIONS

- 7.1 The application site is located in a residential area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14B, DM9, DM11 and DM17 of the CSDMP. The Residential Design Guide (RDG) SPD 2017 also constitutes a material planning consideration.
- 7.2 The main issues to be considered within this application are:
- Principle of development;
 - Impact on character of the area, including Listed Building and trees;
 - Residential amenity;
 - Transport and highways considerations;
 - Impact on infrastructure;
 - Impact on the Thames Basin Heaths SPA;
 - Other matters: contaminated land.

7.3 Principle of the development

- 7.3.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This Policy states that new development in Bagshot will be achieved primarily through redevelopment of existing sites. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028 and Policy CP6 promotes a range of housing types and tenures.
- 7.3.2 The site is located in a residential area that is within a defined settlement. The proposal would provide 6 no additional flats (both 1-bed and 2-bed) to contribute to

the housing supply within the Borough. Furthermore, the Council cannot demonstrate a five year housing supply. As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the listed building and its setting, character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.

- 7.3.3 It is therefore considered that the proposal would be acceptable in principle and would be in line with Policies CP1, CP3 and CP6 of the CSDMP.

7.4 Impact on the character of area, including Listed Building and trees

- 7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. In addition, development should be designed to protect trees and other vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.
- 7.4.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 states that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Proposals with plot layouts that are out of context with the surrounding character will be resisted. Principle 7.4 says that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.3 advises that buildings heights should enable a building to integrate well with its surrounding context. Principle 7.5 goes on to say that flat roofs should not be used to span overly deep buildings. Principle 6.2 states that residential development should be designed with strongly active frontages on the network of streets.
- 7.4.3 Queen Anne House is a large, spacious corner plot and the proposal, which would sit within its curtilage, would be highly visible from public vantage points. The proposal would not result in the sub-division of this plot and only one vehicular access would be provided, to serve both the flats and Queen Anne House. As such, the proposal would be acceptable to this regard.
- 7.4.4 The proposed building would be placed on the eastern area of the application site. Although at a slight angle, the existing dwellings alongside Station Road face the highway. However, the proposal would be in such a position that its side elevation would be that most facing the road, therefore disrupting the continuity of the existing frontage. This elevation would contain a large area of blank wall with limited glazing and would therefore fail to add interest to the road and to create an element of activity within the streetscene. The building's front elevation would face towards the corner of the application site and therefore would fail to address Station Road and relate to the context of the area. It is therefore considered that the proposal would result in a weak relationship with the road detrimental to the character of the area.

- 7.4.5 The proposed block of flats would be two-storey with third storey accommodation within the roof space. In an attempt to keep the roof height down, while incorporating accommodation within the roof space, a crown roof has been introduced. This crown style roof is unattractive and contrived and reads as a departure from the local vernacular of pitched/hipped roofs, including Queen Anne House which has a double hipped roof form. Consequently, the proposal would fail to make a positive contribution to the streetscape. In addition, the proposal would be externally finished in white render that, although present in the vicinity, would not respond positively to the materials used in Queen Anne House, which is red brick.
- 7.4.6 The level changes in the area would aid in integrating with the adjacent built form in terms of its height. Nevertheless, the proposal would comprise a building of a significant scale, bulk and massing that would fail to respect the surrounding pattern of residential development and appear incongruous and discordant when seen against the surrounding residential properties, more modest in size and footprint. Although a landscape plan could be secured by planning condition, it is not considered that this would sufficiently mitigate against the proposal considerable size.
- 7.4.7 In light of the above, the proposal is therefore contrary to Policies CP2 and, DM9 of the CSDMP and Principles 6.2, 7.4 and 7.5 of the RDG.

Impact on the Listed Building

- 7.4.8 Policy DM17 of the CSDMP goes on to say that development which affects any Heritage Asset should take into account its individual significance and seek to promote the conservation and enhancement of that asset and its setting. Para. 192 of the NPPF states that the local planning authority should take into account the desirability of sustaining and enhancing the significance of heritage assets and recognise the wider benefits that the conservation of the historic environment can bring. Para. 189 of the NPPF requires the applicants to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 7.4.9 The heritage significance of Queen Anne House derives mainly from its special architectural or historic interest. It is a good example of a substantial early-Georgian house with simple, restrained architectural detailing. Buildings of the Georgian period typically derive a lot of their significance from their internal detailing, however the proposal's impact on the setting of the Listed Building is also of consideration. Annex 2 of the NPPF defines setting of a heritage asset as the surroundings in which a heritage asset is experienced. Elements of the setting may take a positive, negative or neutral contribution to the significance of the asset.
- 7.4.10 The application site is bound by Bridge Road to the west and Station Road to the north. It is mostly surrounded by modern housing development and to the west there is a service station and an office building. Given their nature, it is acknowledged that these buildings would not make a positive contribution to the setting of the Listed Building. However, when travelling from the east on Station Road there are ample views towards Queen Anne House and these extensive views are considered to positively contribute to how the heritage asset is experienced.

- 7.4.11 The Conservation Officer has been consulted on the proposal and notes that by virtue of its size, scale, height and massing, the proposal would be of a comparable size to Queen Anne House, therefore failing to be subservient to the Listed Building. Given its siting within the plot, the proposal would block views towards the listed building from Station Road and, as such, would be considered to make a negative contribution to the significance of this heritage asset. The applicant has failed to design a scheme that would not further erode the building's historic curtilage and the applicant has failed to provide any justification for this harm. The proposal would therefore dilute the special interest of the historic building as an 18th century residence of status and fail to reinforce the special interest of this Listed Building.
- 7.4.12 The Conservation Officer further advises that the harm of the proposal on the heritage asset would be less than substantial. Para. 195 of the NPPF states that where a proposal would lead to a substantial harm to a designated heritage asset, local planning authorities should refuse consent, unless it could be demonstrated that the substantial harm is necessary to achieve substantial public benefits that would outweigh the harm. Para. 196 goes on to say that where a proposal would lead to harm that is considered less than substantial, this harm should be weighed against the public benefits of the proposal.
- 7.4.13 For the reasons stated throughout this report, it is considered that the proposal would fail to meet the social objective to foster a well-designed built environment and would not protect or enhance the built and historic environment, including making an effective use of the land. The proposal would provide 6 no residential units and although this would be of benefit, its impact on the 5 year housing land supply would be limited and this would not outweigh the proposal's harm to the historic asset. It is therefore considered that the proposal would amount to less than substantial harm to the heritage asset.
- 7.4.14 In light of the above, the proposal is therefore contrary to Policy DM17 of the CSDMP.

Impact on trees

- 7.4.15 Policy DM9 of the CSDMP states development should be designed to protect trees and other vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate. Although there are trees located within the application site, these are currently not subject to statutory control by way of Tree Preservation Order or Conservation Area.
- 7.4.16 The Tree Officer has been consulted on the proposal and notes that the report does not provide any details regarding intrusions within the RPA of retained trees, the site plan [8814 01 B] suggests a significant intrusion into the RPA of Oak Tree T1 and likely in excess of the 20% allowable by BS5837:2012. The Tree Officer therefore considers that the submitted Arboricultural Report has not adequately demonstrated that the tree(s) can remain viable nor did they propose a series of mitigation measures to maintain or improve the soil environment that is used by the tree for growth.

It is considered that the loss of this soft landscape would add to the concerns raised above regarding the proposal's impact on the character of the area and heritage asset. The proposal is therefore considered contrary to Policy DM9 of the CSDMP.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Section 8 of the RDG advises, through Principles 8.1 and 8.3, that new residential development should not have a significant adverse effect on the privacy, loss of daylight and sun access to neighbouring properties. Principle 7.6 recommends that new housing complies with the national internal space standards. Principles 8.4, 8.5 and 8.6 set out the criteria regarding amenity space for both dwellings and flats.
- 7.5.2 The proposed development would be positioned in such way that its front elevation would face towards the frontage of Solstrand to the east. As such, it is not considered that the proposal would cause an unacceptable loss of privacy to these neighbours. Furthermore, it is considered that the proposal would not be unduly overbearing or detrimentally overshadow these neighbours, given the angled relationship and separation distance between both buildings, in combination with the fact that Solstrand's front elevation faces towards the north.
- 7.5.3 The proposal would be placed in close proximity with the common boundary with Plot One to the south. Given the relationship and distance between both buildings, it is not considered that the proposal would be unduly overbearing or detrimentally overshadow these neighbours. Concerns are however raised regarding overlooking from the first floor Juliet balcony on the south elevation towards the rear garden of these neighbours, as this would retain a separation distance of 11.3m to the common boundary with these neighbours. The Juliet balcony would constitute a secondary source of light to a living area and therefore could be secured by way of planning condition to remain obscure glazed and fix shut at an internal height below 1.7m.
- 7.5.4 Queen Anne House, sited to the west of the proposed dwelling, is currently under office use and therefore the relationship would be acceptable in regards to amenity.
- 7.5.5 Turning into the residential amenities of the future occupiers, it is noted that all habitable rooms would maintain at least one main window with an adequate outlook and all residential units would comply with the national internal space standards. Flats 1 and 2 would benefit from their own private terrace area, which would be considered appropriate. Although the remaining flats would not be served by a private amenity area, the proposal would provide a reasonable amount of communal amenity space and, in addition, would be located within walking distance of the village centre. The proposal would ultimately be considered acceptable with this regard.
- 7.5.6 As such, the proposal would not be considered to affect the residential amenities of the neighbouring properties and would be in accordance with Policy DM9 of the CSDMP and the RDG.

7.6 Parking and access

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The applicant has submitted a Transport Statement in support of the application and it is noted that the application site is well located, particularly in relation to a variety of transport modes. There are also a wide range of local facilities that can be walked to within Bagshot.
- 7.6.3 The proposal would be located within the overflow car park of Queen Anne and this space would be lost for vehicle parking purposes. The proposal would provide 23 no parking spaces and the Transport Statement submitted by the applicant has demonstrated that these would be sufficient to address the needs of both uses.
- 7.6.4 The proposed development has been considered by the County Highway Authority who having assessed the application on safety, capacity and policy grounds raised no objection to the proposal, subject to a number of planning conditions that could be attached to any granted consent.

7.8 Impact on infrastructure

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.
- 7.8.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.
- 7.8.3 As the proposed development would involve the provision of 6 no additional residential units, the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m² (estimated £105,380), for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

7.9 Impact on Thames Basin Heaths SPA

- 7.9.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect

upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2012) identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA more than 400m away from the SPA can be mitigated by providing a financial contribution towards SANGS.

- 7.9.2 There is currently sufficient SANG available and this is collected via CIL. This development would be CIL liable, so a contribution would be payable on commencement of development. The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment, however this has not been received from the applicant.
- 7.9.3 It is therefore considered that the proposal would not comply with Policy CP14B of the CSDMP and with the SPD.

7.10 Other matters: contaminated land

- 7.10.1 The Scientific Officer has been consulted on the proposal and notes that the above development is close to Bagshot Road Petrol Service Station on the main A30 in Bagshot. This petrol station has been operating a number of years, with weekly deliveries, changes in site layout with potential redundant/replaced tanks and therefore potential spillages and leakages which may have impacted groundwater and soil in the local area. Such contamination issues may have a significant negative impact on any development in the area so a site assessment will need to be carried out to determine any potential risks posed to development and actions required. This could be secured by way of planning condition.

8.0 POSITIVE/PROACTIVE WORKING

In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38 to 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 proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

- 9.1 The proposal is considered to be acceptable in terms of its impact on amenity, highways and infrastructure. However, it is considered that by virtue of its size, scale, massing and position within the plot the proposal would be out of keeping with its surroundings, to the detriment of the visual amenities and character and of the area, including the setting of the heritage asset where it would be located. The proposal has further failed to demonstrate that the Oak Tree located on the site's northern boundary would remain viable as a result of the proposal. A SAMM payment has not been received and the proposal would give rise to an adverse effect upon the integrity of the SPA. Therefore the application is recommended for refusal.

RECOMMENDATION

REFUSE for the following reason(s):-

1. The proposal by reason of its siting, scale and massing and crown roof design would:
 - a) Result in an overly dominant, incongruous and contrived form of development harmful to the visual amenities of the area, and by virtue of its angled position fail to create an active frontage to Station Road and provide interest to the public realm; and,
 - b) Result in a quantum of built form that would be comparable to and compete with the Grade II Listed Building (Queen Anne House) failing to be subservient or positively respond to the building's historic context and curtilage, consequently eroding and harming the setting of the listed building when viewed from within the site and from the east, and amounting to less than substantial harm diluting this building's special historical interest.

Furthermore, the applicant has not demonstrated that the Oak Tree located on the site's northern boundary would remain viable as a result of the development so compounding the harm identified above. The proposed development would therefore fail to respect or enhance the character and quality of the area and be contrary to Policies CP2, DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, Principles 6.2, 7.4 and 7.5 of the Residential Design Guide Supplementary Planning Document 2017, the National Planning Policy Framework and Section I, 16(2) & 66(1)&(2) Planning (Listed Buildings and Conservation Areas) Act 1990.

2. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, 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 (2019).

Informative(s)

1. Decision Notice to be kept DS1
2. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.