

2019/0179

Reg Date 22/03/2019

Town

LOCATION: 18 & 18A TEKELS PARK, CAMBERLEY, GU15 2LF
PROPOSAL: Erection of a detached two storey building with accommodation in the roofspace to comprise 7 two bedroom apartments, associated parking, access stores and landscaping. All following demolition of existing semi-detached dwellings. (Amended plan 22 10 2019)
TYPE: Full Planning Application
APPLICANT: Lux Homes Ltd
OFFICER: Mr N Praine

This 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 Edward Hawkins/Cllr Brooks due to the applicant's approach with an amended application.

RECOMMENDATION: GRANT subject to conditions and completion of a legal agreement.

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a detached two-storey building (with accommodation in the roof space) to comprise 7 two bedroom apartments with associated parking, access, stores and landscaping, following demolition of the existing semi-detached dwellings.
- 1.2 The principle of residential development in this location is supported and established through previous planning applications and a recent appeal decision (see Annex A). The layout, scale, form, density and design would be appropriate for this location, particularly recognising the importance of the site to respond to the spaciousness and verdant attributes of the Wooded Hills Character Area and its immediate setting within the street scene. The amenity of surrounding neighbours and future occupiers are considered acceptable and the parking and highway arrangements are also considered acceptable.
- 1.3 There is a need for smaller households and the housing mix is policy compliant. Therefore and subject to a legal agreement or direct contribution to secure the SAMM payments, the application is recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The linear shaped application site relates to a piece of pocket woodland located within the settlement of Camberley. The 0.4 hectare site can be found to the southern end of Tekels Park and backs on to the M3 motorway. It measures approximately 150 wide at the front of the site increasing to nearer 180m wide to the rear of the site and approximately 80m deep on the western side slowly decreasing to approximately 20m deep on its eastern side. The site lies within the Wooded Hills Character Area as defined in the Western Urban Area Character SPD 2012. The land rises from south to north and the trees within the site are protected under woodland Tree Preservation Order 05/00.

2.2 The site currently comprises a two storey building (pair of semi-detached properties) with outbuildings. These existing buildings are run down and have suffered from vandalism and arson. The existing dwellings measure approximately 21m in width and 8m in height. To the north, 2 storey dwellings (with accommodation in the roof space exist) and to the south is the M3 motorway. To the west two storey residential dwellings in Tekels Park can be found and woodland with the dwellings in Castle Road beyond is located to the east.

3.0 RELEVANT PLANNING HISTORY

- 3.1 SU/18/0616 Erection of a detached three storey building to comprise 10 two bedroom apartments, associated parking, access, stores and landscaping. All following demolition of existing semi-detached dwellings. *This application was refused on the 14/01/19 as the proposal's flat roof, its bulk and building form, and area of hardstanding for parking, would result in an incongruous and dominant building in the street scene. In addition the application was also refused in respect to inadequate parking. The refusal was subsequently appealed and allowed on the 29/07/19. Where relevant the officer will refer to this decision as part of this report. The appeal decision is also attached at Annex A*
- 3.2 SU/16/1115 Erection of two, 2 storey buildings with accommodation in the roof space to comprise one detached dwelling house and two semi-detached dwelling houses with associated parking, access and works. Following demolition of existing semi-detached dwellings. *Approved 04/04/2017, extant but not implemented.*

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the erection of a detached two storey building with accommodation in the roof space to comprise 7 two bedroom apartments with associated parking, access stores and landscaping, following demolition of existing semi-detached dwellings.
- 4.2 The proposed building would be traditional in design with materials featuring red brick and stone walls with a tiled roof. The proposed building would be two storey with further accommodation in the roof space. Due to the changes in land levels from north to south the proposed building would be built up to the rear, however no basement accommodation is proposed.
- 4.3 Vehicular access is proposed from Tekels Park to the immediate north east of the proposed building with a formal parking area for 15 vehicles. External balconies or private terrace areas are proposed and the proposed building would have a width of approx. 35m and depth of approx. 14m. The height of the building would be approx. 10.5m at its highest points. In addition a single storey bin and cycle store of approximately 2m high, 9.5m wide and 3m deep is also proposed to the eastern side of the proposed building. Existing trees and other landscape features around the boundaries of the site are to be retained and new landscaping is also proposed to enhance the appearance of the development across the site.

4.4 The proposed development has a number of similarities but also differs to that allowed at appeal under reference SU/2018/0616 (see paragraph 3.1 above) for the following main reasons:

- The proposed building has been reduced in width by approximately 3m;
- The proposed building has been reduced in depth by approximately 1m;
- The height of the building would be approx. 1m higher at its tallest points;
- The design now incorporates a pitched roof and is traditional in design with red brick, and tile as its principal materials (Previously flat roofed with a steel / larch finish);
- The number of units have reduced from 10 to 7; and,
- Parking has been increased from 12 to 15 spaces.

5.0 CONSULTATION RESPONSES

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|-----|------------------------------------|----------------------------------------------------------------|
| 5.1 | Environmental Health Officer (EHO) | No objection, subject to condition [See Paragraph 7.5.7] |
| 5.2 | County Highway Authority | No objection, given this is a private road [See Paragraph 7.6] |
| 5.3 | Arboricultural Officer | No objection, subject to condition [See Paragraph 7.4.12] |
| 5.4 | Surrey Wildlife Trust | No objection, subject to condition [See Paragraph 7.9.2] |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, 34 representations of objection and no letters of support have been received. The letters of objection raise the following concerns:
- Negative impact upon the safe flow of traffic in Tekels Avenue / Tekels Park [Officer comment: see paragraph 7.6 below]
 - Negative impact upon pedestrians using Tekels Avenue / Tekels Park [Officer comment: see paragraph 7.6 below]
 - Negative impact of construction traffic on Tekels Avenue / Tekels Park [Officer comment: see paragraph 7.6 below]
 - Lack of parking [Officer comment: see paragraph 7.6 below]
 - Out of keeping with the established character of Tekels Park and Wooded Hills Character Area [Officer comment: see paragraph 7.4 below]
 - Negative impact upon local wildlife [Officer comment: see paragraph 7.9.2 below]
 - Loss of trees [Officer comment: see paragraph 7.4.12 below]

- Loss of Privacy [*Officer comment: see paragraph 7.5 below*]
- Over development [*Officer comment: see paragraph 7.5 below*]
- Negative impact on neighbouring amenity [*Officer comment: see paragraph 7.5 below*]
- The proposal breaches planning guidance in respect to density at this site [*Officer comment: see paragraph 7.4 below*]

7.0 PLANNING CONSIDERATIONS

7.1 In this case the relevant policies are CP1, CP2, CP3, CP5, CP6, CP14, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). It will also be considered against the Western Urban Area Character SPD 2012 (WUAC), the Residential Design Guide Supplementary Planning Document (RDG) SPD 2017, and the National Planning Policy Framework (NPPF). The Infrastructure Delivery Supplementary Planning Document (2014), Thames Basin Heaths SPA Avoidance Strategy (2019) and saved Policy NRM6 of the South East Plan are also material considerations to the determination of this application.

7.2 The allowed appeal SU/18/0616 (see paragraph 3.1 above), is also a material consideration and this is considered in more detail later in this report. The main planning issues, therefore, in the determination of this application are:

- The principle of the development;
- The impact on the character of the area including trees;
- The impact on amenities of neighbouring properties and future occupiers;
- The impact on highway safety and parking;
- The impact on local infrastructure;
- The impact on Thames Basin Heaths SPA;
- Other matters

7.3 Principle of development

7.3.1 The principle of residential redevelopment has been established through the allowed appeal. Policy CP1 of the CSDMP promotes housing in the western end of the Borough and CP3 also promotes the effective use of land including previously developed land in settlement areas, it is considered that the principle of the housing development is acceptable subject to the detailed consideration and balanced assessment of the issues as set out below.

7.4 Impact on character of area

7.4.1 Policy CP2 (iv) of the CSDMP states that development should ensure that all land is used efficiently in the context of its surroundings. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.

Both of these policies are reflective of section 12 of the NPPF which seeks to achieve well designed places.

- 7.4.2 Tekels Park is part of the Wooded Hills Character Area as defined by WUAC SPD. The Wooded Hills is characterised by hilly areas, large irregular plots, winding roads/lanes, heavy vegetation and a scattering of Victorian/Edwardian buildings, the SPD identifies that this area has a semi-rural residential character, despite its proximity to Camberley Town Centre. Dense vegetation is one of the key characteristics, large trees, hedges and mature vegetation give the area a dominant soft, green character. The SPD also sets out that the Character Area has a number of mixed pockets which include post war and contemporary designs which gives a mixed character of the area. Existing buildings are substantial and they broadly sit in generous plots.
- 7.4.3 Principle WH1 of the WUAC SPD states that, new development should be set in spacious, irregularly shaped plots which provide for extensive space between, and around the buildings and which allows for the maintenance/ development of a verdant character. WH1 continues to advise that development should consist principally of 2 storey detached buildings set in individual plots enclosed by verdant vegetation. WH1 seeks to also retain existing large trees and mature vegetation with the provision of substantial new landscape features in the form of large trees, shrubs and tall hedges.
- 7.4.4 The SPD continues to state that proposals with closely set buildings, minimal side gardens, or cramped appearances are considered to be out of keeping with the rural character (WH2). Guiding Principle WH2 also discourages net densities above 9 dwellings per ha. Hard urban landscapes through the introduction of large areas of hard surfacing, will also be resisted (WH3) and high quality contemporary designs will be welcomed where it respects its surroundings (WH6).
- 7.4.5 The current proposal's layout has comparable separation distances to the boundaries and in this respect would maintain the same spaciousness as the allowed appeal. The allowed appeal is for a larger scheme (albeit 1m lower) than the current proposal and the dimensions are set out above at paragraphs 4.3 and 4.4. At paragraph 6 of the appeal decision, the Inspector acknowledged the development would in part be on the footprint of the existing buildings and therefore, would have a broadly similar position within the site. Furthermore, it would be within the confines of the outer boundaries established for three dwellings permitted under a separate planning consent. This would allow for the retention of most trees, and increased boundary planting adjacent to the road.
- 7.4.6 The parking area is provided to the side, consistent with RDG principles 6.7 and 6.8, and is broken up into smaller clusters reducing the areas of hardstanding and further respecting the verdant character of the area. Likewise, generous separation of approximately 12m exists between the proposed building and the dwelling house 16a Tekels Park to the west, similar to the allowed appeal scheme and over 100m to any buildings sited beyond its eastern boundary. The set back from the road frontage is retained as are the existing mature trees and woodland character to the front and additional landscaping would be introduced (as part of the landscaping scheme, which if minded to approve can be controlled via condition). This spacious, irregularly shaped plot is considered to provide appropriate space between and around the building and allows for the maintenance (and further development) of the verdant character in accordance with Principle WH1 of the WUAC.
- 7.4.7 In terms of scale and massing this proposal has been designed to primarily read as a two storey building from the street facing public vantage points, (with accommodation in the roof space) therefore respecting the height of adjoining buildings. This proposal is also similar to the allowed appeal. At paragraph 8, the Inspector found the massing and form of the appeal building, which is similar to the proposal, proportionate to and sited within a

generously sized plot with a wide frontage to the road. The articulation and gradual setbacks of the frontage of the proposed building with the stone quoin features and brick course detailing also reduce the perceived mass of the building and similar to the conclusions of the Inspector the proposal is considered appropriate in terms of its scale and mass. It is also considered that the provision of a detached building on a single plot will reinforce the character of the area, which is defined by large plots with generous spacing to the side, and the setback from the highway also assists in reducing its perceived impact.

- 7.4.8 Whilst the proposal would be of a higher density than the extant permission and guiding Principle WH2 of the WUAC discourages net densities above 9 dwellings per ha (with this scheme closer to 15dph), density is only one indicator of whether a development promotes local distinctiveness. In this case it has already been demonstrated how the layout and scale would be comparable to the allowed appeal and will integrate into the spacious and verdant character of the Wooded Hills. It is also important to note that principle 6.4 of the RDG seeks to achieve the highest possible density without compromising local character and paragraph 6.13 advises that it is important to not prescribe acceptable maximum densities for the borough, instead relying on good design to improve living standards and reflect the character of the area. This approach is consistent with the findings of the Inspector who found that although density is an important component of the character of the area, it is not the only factor. The Inspector stated at paragraph 10 (which was for a higher density scheme than the current proposal): *'...the coherent nature of the plot and siting of one building within it would maintain the semi-rural spaciousness with other surrounding built form. It would therefore not result in a cramped form sub-division of the plot and minimal side gardens that principle WH2 seeks to prevent'*.

Design, form and detailing

- 7.4.9 Paragraph 127 of the NPPF states that although planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, this should not prevent or discourage appropriate innovation or change. Similarly, Principle WH6 of the WUAC welcomes high quality designs provided they respect their surroundings.
- 7.4.10 At paragraph 8 the Inspector found the massing and form of the building is larger than most of the nearby detached dwellings. However, she also stated that the building would be proportionate to its surroundings and is sited within a generously sized plot with a wide frontage to the road. She opined that the mass of the building would be countered by the articulation of the front elevation. The effect would be enhanced by using contrasting materials which combined with the woodland context, the mass and form of the building overall would not appear dominant in the street scene
- 7.4.11 The choice in materials for the current scheme is summarised in paragraph 4.2 of this report. This choice in materials gives the building detailing and interest from views near and far. The frontage of the building is also articulated with setbacks and contrasting materials to break up the visual bulk of the building, this is considered appropriate to avoid an over dominant or incongruous relationship with the surrounding area and this is also aligned with the findings of the Inspector. On this basis it is considered that the proposal responds to its setting within this mixed character area according with Principle WH6 of the WUAC.

Trees and landscaping

- 7.4.12 In the wider context, the area has verdant character. The site is covered by an area TPO (ref 05/00) designated in 2000. The surrounding areas of the site are also covered by TPOs. As such, the application is accompanied by Arboricultural Assessment, Method Statement and a Tree Protection Plan. The report advises that a total of 5 low category trees would be removed to facilitate the development and comprehensive replanting is

proposed to compensate for the loss of these trees. The Tree Officer has considered the proposal and states that the trees to be lost are not prominent from any public viewpoints with very little potential to contribute to local character because of the backdrop of large trees to be retained. The Tree Officer raises no objections subject to a replacement planting condition and full compliance with the submitted tree protection reports. The retention and protection of the existing trees and additional planting will ensure the green and verdant character of the area is retained and enhanced. The Inspector also drew similar conclusions at paragraphs 6, 12 and 30 of the appeal decision.

7.4.13 It is therefore considered that the proposed development complies with the design requirements of the NPPF, Policies CP2 and DM9 of the CSDMP, Principles WH1, WH2, WH3 and WH6 of the WUAC and Principles 6.7, 6.8, 7.1 and 7.4 of the RDG SPD.

7.5 Impact on amenities of neighbouring properties and future occupiers

7.5.1 Paragraph 127 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. Principles 8.1 and 8.3 of the RDG state that, developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted and developments should also not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Proposals should also not result in neighbouring dwellings suffering from any adverse overbearing impacts.

7.5.2 No. 16A Tekels Park to the west is sited approximately 10.5m from the side wall of the proposed building, the proposal is of a similar depth and height (albeit approximately 50cm lower, at its closest points) to the appeal scheme when viewed from this neighbour. It is, however, sited approximately 90cm closer than this appeal scheme. Privacy screens are provided to all facing balconies areas and two facing windows above ground floor are proposed, these are secondary windows and subject to conditions to control glazing, openings and privacy screens, to the terrace areas, the proposals are not considered to result in any adverse overlooking and loss of privacy to the above neighbour. The separation distances ensure no overshadowing or overbearing impacts will result from the proposed development to the occupants of number 16A Tekels Park either. The Inspector also found no harm in respect to residential amenity.

7.5.3 Nos 21 and 23A Tekels Park are both sited over 30m away from the proposed development. This separation distance is considered to be appropriate to protect the residential amenities which include any overshadowing, overbearing impacts or loss of privacy at these neighbouring dwellings.

7.5.4 Given the remaining separation distances to all the other neighbouring dwellings in Tekels Park, 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 adverse harm to residential amenity.

7.5.5 Principle 7.6 of the RDG advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floor space provision for each of the proposed flats would meet these minimum space standards.

7.5.6 Principle 8.5 of the RDG advises that 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.

Principle 8.6 of the RDG advises that unless conservation, privacy or heritage issues negate against the use of balconies, all flats above ground floor should be provided with balconies and ground floor flats should have access to private amenity space. The proposal complies with these requirements.

- 7.5.7 A noise survey has been provided. The Council's Environmental Health Officer (EHO) has commented that the southern (rear) side of the building faces the M3 motorway which is the dominant noise on site. A planning condition is therefore recommended to ensure that minimum specific acoustic performance is provided for windows, vents and balconies.

7.6 Impact on highway safety and parking

- 7.6.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented. Policy CP11 of the CSDMP states that new development that generates a high number of trips should be in sustainable locations or be required to demonstrate that it can be made sustainable, and that it should be appropriately located in relation to public transport and the highway network. The proposal is approximately 1 mile from Camberley Town Centre by road.

- 7.6.2 A new access onto Tekels Park is proposed. The proposal provides for 15 no. parking spaces at a ratio of 2.1 spaces per dwelling. The Surrey County Council 'Vehicular and Cycle Parking Guidance' (January 2018) states that in suburban and suburban edge locations, the recommended provision is for 1 space per unit. However, footnote 5 states that visitor parking is 'encouraged' for flats and therefore additional spaces have been provided. The applicants also provide one cycle space per dwelling which is also in accordance with County Highway Standards. The County Highway Authority states that it has no objections in respect of the wider impact of the proposed development and considers they consider that it would not have a material impact on the safety and operation of the public highway.

- 7.6.3 At paragraph 15, the Inspector found little specific evidence to substantiate the concern that significant over-spill parking would arise from the appeal scheme which provided 12 parking spaces for 10 units. The Inspector stated that '*...even if there were some on-street parking, the evidence provided does not show that this would cause harm to the surrounding road network or an unacceptable impact on highway safety*'. The current scheme provides 15 spaces for 7 flats and given the number and size of the units proposed and the relative proximity to Camberley Town Centre (1 mile by road), the level of parking is therefore considered appropriate. On this basis the proposal would not conflict with the aims of Policy DM11.

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. The development is CIL liable with the liability calculated as £163,620. 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 2019 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 £2,627 is needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would either have to be paid by the applicant before full planning permission can be granted or this is to be secured in a Section 106 agreement between the applicant and the Council.
- 7.8.3 Ordinarily, as a result of SANG capacity becoming increasingly limited in the borough, planning applications for small scale new residential development would only be valid for one year following the grant of planning permission. However, given the extant appeal decision which gives consent for 3 years, it is considered reasonable and consistent to apply a 3 year implementation period in this case too.

7.9 Other matters

- 7.9.1 Policy CP6 sets out the need for housing sizes in the borough and indicates the strongest need for 2 bed properties. This was found to be acceptable under the previous scheme and also by the Inspector. Accordingly no objections are raised in respect to the housing mix.
- 7.9.2 A biodiversity survey, written by a qualified ecologist, has been submitted as part of this application. The survey concludes that general wildlife including statutorily protected and notable species would not be adversely affected. In addition, Surrey Wildlife Trust raises no objection to the proposal subject to the recommendations of the report which can be controlled via planning condition. This was found to be acceptable under the previous scheme and also by the Inspector and no objections are therefore raised on these grounds.
- 7.9.3 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. 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.
- 7.9.4 The applicant has confirmed that materials will be, as far as possible, environmentally friendly and the 'Green Guide and BRE publication 'Methodology for Environmental Profiles of Construction Materials' will be used to inform construction. Timber will be obtained, where possible, from certified sources and a waste separation and disposal policy will be operational for the duration of the site construction. In addition, the proposal has been designed to accommodate air source heat pumps, solar thermal or solar PV panels and a heat recovery system.

Low energy lighting and water saving devices, such as dual flush / low flush toilets and rainwater harvesting such as water butts and storage tanks are also proposed. No objections are raised on these grounds.

8.0 WORKING IN A POSITIVE/PROACTIVE MANNER

8.1 In assessing this application, officers have worked with the applicant in a positive and proactive 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.

9.0 CONCLUSION

9.1 The principle of residential development in this location is supported and established through previous planning applications and the appeal decision. The layout and scale is considered to make effective use of previously developed land with a design and density that would not be harmful to but successfully integrate into the wooded character and setting of the street scene. The amenity of surrounding neighbours and future occupiers are considered acceptable and the parking and highway arrangements are also considered acceptable. Subject to a SAMM payment and conditions the application is recommended for approval. The Inspector imposed conditions (see pages 7 and 8 of annex A) and so regard is had to these.

10.0 RECOMMENDATION

GRANT subject to completion of a legal agreement to secure SAMM financial contributions for £2,627 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: 17-J2192-202 A, 17-J2192- 204 B, 17-J2192-203 C, 17-J2192-200 A, 17-J2192-LP201, 17-J2192-206 and 17-J2192-201 A 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. Prior to the relevant part of the development taking place details and samples of the external materials to be used shall be submitted to and approved in writing by the local planning authority. Once approved, the development shall be carried out using only the agreed material

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

4. The development shall not be occupied until full details of both hard and soft landscaping works, including a time-table for implementation, have been submitted to and approved in writing by the local planning authority. Thereafter the development shall proceed in accordance with the approved details and time-table.

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. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Arboricultural assessment & method statement by Barrell Tree Consultancy reference 17317-AA-AS. As such no demolition, site clearance or building operations shall commence until tree and ground protection has been installed in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" and as detailed within the submitted Arboricultural Report. No trenches, pipe runs for services and drains shall be sited within the Root Protection Area as defined in British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" of any retained tree unless otherwise agreed in writing by the local planning authority. The tree protection measures shall be retained until completion of all works hereby permitted.

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. Prior to the first occupation of any part of the development the following will be implemented:

- 1) Window and door openings in elevations detailed within Table 6 of the submitted Paragon acoustic report (reference 20180709-4198) shall be fitted with acoustic glazing that achieves a minimum dB Rw + Ctr sound reduction stated therein.

- 2) Measures in accordance with details that have previously been submitted to and approved in writing by the local planning authority to achieve a level of no more than 55dB_{Leq} on balconies and on other private amenity areas within the development.

- 3) Self-generated noise from the mechanical ventilation system must meet the guidance given at paragraph 4.36 of Building Regulations Approved Document F (2010) - Means of ventilation. Attenuators should be incorporated to reduce external noise sources to appropriate internal levels. The ventilation system to be designed so that its overall noise level contribution in any living room is no more than 25 dB(A), and in any bedroom no more than 20 dB(A).

This includes the combined, total noise levels due to self-generated noise from powered elements, aerodynamic noise, external noise ingress via the system itself and breakout noise levels.

4) The mechanical ventilation plant in accordance with details that have previously been submitted to and approved in writing by the local planning authority showing that noise breakout from its operation does not cause nuisance to neighbours. (Note; submission of a BS4142:14 assessment may be required.)

Thereafter the glazing and ventilation details referred to above shall be retained.

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

7. Before first occupation of the development hereby approved the privacy screens to the side of the first and second floor balconies and terrace area in the west elevation facing 16a Tekels Park shall be installed and thereafter retained. Before first occupation of the development hereby approved the first and second floor side windows in the west elevation facing 16a Tekels Park 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 unless otherwise agreed in writing with 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.

8. The development hereby approved shall be undertaken in accordance with the recommendations as outlined in the submitted 'Biodiversity Appraisal', author Andrew McCarthy Ecology, dated November 2016 and 'Ecological Mitigation and Enhancement Plan', author AA Environmental Ltd, dated July 2018.

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.

9. No development shall commence until the hours of construction have been submitted to and approved in writing by the local planning authority. Thereafter the development shall proceed in accordance with the agreed details.

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 and the National Planning Policy Framework.

Informative(s)

1. Building Regs consent req'd DF5
2. Decision Notice to be kept DS1
3. CIL Liabile CIL1
4. There are public sewers crossing or close to the development. If you're planning

significant work near Thames Water sewers, it's important that the risk of damage is minimised. Thames Water need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide 'working near or diverting our pipes'. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

5. With regard to surface water drainage, Thames Water advises that if the developer follows the sequential approach to the disposal of surface they have no objection. Where the developer, however, proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to their website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

6. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

7. With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444 448200.
8. 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. Further information on how this was done can be obtained from the officer's report.
9. The applicant is advised that under the Control of Pollution Act 1974 construction work which will be audible at the site boundary will be restricted to the following hours: 8am to 6 pm Monday to Friday; 8am to 1pm Saturday; and, not at all on Sundays and Public Holidays. For the avoidance of doubt 'Public Holidays' include New Years Day, Good Friday, Easter Monday, May Day, all Bank Holidays, Christmas Day and Boxing Day.

In the event that a satisfactory legal agreement has not been completed by 28 February 2020, 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, 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 2019).