

2018/0763

Reg Date 22/08/2018

West End

**LOCATION:** THE BROOK NURSERY, 163 GUILDFORD ROAD, WEST END, WOKING, GU24 9LS

**PROPOSAL:** Outline planning application for the erection of up to 13 residential units (C3) following demolition of existing buildings with modified access off Guildford Road, landscaping and parking areas. Access only with all other matters reserved. (Additional info rec'd 02/11/2018 & 12/02/2019) (Amended plan rec'd 14/02/2019) (Amended plan recv'd 12/3/19).

**TYPE:** Outline

**APPLICANT:** Mr Sean Havis  
Barratt David Wilson Southern Counties

**OFFICER:** Ross Cahalane

**RECOMMENDATION: GRANT subject to legal agreement and conditions**

## 1.0 SUMMARY

- 1.1 This outline application relates to the erection of 13 residential units following demolition of existing buildings with modified access off Guildford Road, landscaping and parking areas. Details of access only are for consideration under this application, with appearance, scale, layout and landscaping retained as reserved matters.
- 1.2 The application site adjoins the settlement of West End and forms a part of the West End housing reserve site. The principle for residential development has been established by the Borough's housing supply position and the appeal decision on a nearby site (2016/0679 - land south of 4-14 (evens) Kings Road), now under construction, which wraps around the rear portion of the application site. The application site, given its former garden centre use and existing hard standing, also comprises previously developed land.
- 1.3 The dwellings would be served by the existing access and the County Highway Authority has raised no objections on safety, capacity or policy grounds subject to compliance with pre-occupation conditions, including provision of sufficient visibility zones; provision of at least 26 parking spaces; and a construction transport management plan. It is therefore considered that subject to conditions, the proposed development would not prejudice highway safety nor cause inconvenience to other highway users, in compliance with Policy DM11.
- 1.4 A legal agreement is required to provide affordable housing and a SAMM contribution. With the completion of such an agreement and subject to the recommended conditions and no objections raised by the Environment Agency or the Council's Arboricultural Officer, the proposal is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The 0.63 hectare application site adjoins the southern end of the settlement of West End and although it is defined as Countryside (beyond the Green Belt), it has been retained as a housing reserve site. The site comprises the former Brook Leisure garden centre, recently vacant but with access retained from Guildford Road (A322). The existing site contains one small single-storey brick building and although many of the greenhouses/outbuildings also

associated with the former garden centre have now been demolished, the site remains entirely covered by hard standing. The development site of 4-14 (evens) Kings Road (see history below) adjoins the application site to the northeast. The river Bourne borders the site to the south, with Green Belt land beyond.

- 2.2 The nearby dwellings off Guildford Road are two storey detached and semi-detached, many with ample front gardens and some with eaves levels that are not fully two storey. The site is opposite Newbridge Cottage, a Locally Listed Building that is also well set back from Guildford Road.

### 3.0 RELEVANT HISTORY

#### On the application site:

- 3.1 EUC/82/2 Established Use Certificate for nursery for production, growth and sale of cut flowers, pot plants and bedding plants, both grown on-site and elsewhere

Decision: Granted (1982)

- 3.2 1984/0234 Change of Use from nursery to garden centre

Decision: Planning permission not required

- 3.3 2001/0286 Erection of 4 detached dwelling houses with detached double garages, new vehicular access road and associated landscaping following demolition of existing garden centre/nursery buildings.

Decision: Refused (appeal dismissed in 2002).

*The Inspector took the view that the appeal development was premature/piecemeal at that time awaiting a strategic review of housing requirements, and would have an adverse impact on local character located at the rural edge. Since this date, local and national policy has changed and therefore limited weight is given to this.*

#### Adjoining housing reserve site:

- 3.4 2016/0679 Residential development of 35 dwellings comprising of 8 four bedroom, 10 three bedroom, 10 two bedroom houses and 3 two bedroom and 4 one bedroom flats with associated access, car and cycle parking, refuse/recycling storage and landscaping.

Decision: Granted (under construction)

### 4.0 THE PROPOSAL

- 4.1 The current proposal relates to the outline planning application (the approval of access only with all other matters reserved) for the erection of 13 residential units following demolition of existing buildings with modified access off Guildford Road, landscaping and parking areas.

- 4.2 The indicative site plan shows 2 one bedroom flats, 2 two bedroom houses, 5 three bedroom houses and 4 four bedroom houses. All buildings would have a height of 2 storey, apart from the front dwelling adjacent No. 159 Guildford Road which would be 1.5 storey to reflect this neighbour's form. The existing vehicular access location off Guildford Road would be utilised, to provide a 4.8m wide carriageway to achieve simultaneous entry and exit, and would also served by a 2m wide footway. Visibility splays of 2.4 metres by 114 metres to the north and 93 metres to the south are achievable at this existing point of

access. The indicative site plan shows that the dwellings would be provided with a total of 25 parking spaces, including driveway, garage and streetside spaces.

4.3 An amended indicative site plan has been received to better demonstrate that 13 units can be satisfactorily accommodated within the developable part of the site, whilst also being away from the flood zone and watercourse to the south, sufficiently respecting the amenity of No. 159, and to better reflect the existing staggered building line along Guildford Road. The following changes have been made to achieve this:

- The rear terrace of four-bed 2.5 storey dwellings has been changed to a lower two storey pair of 3-beds and one detached 3-bed, and the distance from their rear elevations to the rear garden side boundary of No. 159 Guildford Road has been increased;
- The dwellings to the front facing Guildford Road have been changed from a terrace of 1.5 storey 3-bed units to a detached 1.5 storey 3-bed adjacent No. 159 and a pair of two storey 4-bed semi-detached units alongside the main entrance. These dwellings have also been moved further forward to better reflect the established staggered building lines;
- The layout of the other two dwellings facing Guildford Road has been changed to provide additional space between them, with their heights increasing from 1.5 storey to 2 storey to accommodate this. The detached dwelling behind them has been changed from a 1.5 storey 3-bed to a 2-storey 4-bed;
- The above height changes do not alter the housing mix initially proposed, but provide a more uniform height across the site, rather than the enclosed dwellings to the rear being higher than the frontage dwellings;
- A larger ecological buffer zone is now provided along the watercourse to the south, following comments received from the Environment Agency.

4.4 The application is supported by the following information:

- Planning Statement;
- Design and Access Statement;
- Transport Statement;
- Ecological Appraisal;
- Flood Risk Assessment;
- Arboricultural Impact Assessment; and
- Geo-Environmental Site Assessment Report.

## 5.0 CONSULTATION RESPONSES

- |     |                                   |   |
|-----|-----------------------------------|---|
| 5.1 | Council Conservation Consultant   | Objection - raises concerns regarding a more contemporary and urban style that is incongruous with the established character of the area and countryside edge location, and the location of the proposed access opposite a locally listed building. |
| 5.2 | County Highway Authority          | No objection, subject to conditions. <i>[See Section 7.6]</i>   |
| 5.3 | County Lead Local Flood Authority | No objection, subject to conditions. <i>[See Section 7.7]</i>   |

5.4	Surrey Wildlife Trust	Comments <i>[See Section 7.7]</i>
5.5	Environment Agency	No objection, subject to conditions. <i>[See Section 7.7]</i>
5.6	Council Arboricultural Officer	Comments awaited <i>[See Section 7.7]</i>
5.7	Council Scientific Officer	Comment - A significantly increased level of investigation/data would be required as residential housing with gardens is now proposed. Given the outline nature of the current scheme in which the final layout would have to be agreed at reserved matters state, the provision of such a report update could be secured by means of a planning condition.
5.8	West End Parish Council	No objection to the access only application

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, three objections have been received which raise the following issues:
- No justification for loss of local retail unit - retail demand will increase not decrease due to recent increase in West End village population - site should therefore be promoted as mixed-use retail/residential  
*[See Section 7.3]*
  - Dangerous exit on to busy A road due to speed of traffic and almost blind bend  
*[See Section 7.4]*
  - Impact on wildlife along Brook bank
  - Within Flood Zone 3  
*[See Section 7.7]*
  - Increased pressure on transport, educational and medical services  
*[The Council's Community Infrastructure Levy covers transport services, but does not include educational and medical services. However, due to the small-scale nature of the proposal it would not be reasonable to seek contributions in addition to the CIL levy due at reserved matters stage.]*
- 6.2 Neighbours have been reconsulted on the amended indicative site plan, and an addendum update will be provided should additional representation be received.

## 7.0 PLANNING CONSIDERATIONS

- 7.1 The application sites fall partly within the West End reserve site and within the settlement of West End. The proposal is therefore assessed against Policies CP1, CP2, CP3, CP5, CP6, CP8, CP11, CP12, CP14, DM1, DM9, DM10, DM11, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework (NPPF). Other relevant guidance includes: the Residential Design Guide SPD 2017 (RDG SPD); West End Village Design Statement SPD 2016 (VDS); Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 (SPAAS); Infrastructure Delivery

SPD 2012.

7.2 Details of access only are chosen by the applicant for consideration under this outline application, with appearance, scale, layout and landscaping retained as reserved matters. However, all the following issues still need to be considered:

- Principle of the development;
- Means of access and highway impacts;
- Impact on the character of the area;
- Impact on residential amenity;
- Impact on trees;
- Impact on ecology;
- Impact on flood risk;
- Impact on local infrastructure;
- Affordable Housing, and;
- Other matters

### **7.3 Principle of the development**

7.3.1 The existing lawful use of the site is as a garden centre, although this is now vacant. Rather than being designated as a protected retail or employment site, the application site forms part of the West End Housing Reserve Site. The site is also now bounded by residential sites on two sides (the settlement boundary and the 16/0679 development under construction). Furthermore, a significant part of the site to the south, although currently hard standing, is within a flood zone and adjacent a designated river. This means that redevelopment opportunities are constrained to the northern section, as indicated on the site plan. As such, it is considered that the application site is not suitable for significant employment generation, due to the surrounding residential development in combination with the limited existing facilities and space to provide significant employment generation. It is therefore considered that the redevelopment of the site for a residential use would be in line with the NPPF and the CSDMP and would be more compatible than the current use of the site with the surrounding residential development.

7.3.2 As already outlined, the application site forms a part of a housing reserve site, under Policy H8 of the Surrey Heath Local Plan 2000 (as saved), demonstrating its acceptability for release for housing at some stage. The Council cannot currently demonstrate that a five year supply of housing (plus buffer) can be currently provided for the Borough, which is a material consideration having regard to the NPPF.

7.3.3 In addition, there is substantial hard standing across the existing site and given its former garden centre use, it is considered that the site constitutes “previously developed land” (PDL) as defined in the NPPF. As such, the site does not have the same undeveloped characteristics as other sites outside of the defined settlement area. It is considered that the indicative provision of 2 one bedroom flats, 2 two bedroom houses, 5 three bedroom houses and 4 four bedroom houses would provide a comprehensive mix of housing types as required by Policy CP6 of the CSDMP.

7.3.4 It is considered that the site is within a sustainable location as although it adjoins the southern end of the West End settlement boundary, it is PDL and within walking distance of existing shops and amenities both in West End and in the northern part of Bisley village. The open land towards Bisley is within the Green Belt and on this basis, it is considered

that the proposed development within PDL would not lead to a coalescence of settlements.

7.3.5 In light of the above matters and following the appeal decisions for SU/14/0532 (Land south of 24-46 Kings Road and 6 & 9 Rose Meadow), and other decisions under SU/16/0323 & SU/17/0202 (Land north of Beldam Bridge Road), SU/14/0451 (Land south of Beldam Bridge Road), SU/15/0594 (Land north and east of Malthouse Farm, Benner Lane) and SU/17/0399 (40, and land to the rear of 40-46, Kings Road), all of which fall within the same West End housing reserve site, the principle for the current proposal is considered to be acceptable. However, this is subject to the assessment of the other planning considerations as outlined below.

#### **7.4 Means of access and highway impacts**

7.4.1 The proposed 13 dwellings would be accessed via the existing point off the A322 Guildford Road, with an access width of approx. 4.8m to be provided along and a 2m wide footway at one side. Visibility splays of 2.4 metres by 114 metres to the north and 93 metres to the south are achievable at this existing point of access. Whilst the wider application is in outline form, the indicative site layout illustrates a total of 25 parking spaces to serve the 13 proposed dwellings, including 4 garage spaces, with the remaining 21 spaces being surface/driveway spaces. The Transport Statement concludes that the proposal will lead to a significant reduction in vehicle movements across a typical weekday when compared to the existing lawful garden centre use and on this basis, it is argued that the proposal will not be detrimental to the free-flow of traffic or safety on the adjoining highway network. A swept path analysis plan has also been provided to demonstrate that safe access and turning space for bin lorries/emergency vehicles could be achieved throughout the site.

7.4.2 The County Highway Authority (CHA) has raised no objections to the access or the proposal on highway safety and parking capacity grounds, despite noting that the patterns of traffic arising from the proposed residential development would be different from the existing lawful use. The indicative proposed parking provision for the development would meet the CHA parking standards. The CHA has recommended a number of pre-occupation conditions, including provision of footpaths and adequate access visibility splays and parking/turning space within the site. A pre-commencement condition requiring a Construction Management Plan is also recommended.

7.4.3 As such, it is considered that the proposal would comply with Policies CP11 and DM11 of the CSDMP.

#### **7.5 Impact on the character of the area**

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

7.5.2 Policy DM9 of the CSDMP requires a high quality design that also respects and enhances its setting. Principle 6.6 of the RDG advises that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. The supporting paragraphs advise that plots are important elements in the character of an area. Their sizes, especially the widths along a street frontage are key determinants of the rhythm of buildings and spaces along a street. Development that disrupts the rhythm of the existing plots can create unattractive streetscenes.

7.5.3 Although the current proposal falls below the threshold (50 dwellings) for a design review, the adjacent residential development scheme (under 2016/0679 - land south of 4-14 Kings Road) was brought through the design review process as it was considered to be an

important part of the West End housing reserve site. The Design Review Panel requested permeability between all surrounding parcels within the West End housing reserve site and towards the open space to the south. This approach is now also supported by Principle 6.1 of the RDG, which advises that residential developments should connect into and complement the local existing network of routes and public open spaces. The indicative site plan shows that the development can achieve a pedestrian link to the abovementioned implemented 16/0679 scheme, with a cul-de-sac layout to provide natural surveillance. Furthermore, there would also be potential to link the proposed open space to the south along the brook to the open space approved under 16/0679.

- 7.5.4 Principle 7.4 of the RDG advises that new development should reflect the spacings, height and building footprints of existing buildings, especially when these are local historic patterns. The site also falls within Character Area 1 of the West End Village Design Statement SPD 2016 (VDS). The VDS indicates that this Character Area has a semi-rural character - dwellings do not exceed two storey in height and the proportion of plot to building ratio is very generous giving low housing density, with wide frontages, ample front gardens and spaces between buildings. The surrounding dwellings follow this identified pattern and scale, and contain pitched roofs and with a mixture of single storey, 1.5 storey and two storey eaves levels and gabled frontages.
- 7.5.5 The indicative site plan indicates that the dwellings would all be two storey in height, apart from a 1.5 storey detached dwelling at the front adjacent to No. 159 Guildford Road to reflect this neighbour's form. Significant setback distances from the highway and removal of front hard standing is proposed, to provide landscaping along the front to reflect an identified positive characteristic under the VDS. There are now also fully two storey dwellings beyond the rear of the site, as approved and built out under 16/0679. On the basis of all the above, the introduction of mainly two storey built form is considered acceptable. Although some of the proposed dwellings would be of smaller plot size than the established dwellings along Guildford Road, three detached dwellings with larger plots are indicated to the south towards the rural edge, demonstrating capacity for a mix of plot sizes and dwelling types contained well within the site boundaries. Furthermore, the mix of plot sizes is reflective of the layout, density and mix of dwelling types approved under 16/0679.
- 7.5.6 Principle 6.7 of the RDG advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough and ensure developments are not functionally and visually dominated by cars. Principle 6.8 further advises that where front of plot parking is proposed, this should be enclosed with soft landscaping and not dominate the appearance of the plot or the street scene with extensive hard surfacing. Given the spread of existing hard standing and the amount of front landscaping proposed to replace this, it is considered that the current indicative provision of four parking spaces to the front of the building lines is acceptable. It is also noted that a line of parking spaces is indicated at the rear, in front of the 3-bed dwellings. However, given its location at the rear of the site and the substantial net gain in landscaping proposed to the front, in this instance this is considered acceptable.
- 7.5.7 The site is opposite Newbridge Cottage, 164 Guildford Road, a locally listed building that is set back from Guildford Road like other dwellings in the vicinity facing Guildford Road. This dwelling is sited approx. 35m to the west of the application site entrance and approx. 52m from the nearest indicative building line proposed. The objection raised by the Council's Conservation Consultant is noted. However, it is considered that the indicative building line setbacks along the front would avoid an adverse impact upon the special character and setting of this locally listed building. Additionally, the specific appearance and layout of the buildings facing Guildford Road and Newbridge Cottage can be secured at reserved matters stage. This would also ensure that each dwelling would sufficiently address the roadside or open space, with double frontages where necessary. Furthermore, the proposal would utilise the existing access at the same location and would provide substantial landscaping along the site frontage in place of the existing hardstanding across this area. It is therefore not envisaged that the proposal would lead to either substantial or less than substantial harm to the locally listed building as outlined in Chapter 16 of the

NPPF and would comply with the intent of Policy DM17 of the CSDMP.

7.5.8 In light of all the above, it is considered that the indicative outline proposal, being adjacent a built-out housing reserve site, well-contained within a previously developed site, set away from the highway boundary and locally listed building opposite, along with the adjoining river bank and Green Belt land beyond, would achieve a form of development which would successfully respond to the characteristics of the surrounding area and its rural edge location. The proposed development would therefore comply with the design requirements of Policy DM9 of the CSDMP, the RDG, the VDS and the NPPF.

## **7.6 Impact on residential amenity**

7.6.1 Policy DM9 of the CSDMP states that the amenities of the occupiers of the neighbouring properties and uses should be respected by proposed development. Principle 8.3 of the RDG advises that developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access.

7.6.2 The applicant has chosen not to formally consider appearance, layout and scale matters under this outline application, and such matters may affect residential amenity. However, as indicated on the submitted site plan, the location of the dwellings will need to be sited away from the river bank and Flood Zone 3, to also provide an open space to integrate with the space approved at the adjoining 16/0679 housing reserve site to the east. This is envisaged to be sufficient to avoid adverse harm to the detached dwellings to the south and west.

7.6.3 This would however lead to a concentration of development nearer to the detached dwelling of No. 159 Guildford Road to the north. The indicative separation distance of the three 2-storey 3-bed rear elevations would now meet the 15m recommended distance for rear-to-side relationships as advised under Paragraph 8.4 of the RDG. It is also noted that there have historically been a number of large greenhouse structures running along in close proximity to the rear garden side boundary of No. 159. It is therefore anticipated that such a layout as indicated would be sufficient to avoid adverse harm to No. 159 in terms of loss of light, outlook, privacy or overbearing effects.

7.6.4 The indicative outdoor private amenity spaces for all proposed units would now meet the respective minimum sizes advised under Principle 8.4 of the RDG. The site plan also indicates that the overall floorspace for each unit would meet the requirements as set out in the national minimum space standards, and it is also envisaged that future occupiers would be afforded with sufficient outlook.

7.6.5 In light of all the above, it is envisaged that the provision of 13 units, away from the river bank and to provide open space adjoining that approved under 16/0679, would not lead to adverse impact upon the amenities of neighbouring properties and of future occupiers.

## **7.7 Impact on ecology, flood risk and trees**

7.7.1 The submitted Ecological Appraisal identifies the site as having potential for roosting bats. It was therefore recommended that three nocturnal emergence surveys be undertaken. As these surveys were not undertaken due to hibernation pattern time constraints, Surrey Wildlife Trust (SWT) commented that the LPA should seek confirmation from the applicant that the proposed development could accommodate the likely requirement for replacement bat roosts. The applicant's ecologist has subsequently written to confirm that the conditioning of the further nocturnal bat surveys, will ensure that the favourable conservation status of any protected bat species found at the site will be maintained in accordance with the legal requirements of wildlife law. In the officer's opinion, in this case, such a condition would meet the precautionary test under OPDM Circular 06/2005, as only two buildings are identified as having roosting potential, and are likely limited to common species such as Pipistrelle.

- 7.7.2 The southern section of the application site falls within Flood Zone 2 and 3 and an area of high risk from surface water flooding, being adjacent the Bourne River which is designated by the Environment Agency as a Main River. The proposal is supported by a Flood Risk Assessment. Surrey County Council Lead Local Flood Authority has raised no objections to the proposal, subject to conditions. The outline proposal indicates that seven of the proposed dwellings/private garden areas would be within Flood Zone 2 with the remainder within Flood Zone 1. However, the entire site is within the West End housing reserve site, most of which has now been developed. The rest of the West End settlement boundary adjoins the Green Belt and furthermore, a significant amount of the settlement area is within 400m of the Thames Basin Heaths SPA which restricts any additional residential development (see Section 7.8 below). As such, it is considered that the proposed development passes the sequential test and the exception test is not required. The proposed levels of the access roads are located above the modelled flood levels and all finished floor levels would be at least 300mm above the flood level. This would enable all residents to leave the site safely via the dry access road in the event of flooding, to comply with Para 163 of the NPPF.
- 7.7.3 Following an objection raised by the Environment Agency (EA), a revised site plan has been submitted to demonstrate that a greater ecological buffer zone further separating the development from the watercourse and to allow for re-profiling to a natural bank form. This is supported by a letter from the applicant's ecologist, which states that new vegetation of high ecological value will be provided along the Addlestone Brook within the proposed ecological buffer. The EA has now raised no objection, subject to conditions. The EA also commented that an otter and water vole survey is required prior to the commencement of development, but that this could be secured through a pre-commencement planning condition.
- 7.7.4 An Arboricultural Impact Assessment (AIA) has now also been provided, which outlines that four trees will be removed to facilitate the proposal, along with a Leyland Cypress as part of good arboricultural management. None of these trees are rated as being of high quality. Mitigation planting is also proposed as part of the overall larger buffer zone and provision of open space adjacent the Bourne. The comments from the Council's Arboricultural Officer are awaited and an update will be provided at the meeting.

## **7.8 Impact on local infrastructure and the Thames Basin Heaths SPA**

- 7.8.1 As the proposal includes new Class C3 dwellings, the development would be CIL (Community Infrastructure Levy) liable. However, the exact contribution is based on floorspace so the final precise amount can only be determined at the reserved matters stage. The final figure would need to be agreed following the submission of the necessary forms. Informatives would be added to the decision advising the applicant of the CIL requirements.
- 7.8.2 The southernmost part of the application site falls about 515 metres from the Thames Basin Heaths Special Protection Area (SPA) to the southwest. Policy NRM6 of the SEP seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of Suitable Alternative Natural Green Space (SANGS) 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 is provided, which is now collected as part of CIL. There is currently sufficient SANG available.
- 7.8.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is

not included with the CIL scheme, a separate contribution of £7,995 is required. This contribution is required under a legal agreement, which has now been agreed with the Council.

## **7.9 Impact on affordable housing provision and housing mix**

7.9.1 Policy CP5 of the CSDMP requires the on-site provision of 40% of dwellings (13 units) provided as affordable housing. Policy CP6 of the CSDMP also requires the Council to promote a range of housing types which reflect the need for market and affordable housing. The current proposal would provide 4 affordable housing units, secured through a legal agreement, and would provide a range of housing sizes, which will contribute towards the mix of new housing provided across the Borough. A legal agreement to secure the provision of the affordable units has been agreed with the Council and on this basis, no objections are raised on these grounds, with the proposal complying with Policies CP5 and CP6 of the CSDMP.

## **7.10 Other matters**

7.10.1 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. It has been concluded that the proposal accords with the Development Plan and whilst the implementation and completion of the development will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

## **8.0 CONCLUSION**

8.1 This outline application seeks to consider access only, with all other matters reserved. The County Highway Authority has raised no objections on safety, capacity or policy grounds subject to compliance with pre-occupation conditions, including provision of sufficient visibility zones; provision of 25 parking spaces; and a construction transport management plan. It is therefore considered that subject to conditions, the proposed development would not prejudice highway safety nor cause inconvenience to other highway users, in compliance with Policy DM11.

8.2 A legal agreement is required to provide affordable housing and a SAMM contribution. With the completion of such an agreement and subject to the recommended conditions and no objections raised by the Council's Arboricultural Officer, the proposal is recommended for approval.

## **9.0 WORKING IN A POSITIVE/PROACTIVE MANNER**

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

## 10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. Approval of the details of the layout, scale, appearance, access and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. The development hereby approved shall not be first occupied unless and until the existing vehicular access to Guildford Road has been modified to provide 2m wide footways either side of the access extending into the site and provided with pram crossing points either side of the access and visibility splays in accordance with drawing no. 1805037-01 Rev A and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 m high.

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

3. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for a minimum of 26 vehicles to be parked and for vehicles to turn so they may enter and leave the site in forward gear. Thereafter the parking/turning area shall be retained and maintained for their designated purpose.

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

4. The development hereby approved shall not be first occupied unless and until cycle parking has been provided 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: 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.

5. The development hereby approved shall not be occupied unless and until each dwelling has been provided with a fast charge socket (current minimum requirement: 7kw 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.

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.

6. No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - (d) provision of boundary hoarding behind any visibility zones
  - (e) measures to prevent the deposit of materials on the highway
  - (f) on-site turning for construction vehicles,

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

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

7. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.

- b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a staged Greenfield discharge with rates of 3l/s for the 1 in 2 year event, 3.9l/s for the 1 in 30 year event and 6l/s for the 1 in 100 (+40%) year event, (as per the SuDS pro-forma or otherwise as agreed by the LPA).

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).

d) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

e) Details of drainage management responsibilities and maintenance regimes for the drainage system.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the National Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

8. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS.

9. No development shall take place unless and until additional bat emergence surveys and subsequent mitigation proposals (as recommended in Section 6.1 of the Ecological Appraisal Report [Aspect Ecology Ltd dated August 2018] are submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be undertaken in accordance with all agreed recommendations and mitigation measures supporting these additional surveys. The development hereby approved shall in all other respects be undertaken in accordance with the recommendations and mitigation measures contained within the abovementioned Ecological Appraisal Report, unless otherwise agreed upon in writing by the Local Planning Authority.

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

10. No development shall take place unless and until an otter and water vole survey is carried out and submitted to and approved in writing by the Local Planning Authority. Depending on the results of this survey, an otter and/or water vole mitigation plan shall also be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the agreed mitigation plan.

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.

11. No development shall take place until a scheme for the provision and management of an ecological buffer zone alongside the Addlestone Bourne of the dimensions shown in Drawing No. BH/HXXX/PL/SP/100 Rev C, has been submitted to, and approved in writing by, the local planning authority. This will need to be in line with any mitigation plan required by Condition 1. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, formal footpaths, domestic gardens and formal landscaping. The scheme shall include:

1. plans showing the extent and layout of the buffer zone in relation to the bank top of the river.
2. details of enhancements to the Addlestone Bourne and the ecological buffer zone. This should include the removal of any hard banks, reprofiling of the banks where necessary and the incorporation of marginal shelves for planting.
3. details of any proposed planting scheme, that should be native species of UK provenance.
4. details demonstrating how the buffer zone will be protected during development.
5. details of how the buffer zone will be managed over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan (this could go into the Landscape and Ecological Management Plan).

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No development shall take place until a landscape and ecological management plan for the river corridor, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. This will need to be in line with any mitigation plan required by Condition 10 above. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

1. details of maintenance regimes to show how the ecological buffer zone and river corridor will be managed over the longer term.
2. details of management responsibilities including adequate financial provision and named body responsible for management.
3. details of how invasive, non-native species such as Himalayan balsam, will be controlled over the long-term.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National

## Planning Policy Framework.

13. The development hereby approved shall be carried out in accordance with the submitted flood risk assessment (reference A/BDWESTEND.10, 2nd Issue dated August 2018 by Mayer Brown Ltd for Brook Nursery, West End) and the following mitigation measures it details:
  1. Finished floor levels shall be set no lower than 33.62 m above Ordnance Datum (AOD).
  2. No residential dwellings shall be located within the 1% annual exceedance probability (AEP) flood extent.

These mitigation measures shall be fully implemented prior to occupation. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

### Reason

To reduce the risk of flooding to the proposed development and future occupants. This is in accordance with the adopted Policy DM10 of Surrey Heath Core Strategy 2011-2028.

14. No development approved by this planning permission shall commence until such time as a scheme for level for level floodplain compensation to directly replace any loss of flood plain storage, up to the 1% annual exceedance probability (AEP) flood extent with an appropriate allowance for climate change, has been submitted to, and approved in writing by, the local planning authority.

The floodplain compensation scheme will need to be considered prior to determining the final layout at reserved matters stage to ensure that the compensation scheme is achievable and can be provided for up to the 1% AEP flood extent with an appropriate allowance for climate change.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/ phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

### Reason

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided. This is in accordance with the adopted Policy DM10 of Surrey Heath Core Strategy 2011-2028.

## Informative(s)

1. CIL Liable CIL1
2. Highways informatives
  1. Condition 6 - 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.

2. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Mini Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see:

<http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage

Act 1991. Please see:

[www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

3. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

4. 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.

5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

3. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on the Surrey County Council website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Sustainable Drainage and Consenting team via

[SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.

4. Biodiversity informative

Development that encroaches on watercourses can have a potentially severe impact on their ecological value. Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River Basin Management Plan.

The buffer zone will help to reduce shading, and should be free from all built development including domestic gardens, formal landscaping, lighting, fencing and formal footpaths. To reduce light spill into the river corridor outside the buffer zone, all artificial lighting should be directional and focused with cowlings (for more information see Institute of Lighting Professionals (formerly the Institute of Lighting Engineers) "Guidance Notes for the Reduction of Obtrusive Light". Where fencing is required, this should have a wildlife friendly design that allows species (e.g. hedgehogs) to pass through/under it in accordance with Article 10 of the Habitats Directive.

The ecological enhancements that have been proposed will require a detailed management plan to be in place. This will ensure the landscape provides a maximum benefit to the wildlife corridor alongside the Addlestone Bourne.

5. The Environmental Permitting (England and Wales) Regulations 2016 require a permit to be obtained for any activities which will take place:
- on or within 8 metres of a main river (16 metres if tidal)
  - on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
  - on or within 16 metres of a sea defence
  - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
  - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

or contact the Environment Agency National Customer Contact Centre on 03702 422 549.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with the Environment Agency at the earliest opportunity.

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**MINUTE LIST OF COMMITTEE**  
**04 April 2019**

APP. NO	WARD	LOCATION & PROPOSAL	TYPE	DECISION
2018/0763	WES	<b>THE BROOK NURSERY, 163 GUILDFORD ROAD, WEST END, WOKING, GU24 9LS</b>	<u>OOU</u>	AF
RC		Outline planning application for the erection of up to 13 residential units (C3) following demolition of existing buildings with modified access off Guildford Road, landscaping and parking areas. Access only with all other matters reserved. (Additional info rec'd 02/11/2018 & 12/02/2019) (Amended plan rec'd 14/02/2019) (Amended plan rec'd 12/3/19).		

**ACTION**

APPROVED (SUBJECT TO AMENDED AND ADDITIONAL CONDITIONS)

AMENDED CONDITIONS:

9. No development shall take place unless and until additional bat emergence surveys and subsequent mitigation proposals (as recommended in Section 6.1 of the Ecological Appraisal Report dated August 2018 and subsequent Letter dated 06 November 2018 [Aspect Ecology Ltd]) are submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be undertaken in accordance with all agreed recommendations and mitigation measures supporting these additional surveys. The development hereby approved shall in all other respects be undertaken in accordance with the recommendations and mitigation measures contained within the abovementioned Ecological Report and Letter, unless otherwise agreed upon in writing by the Local Planning Authority.

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

11. No development shall take place until a scheme for the provision and management of an ecological buffer zone alongside the Addlestone Bourne of the dimensions shown in Drawing No. BH/HXXX/PL/SP/100 Rev C, has been submitted to, and approved in writing by, the local planning authority. This will need to be in line with any mitigation plan required by Conditions 10 and 11. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, formal footpaths, domestic gardens and formal landscaping. The scheme shall include:

plans showing the extent and layout of the buffer zone in relation to the bank top of the river.

details of enhancements to the Addlestone Bourne and the ecological buffer zone. This should include the removal of any hard banks, reprofiling of the banks where necessary and the incorporation of marginal shelves for planting.

details of any proposed planting scheme, that should be native species of UK provenance.

details demonstrating how the buffer zone will be protected during development.

details of how the buffer zone will be managed over the longer term including adequate financial provision and named body responsible for management plus production of a detailed management plan (this could go into the Landscape and Ecological Management Plan).

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities

for the enhancement of the nature conservation value of the site in line with national planning policy, to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. The development hereby approved shall not be first occupied until a landscape and ecological management plan for the river corridor, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to, and approved in writing by, the local planning authority. This will need to be in line with any mitigation plan required by Condition 10 above. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

1. details of maintenance regimes to show how the ecological buffer zone and river corridor will be managed over the longer term.
2. details of management responsibilities including adequate financial provision and named body responsible for management.
3. details of how invasive, non-native species such as Himalayan balsam, will be controlled over the long-term.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, to accord with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

#### ADDITIONAL CONDITION:

15. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Aspect Arboriculture [Patrick Haythornthwaite] and dated February 2019. 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: 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.