

LOCATION:	8 Tekels Park, Camberley, Surrey, GU15 2LF,
PROPOSAL:	Erection of two detached houses, two pairs of semi-detached houses and a two storey building providing three flats with associated garaging, parking, landscaping following the demolition of Tekels Park Guest House, the Dormy flat, 8 Tekels Park, Tekels Court and Green Hedges with partial demolition and associated alterations to Dunmar.
TYPE:	Full Planning Application
APPLICANT:	Mr Quinn
OFFICER:	Sarita Bishop

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 Richard Brooks due to concerns raised by on behalf of the Tekels Park Residents Association.

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

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of a total of 9 dwellings. This would comprise two detached two-storey four bedroom houses; two pairs of three bedroom semi-detached houses with accommodation over three floors; and, a two storey building to comprise 2 two bedroom and 1 three bedroom apartments. There would be associated parking, access, stores and landscaping. Tekels Park Guest House, the Dormy Flat, 8 Tekels Park, Tekels Court and Green Hedge would be demolished to facilitate the development and alterations are also proposed to Dunmar.
- 1.2 Having regard to the existing uses on the site the principle of residential development in this location is supported and established. The layout, scale, form, density and design for the proposed residential development would be appropriate for this location. The amenity of surrounding neighbours and future occupiers are considered acceptable as are the proposed parking and highway arrangements. The proposed changes to Dunmar would also be acceptable in visual and residential amenity terms.
- 1.3 There is a need for smaller households and the development would provide seven dwellings with two and three bedrooms. Therefore, and subject to a legal agreement to secure the SAMM payments, the application is recommended for approval

2.0 SITE DESCRIPTION

- 2.1 The application site, of some 0.38 hectares, is located on the western side of Tekels Park, a private estate. It comprises a complex of single and two storey buildings which comprise the Tekels Park Guest House and four self-contained dwellings namely the Dormy Flat, Green Hedges, 8 Tekels Park, Tekels Court and Dunmar. The site is located within the Wooded Hills Housing Character Area of Camberley, as identified in the Western Urban Area Character SPD. It is also subject to an area Tree Preservation Order (TPO) 05/10. In respect of the submitted application, the protected trees are generally located on or adjacent to the east and west site boundaries.
- 2.2 The twenty bedroom Guest House is located at the northern end of the site and immediately adjoins and fronts onto the secondary access road. Green Hedges and the Dormy Flat are ground and first floor flats respectively attached to the east side of the Guest House with 8 Tekels Park being attached to the west side. These dwellings are set back from the secondary access road. The existing pattern of overlooking is to the front and rear. It is noted that the Dormy Flat has an existing first floor balcony on its rear elevation. This gives views across 7 and 7a Tekels Park to the east and the remainder of the application site to the south and west.
- 2.3 Tekels Court is located on the eastern side of the site. Whilst it is connected to the main Guest House by a single storey link, its main frontage faces onto the main access road within Tekels Park. This building has a tarmac drive and vehicular access directly onto the access road. There is a grassed verge with established hedging which extends along the length of the site frontage up to Green Hedges and the Dormy Flat. These buildings are predominantly finished in pebbledash and brick and largely date from the mid-20th century. They are characterised by dual pitched gable roofs. This building was approved as ancillary accommodation to the main guest house comprising quiet and meeting rooms and dining room extension at ground floor and bedsitting rooms. The agent advises that:
- “Tekels Court has been a separate self-contained dwelling for more than 10 years. The Council tax entry for former Flats 1 and 2 Tekels Court was deleted in 2002 and since then it has had its own single rating entry (ref. 03BX0555006103). It has a physically separate entrance from the Guest House. I understand it has separate electricity and gas. The applicant advises that there are tenants (a couple) living in the dwelling and they have been there for the last few years. They pay their own council tax and have nothing to do with the Guest House.”
- 2.4 Dunmar is located to the south of Tekels Court. Its design is unique within Tekels Park as it has a crenelated appearance which links back to the former Tekels Castle. It has a painted white finish, in need of maintenance, with private enclosed amenity space to the south and views over the communal space to the west.
- 2.5 There is a difference in levels across the site with the southern boundary being about 1.45 metres and 3.3 metres lower than its northern counterpart and the eastern boundary being about 0.6 metres lower than the western boundary. The communal open space to the rear of the Guest House, Tekels Court and Dunmar gives the site an openness, which together with the landscaped grounds surrounding St Francis Church/Hall to the west and the main parkland to the south, is characteristic of this area and has considerable benefit in visual amenity terms.

- 2.6 Vehicular access into the Park is from Tekels Avenue to the north. The main access road within the Park is largely single width and finished in tarmac. There is a secondary access which loops around the Walled Garden development in front of the application site where it rejoins the main access road to the east of Green Hedges and the Dormy Flat. This secondary access also provides access to St Francis Church/Hall, an area of tarmac car parking, which is being and has been used by people going to the church/hall and the Guest House, and 12 Tekels Park. There are no footpaths and limited streetlighting in the area.
- 2.7 The former Walled Garden lies to the north of the site. This is a recently completed residential development of 8 dwellings within a walled enclosure. No dwellings appeared to be occupied at the time of the site visit for the current application. Surface car parking to serve the development is beyond the walled boundary to the north. The north and east sections of the wall are designated as local heritage assets
- 2.8 St Francis Church and Hall lie to the west and are set in landscaped grounds. Although the accommodation is provided at ground floor level only, the main part of the building has a pitched roof with a vaulted ceiling which results in a double height space. The remainder of this white rendered building is characterised by flat roofed extensions to the front and rear. Surfaced car parking to serve the building is located to the east. It is noted that the site of the former Tekels Castle is to the north of the building.
- 2.9 12 Tekels Park lies to the south west of the site. This is a two storey and a half storey detached dwelling which has been previously extended. It has a Dutch gable to the front with the house having a white painted brickwork finish and a pitched tile roof. It is also designated as a local heritage asset. It has vehicular access to the north and east.
- 2.10 5a, 7, 7a and High Twelve Tekels Park lie to the east of the site. These comprise four detached dwellings of different sizes and designs and are generally located at a higher level than the application site. 5a Tekels Park is a substantial five bedroom dwelling with accommodation over three floors which has been built in the last five years. It has a detached double garage to the front of the property which is enclosed by gates and boundary hedging. 7 Tekels Park is also a substantial detached five bedroom dwelling with accommodation over three floors. This dates from the mid-20th century and has a white painted finish. This property has established landscaping along the road boundary with Tekels Park. 7a Tekels Park is a large detached two storey five bedroom dwelling which dates from the late 1990s. It has been completed in brick and render with a tiled pitched roof. High Twelve is the smallest dwelling of the four. It is a single storey dwelling with accommodation in the roof. It appears to have been built in the first half of the 20th century and has a light painted finish with a pitched tile roof
- 2.11 The Tekels Park Site of Nature Conservation Importance lies to the south of the site. This is predominantly a tree lined open grassland area which has great amenity value to the residents within the Park.

3.0 RELEVANT HISTORY

There is a varied planning history relating to the application site. The following applications are considered to be the most relevant:

- 3.1 01/0257 Change of use of the Dormy Flat to enable its incorporation into the existing guest house. Approved 31 October 2001.
- 3.2 01/0929 Change of use of 1 and 2 Tekels Court from residential to Use Class C2. This application was withdrawn in 2002 as the applicant confirmed that the accommodation had been used by persons associated with the guest house and it was their intention to retain the accommodation for residential purposes for use by resident Guest House staff as part of their employment conditions. As such no material change of use was considered to take place
- 3.3 20/0308 Erection of a two storey side extension to Dunmar. This is currently under consideration. The main feature of this proposal is the removal of the crenulation features and the introduction of a design which reflects the apartment building the subject of this application.

Although not on the application site the following application is also considered to be relevant:

- 3.4 17/1031 Erection of 6 x 2 bed semi-detached and 2 x 3 bed detached dwellings, with associated amenity space, parking and alterations to wall, following demolition of existing garden, buildings and garages in the Walled Garden Tekels Park. Approved 9 January 2018. This permission has been implemented and the development is complete.

For purposes of comparison the approved dimensions and heights are as set out below:

- The detached dwellings have a width and depth of 10 metres and some 11.3 metres respectively with a gabled end roof with eaves heights of 4.2 metres and ridge heights of 7.9 metres.
- The semi-detached dwellings have a width and depth of some 6.1 metres and 12.6 metres respectively with small bay windows to the front, and gabled end roofs with eaves height 4.2 metres and ridge of some 7.6 metres. The ground level for this development is higher than the application site.

4.0 THE PROPOSAL

- 4.1 Permission is sought for the erection of a total of 9 dwellings comprising two detached two-storey four bedroom houses, two pairs of three bedroom semi-detached houses with accommodation over three floors (plots A-F inclusive) and a part two storey part single storey building to comprise 2 two bedroom and 1 three bedroom apartments (plots G, H and J) with associated parking, access, stores and

landscaping, following demolition of the Tekels Park Guest House, the Dormy Flat, 8 Tekels Park, Tekels Court and Green Hedge. Alterations are also proposed to Dunmar.

- 4.2 The proposed houses would be largely sited on the footprint of the existing Tekels Park Guest House, the Dormy House, 8 Tekels Park and Green Hedges. With the exception of plot A, they would front onto but be set back from the access drive which separates the site from the new Walled Garden development to the north. The detached houses (plots A and F) would be sited on the west and east sides of the site with the semi-detached properties in between. Plots A-E inclusive would each have a generally rectangular shaped rear garden of about 11 metres in depth. The rear garden for Plot F would have a depth of between 8 and 10 metres with a maximum width of 16 metres.
- 4.3 Car parking provision to serve plots B-E inclusive would be provided by parking bays to the front (two per property) with landscaping beds in between. Car parking provision for plot A would be to the rear of the proposal via the secondary access road between the site and the Church/Hall of St Francis to the west. This would comprise a detached single garage with a pitched roof and two parking spaces in front. The parking provision for plot F would also be to be to the rear of the dwelling with a new access off the main access within the Park. It would include a detached single garage with space in front for a vehicle and two parking spaces to the side.
- 4.4 Concerns were raised about the original submission in relation to:
- the height of the semi-detached houses and the resultant relationship between plots E and F;
 - The amount of hardstanding to the rear of plot F;
 - The planting of the proposed hedge adjacent to the boundary with the main estate road;
 - Proximity of plot A to the protected Oak

Amended plans were submitted which proposed the following changes:

- the eaves and ridge heights of the semi-detached houses have each been reduced by one metre such that the proposed ridge height for these houses matches that of the existing guest house;
 - a gable end has been added to the house type for plot F;
 - The amount of hardstanding to the rear of plot F has been reduced with a resultant increase in the rear garden;
 - the hedge line has been revised to provide a sight line onto the main access road to the south; and,
 - Plot A has been moved a further 2 metres away from the protected Oak
- 4.5 The houses would have accommodation over two and three floors. Plots A and F have front and rear gables with pitched roofs. These plots have traditional floor layouts with living room, kitchen etc at ground floor with bedrooms at first floor above. The proposed master bedrooms, located at the rear, are shown with french doors with glazed juliet balconies. Plots B-E have front dormer windows within the front roof planes with Velux windows to the rear. The ground floor plan proposes a study/snug, a kitchen/diner, utility and WC at ground floor, the living room with opening doors and glazed Juliet balconies to the rear, ensuite bedroom 3 and family bathroom on the first floor and ensuite bedrooms 1 and 2 on the second floor. The dimensions are summarised below:

- Plot A would have a maximum width and depth of some 11.8 metres and 11.7 metres respectively. Plot F would have a maximum width and depth of 13 metres and 12 metres respectively. Both plots would have an eaves height of some 5 metres and ridge height of some 8 metres.
- The semi-detached dwellings would have a total width of some 14 metres, depths of 10 metres, eaves heights of 5 metres and ridge height of 10 metres. These properties will be set down into the site by about a metre.

The proposed external materials include a multi stock brick, roof tiles, timber doors and windows, stone cills, brick arches, glazed lantern and brick effect dummy chimneys. The garden areas for the proposed houses have areas between 85 and 203 square metres. It is proposed to provide a short length of 2m privacy screen to the rear of each of the houses (for the patio areas) and the remainder of the rear gardens would have 1500 mm hedging to maintain the open nature of the area.

- 4.6 The apartments (plots G, H and J) are located to the south of the houses and front onto the main single-track access within the Park. They would be largely on the footprint of Tekels Court. The proposed building is two storey in height with a parapet and pitched roof and a flat roofed entrance porch. This would provide 2 two bedroom flats at ground floor and a three bedroom flat above. The flat roof design of the single storey rear projection facilitates the provision of a first floor terrace to the three bedroom apartment with 2 metre high opaque privacy screens provided to both sides. The existing vehicular access is to be moved slightly to the south and will provide access to a surface car park with 6 spaces and an external bin store. New landscaping is also proposed to screen the parking/bin area. The rear of the building remains as amenity space and generally retaining its open character. The proposed building would be different in design to that proposed for the houses with materials featuring multired brick, a predominantly tiled roof and stone band course. Due to the changes in site level the north side of the building would be about a metre higher than the south side.
- 4.7 With the exception of a Silver Birch adjacent to the Dormy Flat/Green Hedges, the protected trees within the site and the majority of existing landscape features within and adjoining the site are to be retained. New landscaping is also proposed to enhance the appearance of the development across the site
- 4.8 To facilitate the proposal an existing extension on the north side of Dunmar would be demolished. It is also proposed to block up existing openings in the north elevation. This would include secondary bathroom windows at ground and first floor levels, a secondary door and window which serve the dining room and a secondary bedroom window at first floor. It is also proposed to create a designated garden area for Dunmar to the west within the open space

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highway Authority | No objection |
| 5.2 | Council's Tree Consultant | No objection |
| 5.3 | Surrey Wildlife Trust | No objection subject to conditions |
| 5.4 | Thames Water | No comments received |

5.5	Environmental Health Officer	No objection
5.6	Council's Conservation Officer	No objection

6.0 REPRESENTATION

6.1 At the time of the preparation of this report ten representations have been received eight to the original plans and two to the amended plans which object to the proposal on the following grounds:

Character [*Officer comment: See section 7.4 of this report*]

- The proposed development is far too dense and out of keeping with the surrounding area;
- It would change the environment too much creating a mini hamlet in the middle of a quiet and peaceful location;
- Totally unsympathetic design;
- If the development is allowed it could lead to further application for close packed dwellings to the detriment of the whole area;
- The majority of the development does not adhere to the principles for the Wooded Hills areas of Camberley particularly in relation to Tekels Park;
- The Council continues to ignore its own guidance rules on building density and parking for example in respect of the Walled Garden development and that allowed on appeal at 18 and 18a Tekels Park;
- The proposed development would degrade the green space that is Tekels Park;
- Four of the plots are three stories in height and this should be reduced to two stories in line with the Walled Garden development;

Car parking and access [*Officer comment: See section 7.6*]

- Loss of verge outside the proposed flats as it is one of the few passing places in this part of the Park;
- Road in and out of Tekels Park is not a safe road particularly in relation to pedestrians and car drivers;
- proposal would result in 18 more cars and many attending visitors adding more pressure and increase danger to pedestrians;
- The proposed "street parking" would spoil the aesthetics of the local area to its detriment;
- No provision for overflow or visitor car parking which could result in cars being parked on grass verges;

- Proposed hedge adjoining the access road within Tekels Park would result in the loss of the verge resulting in the narrowing of the road, the creation of a dangerous bottleneck, the loss of a safe place for pedestrians to walk, worsen visibility and adverse impact on vehicular access to 5a and 7 Tekels Park;
- Tekels Park is a narrow road with little lighting and no pavements and the increase in traffic associated with these additional properties will further exacerbate the danger to pedestrians;
- There is no passing point from the subject property to gated entrance between Tekels Park and Tekels Avenue;
- Increased quantity of traffic associated with the proposed dwellings would dramatically increase the current vehicular flow;
- Vehicular access may be blocked;
- Disturbance to existing residents associated with construction traffic;
- Parking standard inadequate for likely level of car ownership;
- A line of parking spaces between plot A and the parkland space should be maintained;

Residential amenity [*Officer comment: See section 7.5*]

- Loss of privacy to 5 Tekels Park;

Other matters

- Oppose the continual piecemeal development in the area and a comprehensive plan should be submitted for the Tekels Park estate [*Officer comment: The applicant has indicated his future intentions for the wider park through his submission for the proposed Local Plan. However, the current application must be determined on its own merits*]
- A question is raised relating to the need for further flats (borough seems overrun) and whether the long-term implications for such housing within the borough has been considered [*Officer comment: There is a need for a mix of dwelling types to address the different housing needs of residents within the borough. The current application has to be determined on its own merits*]
- All building here threatens wildlife and green space [*Officer comment: See paragraph 7.8.2*]
- The existing car parking spaces for the Guest House and St Francis Church should be retained for parking purposes;
- Maintenance costs for the private road [*Officer comment: This is a civil matter and not a planning matter*]

7.0 PLANNING CONSIDERATION

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). In this case the relevant policies are Policy CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11 and DM17. It is also to be considered against the Surrey Heath Residential Design Guide 2017 (RDG), the Western Urban Area Character Supplementary Planning Document 2012 (WUAC) specifically the Guiding Principles of the Wooded Hills Housing Character Area and the National Planning Policy Framework (NPPF) and associated Practice Guidance. The Infrastructure Delivery Supplementary Planning Document (2014), the 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 main planning issues relevant to this application are considered to be as follows:

- Principle of the development;
- The impact on the character of the area, having regard to heritage and trees;
- The impact on residential amenity of adjoining and future occupiers;
- Highways, parking and access;
- Impact on infrastructure; and
- Impact on the Thames Basin Heaths Special Protection Area

7.3 The principle of development

7.3.1 The NPPF advises that planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

7.3.2 The site is previously developed land within the settlement area of Camberley, wherein the principle of residential development is acceptable. Policy CP1 of the CSDMP 2012 states that new development will be directed in accordance with the spatial strategy which provides the most sustainable approach to accommodating growth within the borough, that new development will come forward largely through the redevelopment of previously developed sites in the western part of the borough, and that Camberley has scope for residential development across the area. Policy CP2 states that development should create sustainable communities with a strong sense of place that are safe and have easy access to a range of high quality services. Policy CP6 indicates that within Surrey Heath there is the greatest need for 2- and 3-bed houses and this development would include a mix of these sizes. The principle of development is, therefore, considered to be acceptable subject to the consideration of the following matters.

7.4 The impact on the character of the area

7.4.1 Paragraph 124 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 127 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.

7.4.2 Policy CP2 of the CSDMP 2012 states that new development should be ensure that all land is used efficiently within the context of its surroundings and respect and

enhance the quality of the urban, rural, natural and historic environments. 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, and that trees and vegetation worthy of retention should be protected. Policy DM17 states that development which affects a heritage asset should first establish and take into account its individual significance, and seek to promote the conservation of the Asset and its setting.

- 7.4.3 The Guiding Principles of the Wooded Hills Housing Character Area state that new development should be set in spacious, irregular plots, provide space between and around buildings; consist principally of two-storey detached buildings; retain the provision of a green character through retention of large trees and vegetation; and include the provision of high quality designed buildings and surrounding spaces. It also states that development forms that are contrary to the prevailing development form of detached houses set in generous individual enclosed plots will be resisted, as will proposals with closely set buildings, cramped appearances, minimal provision of side gardens and net densities above 9 dwellings per hectare. Development that erodes the soft, green semi-rural character of the area will also be resisted. The RDG also sets out standards for new development including guidance on architectural detailing, use of natural light, window design, internal space standards, density and layout.
- 7.4.4 Unlike the Walled Garden proposal, which was on a largely undeveloped site, the proposal seeks to demolish a number of existing single and two storey buildings. As such it is appropriate to consider the proposed development in the context of both adjoining development and the existing buildings including their layout, height and appearance. Dwellings to the north within the Walled Garden comprise a mix of detached and semi-detached two and three bedroom dwellings. Dwellings to the east are typically large detached houses set in landscaped grounds. The existing buildings within the site have been built in a piecemeal fashion and reflect their time of construction. This has resulted in a form of development which is not typical of, nor makes little positive contribution to, the character of Tekels Park.
- 7.4.5 The application proposes a mixed residential development of detached and semi-detached houses and apartments. The new built form would be largely on the footprint of the existing buildings and reflect the existing street pattern with the new dwellings being frontage development with private gardens or communal space to the rear. The proposed site layout also provides opportunities to introduce landscaping in areas which are currently largely devoid of planting e.g. at the northern end of the site.
- 7.4.6 The proposed development has a density of 23 dwellings per hectare. Whilst this would be comparable to the development built within the Walled Garden (22 dwellings per hectare), it is acknowledged that the proposal would have a higher density than surrounding dwellings within the wider Tekels Park area. Given the above, the proposal would not reflect a number of the Guiding Principles of the Wooded Hills Housing Character Area as set out above. However, it is noted that the existing buildings on the site do not reflect this character neither in terms of footprint nor site layout nor appearance. It is also noted that the recently completed development within the Walled Garden comprises detached and semi-detached properties. These factors are material considerations in the assessment of the proposal.

Layout and design

- 7.4.8 The proposed development is predominantly on the footprint of the existing buildings. The scheme has two distinct elements. The proposed houses, identified as plots A-F inclusive would replace the Dormy Flat, 8 Tekels Park, Green Hedges and the majority of the of the Tekels Park Guest House. With the exception of plot A, the proposed houses are set back from the existing road frontage. This layout provides frontage development with car parking and landscaped flower beds adjacent to the link road to the north of the site. The proposed layout would generally maintain comparable separation distances to adjoining development when compared with the existing buildings and in this respect would retain a similar feeling of spaciousness to this part of the Park. The parking provision for plots B-E inclusive and G, H and J would be broken up by landscaping which reflect the landscape character of the site and the wider Park environment.
- 7.4.9 There is a wide variety of design within Tekels Park. The proposed houses have been designed to be read in the context of, and to be compatible with, the houses within the Walled Garden both in terms of design and use of materials. Plots A and F act as visual “bookends” to the proposed semi-detached houses which is considered to be an appropriate design solution in this location. The proposed semi-detached houses take clear design cues from the Walled Garden development for example with regard of the use of dormer windows within the roof. Having regard to the changes in site level within the side, the reduction in site level for the proposed semi-detached houses is considered to be acceptable and results in appropriate building relationships with plots A and F and a visually cohesive streetscene to this part of the development.
- 7.4.10 The proposed apartment building has a different design approach to the houses with the use of symmetrical proportions and parapet and pitched roofs. With its central front door it would be read as a single building which would be comparable with a number of the substantial dwellings within Tekels Park. This building would be seen in the context of Dunmar to the south. Given the existing relationship between Tekels Court and Dunmar, the proposed relationship would be acceptable in visual amenity terms i.e. whether Dunmar is altered as set out in this application, or in the event that planning permission is granted for the proposed two storey side extension and this is implemented. The proposed alterations to Dunmar as set out in this application are small scale and do not have a material impact on the character of either the host dwelling or the wider area.

Heritage impacts

- 7.4.11 The wall around the Walled Garden to the north of the site is locally listed on the northern and eastern sides and encloses this recently completed development. The wall is a remnant of the former Tekels Castle estate, and dates from the mid-nineteenth century. The Conservation Officer raises no objection to the proposed development in relation to its impact on the locally listed wall. The site was formerly a component part of the Tekels Castle estate. It is considered appropriate to impose a condition that if any archaeology is found as part of the demolition or construction process, then the finds are recorded to ensure an accurate record of the heritage and habitation on this site is made.

Trees and landscaping

- 7.4.12 Tekels Park is characterised by established trees and vegetation. Trees within the application site are subject to group Tree Preservation Order 05/10. The application is supported by an Arboricultural Assessment. There are four protected trees of note within the site i.e. classified as Category B for the purposes of BS5837:2012. These are a Common Oak, a Lawson Cypress and a Scots Pine which are sited on or adjacent to the west/south west site boundary, and a Common Oak sited adjacent to the north east site boundary, all of which are shown to be retained. There is also a C category Silver Birch adjacent to the north east site boundary. This tree is shown to be removed to facilitate the construction on plot F. A number of smaller trees including Cherry, Japanese Maple, Japanese Cedar and Tree of Heaven are also located within the current open area to the rear of the existing buildings and are also to be retained.
- 7.4.13 It is noted that the Common Oak to the rear of 8 Tekels Park is in close proximity to the existing building and largely dominates the rear garden for this property. No. 8 Tekels Park has 6 windows on the rear elevation facing towards the protected Oak. Whilst there have been no identified issues raised as result of the proximity of the Oak to 8 Tekels Park, the relationship of the protected Oak tree in relation to both the proposed external and internal environment was carefully considered particularly in relation to future pressure to remove this tree. Three windows are proposed in the rear elevation of Plot A. The living area is dual aspect with windows in the front elevation unlike the current house. On the first floor there would only be a window to a secondary bedroom and a hallway. The amended plans reposition plot A 2 metres further away from the Oak when compared to the existing rear windows. It is considered this is an improvement on the current arrangements and as the tree remains subject to a tree preservation order, the Council would be able to resist any future proposals for significant removal or pruning of this tree.
- 7.4.14 The submitted tree reports have been considered by the Council's Consultant. He raises no objection to the proposal subject to the imposition of conditions relating to the protected Oaks T139 and T140, securing the proposed tree protection and anti-compaction measures, the location of material storage area, the submission of the schedule of site visits from the Arboricultural supervisor which should be at least monthly and results reported back to the Tree Officer, replacement tree planting and the location of service routes. Subject to these conditions and the submission of a comprehensive landscaping scheme for the whole site no objection is raised to the proposal on landscape grounds.
- 7.4.15 In conclusion, whilst the proposal would not comply with some of the character guidance for this area, given the existing pattern and form of development and the improved design and layout of the dwellings, the proposal would not result in material harm to the character of the area such that planning permission should be refused. It is therefore considered that the proposal is acceptable in character and landscape terms, subject to appropriate conditions.

7.5 Impact on residential amenity

- 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.

It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.3 of the RDG states that the occupants of new dwellings should be provided with good quality daylight and sun access, and that developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.1 states that new development should have a degree of privacy and should not have a significant adverse effect on the privacy of neighbouring properties. Principle 8.4 sets out the minimum garden space standards.

- 7.5.3 Given the degree of separation between the proposed dwellings and adjoining development, the proposal is not considered to give rise to any material overbearing or overshadowing impacts or loss of light.
- 7.5.4 With regard to overlooking, the existing buildings have numerous windows that overlook the Walled Garden development, 5, 5a, 7, 7a and 12 Tekels Park. It is recognised that the pattern of overlooking will change as a result of this proposal primarily as a result of the first floor juliet balconies in the rear elevation of the houses, the dormer windows in the front roof planes of the semi-detached houses and the first floor terrace in the apartment building. These relationships are considered in more detail below.
- 7.5.5 As existing there are numerous windows in the front elevations of the Guest House, the Dormy Flat, Green Hedges and 8 Tekels Park which overlook the Walled Garden development which occupies an elevated position when compared to the application site. With the exception of plots A and F the proposed houses would be sited further away from this development than the existing buildings. Given these factors, the height of the wall that encloses the Walled Garden (in excess of 2 metres in height) and as the proposed windows serve bedrooms or landings, the proposed pattern of overlooking to properties in the Walled Garden is not considered to be materially different from the existing situation and is acceptable.
- 7.5.6 As existing, there are four first floor windows in the front elevation of Tekels Court which directly overlook 7 Tekels Park. Whilst seven first floor windows are proposed in the front elevation of the apartment building, two are double windows for bedrooms 1 and 2, two are to serve a bathroom and shower/WC and one to serve the central staircase within the building. Given the nature of these rooms and their likely level of use, the proposed front elevation being set back over a metre when compared to the existing building and the existing boundary screening at 7 Tekels Park, the proposed overlooking is not considered to result in a material loss of privacy such that planning permission should be refused on this ground.
- 7.5.7 With regard to the impact on the occupiers of 5, 5a and 7 Tekels Park, it is noted that the existing pattern of overlooking is indirect. This continues to the case in relation to the proposed scheme. Given this, separation distances in excess of 30 metres being retained between buildings and the absence of first floor windows in the side elevation (east) of plot F, the resultant pattern of overlooking is considered to be acceptable.
- 7.5.8 With regard to the occupiers of 12 Tekels Park, this substantial dwelling sits in well established and landscaped grounds. Whilst there will be an increase in overlooking, as a result of the proximity and location of the proposed first floor juliet balconies and the first floor roof terrace, it is considered that as a minimum

separation distance in excess of 40 metres would be retained.
No material loss of privacy to these occupiers would therefore result.

- 7.5.9 With regard to future occupiers within the development the proposed dwellings are considered to relate well to each other in terms of amenity and are not likely to cause any material overbearing or overshadowing issues. It is noted that the proposed development has first floor windows in rear elevations of the dwellings and the apartment buildings. This will result in mutual overlooking between the dwellings and rear gardens. However, this pattern of overlooking is not uncommon in a residential environment, and as such is not considered to give rise to a material loss of privacy. The proposed Juliet balconies and the roof terrace will introduce a different pattern of overlooking. However, given the separation distances retained, the ability to impose a condition to secure the provision of the privacy screens on the first floor terrace, and the communal nature and size of the open space retained to the rear of the site, it is considered that acceptable levels of occupational privacy may be maintained for future residents.
- 7.5.10 The rear gardens for the proposed houses meet the minimum sizes as set out in the RDG. The apartment building has both communal space and a first floor terrace to the rear. The proposed rear gardens for the houses and amenity space for the flats would be screened from views from the Walled Garden and 5, 5a and 7 Tekels Park by the proposed built form and existing landscaping in the area. As such appropriate levels of occupational privacy would be maintained. It is noted that the proximity of the Oak to plot A will result in a degree of overshadowing to the proposed rear garden. However, having regard to the relationship to 8 Tekels Park which has existed for many years, the proposed relationship between the garden for plot A and the Oak is not considered materially harmful such that planning permission should be refused on this ground. Having regard to the above the proposal is considered to meet the recreational needs of future occupiers and is acceptable.
- 7.5.11 The proposal is therefore considered to result in an acceptable standard of living for the future occupiers of the development, and is not considered to result in any significant adverse impacts to surrounding properties. The proposal is therefore considered to be acceptable in terms of residential amenity in accordance with Policy DM9 of the CSDMP.

7.6 Highways, parking and access

- 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 people. Policy DM11 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.
- 7.6.2 The application site is accessed via Tekels Park, which is a private road and does not form part of the public highway. As such it falls outside the jurisdiction of the County Highway Authority. However, the County Highway Authority has considered the wider impact of the proposed development and considers that it would not have a material impact on the safety and operation of the adjoining public highway (where Tekels Avenue adjoins Park Road). Notwithstanding this, it is considered appropriate to further consider the highway implications of the proposal.

- 7.6.3 The SCC Vehicular and Cycle Parking Guidance January 2018 recommends that one space is provided per two bedroom dwelling, two spaces per 3 bedroom dwelling and three spaces per 4 bedroom property. The proposal provides two spaces for each of the flats and the three bedroom houses and three spaces for each the four bedroom houses. Whilst there is a shortfall of one space for the three bedroom flat and as the guidance relates to maximum provision, the overall level of car parking for the scheme is considered to be acceptable. It is also noted that there is existing surface car parking which is used by users of the Church/Church Hall to the west of the site which has the potential for use when not being used for the Church/Church Hall.
- 7.6.4 Given the Government's policy on promoting electric vehicles, it is appropriate that the development makes appropriate provision for charging points and electricity infrastructure to enable at home charging to take place. This may be secured by way of condition. To promote the use of alternative modes of transport it is appropriate that the development makes provision for secure and covered cycle parking. This may also be secured by way of condition. Existing servicing arrangements would be retained to serve the development.
- 7.6.5 It is acknowledged that the Guest House has not operated to its potential capacity for some while. As a result, the associated traffic movements have been relatively low in number. However, the proposal is assessed on the potential traffic generation associated with the existing uses being fully operational. In this regard the applicant has confirmed that TRICS data indicates that daily trips for the existing guest house and residential uses could be around 132 two-way movements compared to 65 two-way movements for 9 dwellings, representing a reduction of around 50%. Once the development is complete and having regard to the potential traffic generation associated with the existing buildings on the site, it is considered that the proposed development would not have a severe impact on the wider highway network or Tekels Park in terms of additional traffic generated. While concern has been raised about the cumulative impact of this proposal, along with future proposals in Tekels Park, this can be taken into account if and when further proposals are submitted.
- 7.6.6 Given the width of Tekels Avenue and Tekels Park, a Method of Construction Statement should be submitted to ensure the development does not have a significant adverse impact on either of these roads. This may be secured by way of condition. Having regard to the above the proposal is considered acceptable in highway safety terms subject to the imposition of appropriate conditions.

7.7 Impact on infrastructure and the Thames Basin Heath Special Protection Area

- 7.7.1 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 which came into form on 1 December 2014. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.
- 7.7.2 This development would be CIL liable and an informative would be added to the decision advising the applicant of the CIL requirements. It is therefore considered that the proposal would be in accordance with Policy CP12, the Infrastructure Delivery SPD and the NPPF in this regard.

- 7.7.3 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.7.4 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 800m from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. 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. An informative is proposed to advise the applicant of his responsibility in this regard.
- 7.7.5 The development would also be liable for a contribution towards SANG (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. The applicant is in the process of completing the necessary undertaking. Subject to the satisfactory completion of this undertaking, it is therefore considered that the proposal complies with Policy CP14B and NRM6 and the TBHSPA SPD.

7.8 Other matters

- 7.8.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A of the CSDMP states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.8.2 The applicant submitted Bat and Emergence (Updated Bat Building report) Surveys in support of the application. These reports found the Guest House and Tekels Court to have brown long-eared droppings in their roof voids. Surrey Wildlife Trust has been consulted on this application. It raises no objection to the proposal subject to the imposition of conditions to secure the implementation of the mitigation measures set out in the Update Bat Building report, sensitive lighting, reptiles and biodiversity enhancements.
- 7.8.3 Policy CP5 of the CSDMP requires developments of 5-9 units (net) to provide 20% affordable housing on site. However, paragraph 63 of the NPPF states that the provision of affordable housing should not be sought for residential developments that are not major developments i.e. 10 + units. As the NPPF has greater weight in planning terms there is no requirement to provide affordable housing and as such no objection is raised to the proposal in this regard.

7.8.4 The site is located within Flood Risk Zone 1. Policy DM10 of the CSDMP expects development to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS). In this case this may be secured by way of condition. On this basis no objection is raised to the proposal on drainage grounds.

8.0 POSITIVE/PROACTIVE WORKING

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

a) Provided or made available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

c) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

9.0 CONCLUSION

9.1 The principle of residential development in this location is supported. The layout and scale of the proposal is considered to make effective use of previously developed land with a design and density that would appropriately integrate into the existing Tekels Park 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 as set out below the application is recommended for approval.

10.0 RECOMMENDATION

GRANT subject to a legal agreement to secure SAMM payment and the following conditions:

1. The development hereby permitted shall be begun within one year 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 and to accord with the resolution of the Council's Executive of 16 July 2019 in relation to Suitable Alternative Greenspace capacity for Surrey Heath.

2. The development shall be carried out using only the external materials as specified in the submitted application.

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

3. No surface materials for the car parking spaces/areas or footpaths will be used on the site until a plan showing the location of their use, together samples and their details have been submitted to and approved in writing by the Local Planning Authority. Once approved only the agreed surfacing materials shall be used in the construction of the development and completed prior to the first occupation of the plot to which they relate.

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

4. Notwithstanding any information submitted with the application no foundations or ground floor slabs shall be constructed on site until details of the proposed finished ground floor slab levels of all buildings and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) have been submitted to and approved by the Local Planning Authority in writing. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to safeguard trees subject to Tree Preservation Order 5/10.

5. No boundary treatment or landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out as approved and implemented prior to first occupation of the plot to which they relates. The scheme shall include indication of all walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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. 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) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding
- (f) HGV deliveries and hours of operation
- (g) hours of construction
- (h) measures to prevent the deposit of materials on the highway
- (i) 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, to protect the amenities of residents and to safeguard trees subject to Tree Preservation Order 5/10 in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012

7. The new dwellings hereby approved shall not be first occupied unless and until the parking spaces have been laid out within the site and made available for use in accordance with the approved plans for vehicles to be parked including turning where appropriate for the plot to which they relate. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

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

8. No external lighting shall be installed on the site unless and until a Sensitive Lighting Management Plan and details of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of that part of the development to which they relate.

Reason: To ensure that the impact on protected species is minimised in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

9. The development hereby approved shall be undertaken wholly in accordance with the bat mitigation strategy as set out in the Update Bat Building Report dated 2 October 2019 drafted by Corylus Ecology.

Reason: To ensure that the local bat population is not adversely affected by the proposed development having regard to policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012

10. Notwithstanding the bat enhancement measures secured by condition 9 above, prior to the first occupation of any part of the development a scheme of biodiversity enhancements shall be submitted to and approved by the Local

Planning Authority. Once approved the scheme shall be implemented in full prior to the first occupation of that part of the development to which they relate and thereafter retained and maintained.

Reason: To promote biodiversity having regard to policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the first occupation of plots G, H and J the works to Dunmar as shown on the approved plans shall be implemented in full and thereafter retained.

Reason: To safeguard the residential amenities of the occupiers of Dunmar

12. Prior to the first occupation of plot J the opaque privacy screens to the first floor terrace area as shown on drawing number 1092-P05 shall be installed and thereafter retained and maintained to the reasonable satisfaction of the Local Planning Authority. Furthermore the terrace area shall not be extended beyond that shown on the approved floor plan for plot J.

Reason: To safeguard the amenities of adjoining residents

13. No trenches, pipe runs for services or 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.

Reason: To ensure the retention of trees 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.

14. Notwithstanding any information submitted with the application no development including demolition shall take place until a detailed arboricultural method statement has been submitted and approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction" and shall contain details of all demolition processes, the method of the specific removal of the existing foundations for 8 Tekels Park to include the use of hand tools, the proposed foundations to be used for plots A and F, the use of anti compaction measures and details of construction processes for proposed and repaired hard surfaces. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works to be carried out in strict accordance with the approved details.

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

15. The tree protection fencing as shown on drawing number 1092-P09 rev B shall be fully implemented prior to the commencement of demolition or development and retained throughout the demolition and construction process

Reason: To safeguard protected trees and 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.

16. A minimum of 7 working days before any development, including any works of demolition or site clearance, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to ensure ongoing compliance with the requirements of conditions 13, 14 and 15 above.

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.

17. Notwithstanding the provisions of Schedule 2 Part 1 Classes A, B, C, D, E and F and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no further extensions, roof alterations, outbuildings, hard surfaces nor boundary treatment/means of enclosure shall be erected or undertaken

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to safeguard the trees subject to Tree Preservation Order in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2012.

18. Should archaeology be found as part of the demolition/construction process the developer shall commission a qualified archaeologist to observe the excavations and record items of interest and finds. A report of what has been found shall thereafter be submitted to the Local Planning Authority.

Reason: The site was formerly part of the Tekels Castle estate and to ensure that any archaeological finds are appropriately recorded and to accord with the National Planning Policy Framework and Policy DM17 of the Core Strategy and Development Management Policies 2012.

19. A strategy for monitoring and reporting on ground conditions and actions to be taken should there be the discovery of contamination will be adopted. If, prior to or during development, ground contamination is suspected or manifests itself then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until the developer has submitted an appropriate remediation strategy to the Local Planning Authority and the written approval of the Local Planning Authority has been received. The remediation strategy should detail how the contamination shall be managed and any agreed remediation verified.

Reason: To comply with the National Planning Policy Framework (NPPF paragraphs 178, 179 and 180) which requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from unacceptable levels of contamination.

20. The proposed dwellings shall not be occupied until 3 of the available parking spaces to the front of Plots G, H and J are provided with fast charge sockets (current minimum requirements - 7kw Mode 3 with Type 2 connector - 230v AC 32 amp single phase dedicated supply) and the remaining dwellings are to be provided with a power supply to provide additional fast sockets in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, made available for use prior to the occupation of the plot they relate to and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To promote sustainable modes of transport having regard to Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

23. The proposed development shall be built in accordance with the following approved plans: 1092-SO1 rev A and 02 , P01 rev C, 02 rev A, 03 rev A, 04 rev A, 05, 06 rev A, 07, 08 and 09 rev B and LP1 rev B.

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

Informative(s)

1. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
2. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
3. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the Council will issue a Liability Notice in respect of chargeable development referred to in this decision as soon as practicable after the day on which this decision first permits development. The Liability Notice will confirm the chargeable amount calculated by the Council in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Surrey Heath Charging Schedule. Please note that the chargeable amount is a local land charge.

Failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this decision may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Council's website.

4. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
5. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
6. The applicant is reminded that there are trees within the development site protected by Tree Preservation Order and the consent of the Local Planning Authority is required for any works apart from those required to facilitate the development hereby permitted.

In the event that a satisfactory legal agreement has not been completed by 23 July 2020, or any other period as agreed with the Executive Head of regulatory, the Executive Head of Regulatory be authorised to REFUSE for the following reason:

1. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 2009 (as saved) 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).