

**LOCATION:** 134 & 136 London Road, Bagshot, Surrey, GU19 5BZ,

**PROPOSAL:** Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.

**TYPE:** Outline

**APPLICANT:** N/A

**OFFICER:** Mr Ross Cahalane

**RECOMMENDATION: GRANT, subject to conditions and S106 legal agreement.**

## 1.0 SUMMARY

- 1.1 This application seeks outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road. Access, appearance, layout and scale are to be considered, with landscaping reserved. The proposal seeks to overcome all reasons for refusal reported to the October 2019 Committee.
- 1.2 The principle of residential development in a sustainable location is supported and the redevelopment of the site in itself did not form a reason for refusal in 2019. It is now considered that the overall quantum of development proposed in this revised application is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is now also considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.
- 1.3 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions and the completion of a suitable legal agreement

## 2.0 SITE DESCRIPTION

- 2.1 The application site is located on the eastern side of London Road, within the settlement area of Bagshot. The site includes two detached two-storey dwellings. No. 134 to the north appears to be of late-Victorian/Edwardian origin but is not Listed at statutory or local level. No. 136 is of 1950s origin but has been substantially updated.
- 2.2 Existing properties in the immediate area consist of two storey detached, semi-detached and terraced properties facing London Road, many of which are of Victorian/Edwardian origin and design. The adjacent site to the east and south has been recently redeveloped to comprise a

housing estate (former Notcutts Nursery) containing a mixture of dwelling types up to three storey in height, along with a large supermarket building that also contains several smaller retail units.

### 3.0 RELEVANT PLANNING HISTORY

- 3.1 05/0806 Erection of a 2 storey building with accommodation within the roof to contain 12 two bedroomed apartments. Erection of 2 detached 4 bedroomed and 3 terraced 3 bedroomed dwelling houses and associated parking, access to be considered, following the demolition of 134 and 136 London Road

*Decision: Refused 09/02/2006 for the following summarised reasons:*

1. *Unacceptable impact on the character and appearance of the area and amenity because of:*
  - a. *Unduly harsh visual environment arising from proposed hardstanding and cramped appearance of the rear dwellings, and*
  - b. *Future pressure to remove TPO trees*
2. *Adverse effect on the integrity of the Thames Basin Heaths SPA, and*
3. *Insufficient garden areas for two of the dwellings due to overshadowing from TPO trees.*

- 3.2 05/0807 Erection of a two storey building with accommodation in the roof to contain 12 two bedroomed apartments and erection of 2 detached 4 bedroomed and 3 terrace 3 bedroomed dwellinghouses and associated parking, access to be considered, following demolition of 134 and 136 London Road.

*Decision: Appeal against non-determination - dismissed on 26 April 2006 for the following summarised reasons:*

1. *Cramped appearance of proposed rear dwellings*
2. *Harsh environment created by hard surfacing*
3. *Unacceptable pressure to remove/lop two TPO trees*
4. *Insufficient garden areas for two of the dwellings due to overshadowing from these TPO trees, and*
5. *Adverse effect on the integrity of the Thames Basin Heaths SPA.*

- 3.3 07/0263 Outline application for the erection of 2, two storey buildings with accommodation in the roof to provide a total of 19, two bedroom flats with associated parking following demolition of existing dwellings. (Access, layout and scale to be considered).

*Decision: Refused and appeal dismissed (April 2008) on grounds of lack of mitigation against adverse impact upon Special Protection Area.*

- 3.4 19/0304 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings with new vehicular access off London Road. Access, appearance, layout and scale to be considered with landscaping reserved.

*Decision: Refused on 17 October 2019 for the following summarised reasons:*

1. *Overdominant and incongruous form of development*
2. *Inadequate standard of communal amenity space for future occupiers and unacceptable pressure to remove/lop three TPO trees*
3. *Unacceptable loss of light and overbearing impact on rear gardens and elevations of Nos 9 and 11 Allbrook Close*
4. *Unacceptable perceived overlooking towards Nos 11 and 13 Allbrook Close*
5. *No further bat emergence and re-entry surveys to demonstrate that the proposed development would not result in harm to or loss of these legally protected species.*
6. *Adverse effect on the integrity of the Thames Basin Heaths SPA.*

3.5 The October 2019 Committee Report for the above application, outlining the full reasons for refusal, is provided in Annex A.

#### 4.0 THE PROPOSAL

- 4.1 Outline planning application for the erection of 26 residential units (Class C3) following demolition of both existing dwellings, with a new vehicular access off London Road is sought. Access, appearance, layout and scale are to be considered, with landscaping being the only matter reserved. The proposed floor plans show that the accommodation would comprise one three-bed flat, 18 two-bed flats and seven one-bed flats. The application is submitted to seek to overcome all reasons for refusal of 19/0304 as reported to the October 2019 Committee.
- 4.2 The proposed development would now be provided in the form of three buildings, as opposed to two buildings previously proposed under 19/0304. Each building would be 2.5 storey in eaves height, comprising crown roof forms of varying span with lower pitched roof forms and front gables, pitched and flat roof dormers, and rooflights on Block C. Internal bin and cycle storage would be provided within each building.
- 4.3 The proposed Block A to the front facing London Road would contain 11 flats across three floors and would have a maximum width of approx. 16.7m, maximum depth of approx. 23.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 12.2m.
- 4.4 The proposed Block B behind would contain seven flats across three floors and would have a maximum width of approx. 20.6m, maximum depth of approx. 12.5m, maximum eaves height of approx. 7.7m and maximum roof height of approx. 11m.
- 4.5 The proposed Block C to the rear would contain eight flats across three floors and would have a maximum width of approx. 17.5m, maximum depth of approx. 18m, maximum eaves height of approx. 7.2m and maximum roof height of approx. 11m.
- 4.6 The proposed flats would be served by 26 car parking spaces located throughout the site, including ten undercroft spaces within Block A and B.
- 4.7 The proposed amendments from the refused 19/0304 scheme are as follows:
1. Splitting of Block A in to two separate buildings (Block A and Block B);
  2. Block A set 1m further back from London Road at the southwest end;
  3. Provision of additional usable communal amenity areas through proposed TPO crown span reductions of approx. 3-4m, as outlined in a revised arboricultural report;
  4. Two additional ground floor flats served by directly-accessed private amenity areas;
  5. Increased separation distances between proposed Block C elevations and the Albury Close dwellings to the north, and;
  6. Provision of bat emergence surveys.
- 4.8 Amended plans have been received to correct an error on the side elevation of Block A, but also to make the following further changes to Block C:
- Change a ground floor living area window to a French door, to provide a private amenity space for a two bed flat (Plot 19), with additional hedge boundary alongside the communal cycle storage area
  - Make the upper floor landing area windows facing Allbrook Close high-level as well as obscure-glazed.
- 4.9 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Planning Statement
  - Design and Access Statement
  - Arboricultural Report

- Transport Statement
- Preliminary Ecological Appraisal
- Flood Risk Assessment
- Development Viability Appraisal Executive Summary
- Letter from an Affordable Housing Registered Provider (Paragon Asra Housing) to confirm that they can deliver 13 of the proposed 26 units for shared ownership, subject to a Section 106 legal agreement.

## 5.0 CONSULTATION RESPONSES

- 5.1 County Highway Authority: No objection, subject to conditions *[See Section 7.6 and for a copy of the comments please see Annex B]*
- 5.2 Surrey County Council Lead Local Flood Authority: No objection, subject to conditions *[See Section 7.7]*
- 5.3 Surrey Wildlife Trust: No objection, subject to condition *[See Section 7.8]*
- 5.4 Council Urban Design Consultant: No objection *[See Section 7.3]*
- 5.5 Council Arboricultural Officer: Comments *[See Section 7.4]*
- 5.6 Council Environmental Health Officer: No objection, subject to conditions *[See Section 7.5]*
- 5.7 Council Housing Services Manager: Comments *[See Section 7.11]*
- 5.8 Council Scientific Officer: No objection, subject to condition *[See Section 7.12]*
- 5.9 Windlesham Parish Council: Objection - The Committee objected to the application due to overdevelopment of the site and raised serious concerns regarding highways issues and access onto the A30.

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, one objection has been received on behalf of the Bagshot Society, raising the following concerns:

Design/character *[Officer comment: See Section 7.3 below]*

- Overdevelopment of the site
- Three storey height out of character with other properties at gateway to village

Highway matters *[Officer comment: See Section 7.6 below]*

- Insufficient parking on site
- Access on to busy A30 already experiencing traffic congestion at peak times. Would be safer to make access to/from the site from the roundabout on the south side
- Number of on-site electric vehicle charging points should be adequate to meet future needs

## **7.0 PLANNING CONSIDERATION**

7.1 The application site is located in Bagshot, a settlement area as outlined in the Surrey Heath Core Strategy & Development Management Policies 2012 (CSDMP). The proposal is considered against the principles of Policies CP1, CP2, CP3, CP5, CP6, CP14, DM9, DM10 and DM11 of the CSDMP; Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework 2019 (NPPF). Other relevant guidance includes the Residential Design Guide SPD 2017 (RDG), and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019. Details of appearance, scale, layout and access are chosen by the applicant for consideration under this outline application, with landscaping retained as a reserved matter. The main planning issues in the determination of this application are:

- The principle of the development;
- The impact on the character of the area;
- The impact on residential amenities;
- Means of access and highway impacts;
- The impact on trees;
- The impact on ecology;
- The impact on local infrastructure and Thames Basin Heaths SPA;
- Affordable Housing, and;
- Other matters.

The reasons for refusal of 19/0304 are also material considerations, which identified harm in respect of: design and associated quantum of development; neighbouring amenity; insufficient amenity space leading to pressure to remove TPO trees; ecology, and; SPA impacts. The 19/0304 decision established, however, that the principle of development was acceptable and no objection was raised on highway matters.

### **7.2 Principle of the development**

7.2.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes, and to boost significantly the supply of housing. Within the settlement area such as this site is located, the principle of residential development is acceptable. Following the publication of its Interim 5 Year Housing Land Supply 2019-2024 and recent appeal decisions, Surrey Heath can currently demonstrate a 5.15 year housing land supply. It is nonetheless accepted that the proposal would be a sustainable form of development, being within a settlement area and close to Bagshot Centre and its rail station.

7.2.2 The proposed redevelopment would involve the loss of one dwelling (No. 134) of late-Victorian/Edwardian origin. However, this dwelling is not Listed at statutory or local level. The other dwelling No. 136 is of 1950s origin. There are no local or national policies that resist the principle of the loss of these dwellings for additional residential use.

7.2.3 It is considered that the proposal would be an efficient use of land and a sustainable form of development. The principle of redevelopment of this site is therefore acceptable.

### **7.3 Impact on character of the surrounding area**

7.3.1 Policy DM9 (Design Principles) states that development will be acceptable where it achieves high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density. The National Planning Policy Framework also seeks to secure high quality design, as well as taking account of the character of different areas.

7.3.2 It is accepted that Paragraph 122 of the NPPF continues to require planning policies and decisions to ensure that new development makes efficient use of land. It is also accepted that since the latest appeal decision at this site in 2008, the immediate context of the site has since become more urbanised, with the redevelopment of the Nottcutts Nursery for a

number of residential units, supermarket, smaller retail units and car park areas. However, Paragraph 122 of the NPPF also states that decisions must also take into account the desirability of maintaining an area's prevailing character and setting.

- 7.3.3 Although the proposed density exceeds the average density in the immediate area, some increase in density would be supported given the sustainable location and the requirement for efficient use of land, provided that the existing local character of the area can be retained and enhanced. Principle 6.4 of the RDG aims to achieve the highest density possible without adversely impacting on the amenity of neighbours and residents or compromising local character, the environment or the appearance of an area.
- 7.3.4 Paragraphs 127 and 130 of the NPPF also state that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, whilst being sympathetic to local character, 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. Policies CP2 (iv) and DM9 (ii) of the CSDMP also reflect these requirements.
- 7.3.5 Principle 7.4 of the RDG advises that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.5 advises that proposals to introduce roof forms on residential development that diverge from the prevailing character of residential development will be resisted, unless it can be demonstrated that the proposals would make a positive contribution to the streetscape. Principle 7.8 advises that designers should use architectural detailing to create attractive buildings that positively contribute to the character and quality of an area. Buildings that employ architectural detailing that is unattractive, low quality or is not honest or legible will be resisted.
- 7.3.6 The surrounding Victorian/Edwardian buildings along London Road are all fully two storey in form, containing pitched roofs and with a mixture of hipped ends and gabled frontages. Block A, as proposed under 19/0304, measured approx. 50m along the south-western boundary of the site with the Waitrose car park. This building has now been set further back from London Road and split into two separate built elements (Block A and B). Although the proposed building heights remain the same as 19/0304, they form reductions from an initial pre-application scheme and the 2.5/2.75 storey eaves levels proposed are considered to be of appropriate scale and appearance between London Road and Waterers Way. Whilst the number of proposed units also still remains as 26, this has been achieved through utilising the open south elevation frontage as the outlook for many of the flats. Furthermore, although many of the flats are of smaller floor area than the initial proposal, they still all fully comply with the DCLG minimum space standards.
- 7.3.7 The Council's Urban Design Consultant (UDC) has commented that the resultant scale, massing, bulk and footprint is now considered to conform with, and respect, the existing residential built context. The reconfiguration of Block A in to two buildings has resulted in a considerable reduction in scale, footprint and massing, to provide a more evenly balanced development which gives the impression of three separate built elements set in relatively spacious grounds. Block A is now also set slightly further back, to further assist retention of some of the existing vegetation boundary along London Road, and replacement of the existing hedge for the new vehicular access. The indicative landscape plan outlines the above, and full landscaping is to be agreed at Reserved Matters stage.
- 7.3.8 The UDC has further commented that the detailed building design has also been sufficiently revised to address the previously overly bulky crown roof and any potential detrimental impact on the local character. The amended roof designs, with the lower height of Block B as a separate building, are considered to overcome previous concerns and respond positively to the existing built context. The proposed architectural design cue with traditional details (stringcourses, quoins etc.) and building materials comprising brickwork, tile hanging and tiled roofs, remains supported and is an important quality of the scheme.

- 7.3.9 It is accepted that each of the proposed flat buildings would still include crown roof form. The applicant also argues that there are other crown roof examples further to the north along the A30 (the two flat buildings of Jenkins Court and Rowan Court). It is considered that the current proposed crown roof forms are acceptable, as they are of modest span and are considered to function more to reduce the building heights in this important location rather than to provide overly deep buildings.
- 7.3.10 The Planning Statement advises that the two proposed communal amenity areas have now been improved through the current proposed works to the TPO trees adjacent these areas. As outlined in the arboricultural report, these works would involve a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m. An increased number of ground floor private amenity areas are now also proposed. As set out in Sections 7.4 and 7.5 below, it is now considered that the current proposed communal and private amenity spaces are usable and sufficient for the development it would serve, whilst avoiding future pressure to remove TPO trees.
- 7.3.11 In light of all the above, the revised proposal, is considered to retain and enhance the local character of the area and also provides a development of a distinctive identity and a suitable focal point in this prominent corner position - where the traditional, small scale residential surroundings to the north and east meets the mixed-use, more varied built context to the west and south. The first reason for refusal of 19/0304 is now therefore considered to have been overcome. Conditions are recommended to require agreement for all external material details.
- 7.3.12 The proposed Block C building to the rear would still have a slightly lower 2.5 storey eaves level and roof height of approx. 11m. It would utilise the lower ground level as it declines from the A30 towards the Notcutts redevelopment, as shown on the streetscene drawing. Although this building also contains crown roofs, it would remain significantly inset from the northwest and southeast site boundaries facing the A30. Additionally, the two TPO trees to the south would restrict some views and on the other side of this shrubbery, the additional height of approx. 1.5m above the 2.5 storey entrance dwelling to the redeveloped Notcutts Estate is considered to form an acceptable height transition at higher ground level. The proposed cross-section plan shows that the height increase above and behind the two storey Allbrook Close dwellings to the north would be limited to approx. 0.4m. In light of the above built form and boundary relationships, it is considered that Block C would not lead to an overdominant or incongruous addition to the surrounding area.
- 7.3.13 Principle 6.7 of the RDG SPD advises that parking layouts should be high quality and designed to, *inter alia*, reflect the strong heathland and sylvan identity of the borough, ensure developments are not functionally and visually dominated by cars, and be spaces that are visually and functionally attractive in the street scene. 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. In respect of on-street parking, Principle 6.10 advises that it should not dominate the street scene or accommodate more than a cluster of 3 cars.
- 7.3.14 A continuous line of six car parking spaces is proposed along the north eastern boundary, near to the entrance. However, additional planting is proposed to the front and it is considered that the substantial decline in ground level from the highway would be sufficient to avoid a prominence of hard standing in the streetscene. There would also be two other continuous rows to the rear, comprising six and four parking spaces. However, landscaping is proposed around these spaces which would restrict wider views. The other proposed ten spaces would be within the undercoft of the proposed Building A, and would therefore also be secluded. It is therefore considered that the proposed parking layout as a whole would comply with the overall aims of the abovementioned SPD advice governing parking layouts.

## **7.4 Impact on trees**

- 7.4.1 There are two Holm Oak and Red Oak TPO trees (ref: 6/00) within the site towards the southeast corner, and one further Oak TPO tree (same ref) dissecting the northern boundary. A revised arboricultural assessment, method statement and tree protection plan has been provided. This still advises that 17 trees and 5 tree groups are to be removed, along with an additional 6 trees categorised as unsuitable for retention and need removal for management reasons irrespective of any development proposals. Tree and ground protection measures and replacement planting is proposed, and an indicative landscaping plan is now provided to include locations of replacement planting.
- 7.4.2 The Council's Arboricultural Officer has raised no objection in respect of impact on root protection areas. The proposed tree and ground protection measures are considered appropriate for the location and could be secured by a planning condition to include a pre-commencement site meeting. It is still proposed to crown lift the TPO trees to provide a 3-4m ground clearance for the two proposed communal amenity areas for each flat building. It is now also proposed to reduce the canopy spans of T4 and T24 adjacent both proposed communal amenity areas by approx. 3-4m.
- 7.4.3 The Council's Arboricultural Officer has maintained that although the proposed tree works are acceptable in respect of good management to increase light penetration beneath the canopies, there will be long term pressure to remove at least two of these trees (Holm Oak and Red Oak adjacent the proposed southeast Block C amenity space) due to potential long term pressures to excessively reduce or remove the dominant TPO trees to abate light restriction, leaf litter and debris, perception of threat, physical nuisance etc
- 7.4.4 However, the proposed reduced canopy spreads, as shown in the current proposed tree protection plan and indicative landscaping plan, demonstrates that the majority of both proposed communal amenity areas would now be outside of the retained TPO canopies. The proposed communal amenity areas are therefore now considered to be usable for future occupiers. Any further works to the TPO trees would be subject to future separate applications under TPO legislation, whereby the Arboricultural Officer can exercise full control. In light of all the above, it is considered that the second reason for refusal of 19/0304 has been overcome in this regard. Full landscaping details relating to replacement landscape location and species, are to be agreed at Reserved Matters stage.

## **7.5 Impact on residential amenities**

- 7.5.1 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 8.1 of the RDG advises that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Developments which have a significant adverse effect on the privacy of neighbouring properties will be resisted. Paragraph 8.4 further advises that a minimum distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear of two storey buildings directly facing each other (i.e. a back to back relationship).
- 7.5.2 Principle 8.3 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. Paragraphs 8.5-8.6 of the RDG state that although there is no right to a view, residents should be able to enjoy good quality outlook to the external environment from habitable rooms, without adjacent buildings being overbearing or visually intrusive. A poor outlook relationship is caused when the height and bulk of a development significantly dominates the outlook of a habitable room or area. Topographical changes can also create overbearing relationships and poor outlooks.

- 7.5.3 The proposed Block A building at the front would remain sited approx. 20m from the side elevation of the detached dwelling of No. 132 London Road to the northeast. The inset elevation of Block B behind would be sited between approx. 20m from the rear garden side boundary of No. 132, with a TPO tree on the boundary restricting some views. Given these separation distances along with the site orientation and existing relationship with No. 134 to be demolished at closer proximity, it is considered that the proposed buildings would not lead to adverse harm upon the amenity of this neighbour in terms of loss of light, privacy or overbearing impact.
- 7.5.4 The separation distances to the front elevations of the dwellings on the opposite side of London Road would range between approx. 23m-30m, which is also considered sufficient to avoid adverse harm. The proposed Block B building would be sited between approx. 34-37m from the rear elevations of the two storey terraced dwellings of Nos 13-21 Allbrook Close, and the proposed southern elevations of Blocks A and B would face the Waitrose overflow carpark.
- 7.5.5 The proposed Block C building at the rear would, at first and second floor level, be sited at proximity of up to approx. 17.9m from the two storey semi-detached pair of Nos 9 and 11 Allbrook Close to the northeast. Although this proposed elevation would contain no upper floor openings facing these neighbours, it would be sited at higher ground level as outlined in the proposed cross-section drawing. However, this cross-section demonstrates that the resultant relationship would now not breach the 25 degree vertical line of sight test. As such, it is considered that the current proposed Block C would not lead to adverse harm to the amenity of the rear gardens and elevations of Nos 9 and 11 Allbrook Close in terms of loss of light and overbearing impact. It is therefore considered that the reduced bulk of Block C and increased separation distances would overcome the third reason for refusal of 19/0304.
- 7.5.6 The proposed Block C building would also contain an inset first and second floor elevation sited approx. 18.5m from the rear elevation of No. 11 Allbrook Close. The separation distance would increase to approx. 19m to the rear of the end-terraced dwelling of No. 13 further to the north, and between approx. 19.5m-24m further along this terrace containing Nos 15, 17, 19 and 21, through the provision of an inset elevation. This inset elevation contains two window openings on the first floor, and on the second floor, facing directly towards No. 11 and 13. However, these windows serve communal hallways and amended plans have been received to make these windows obscure-glazed and high-level (minimum 1.7m above finished internal floor level). It is considered that the size of these windows are now modest and would clearly high-level – therefore sufficient to avoid adverse perceived overlooking upon the rear gardens and elevations of Nos 11 and 13. It is therefore considered that the amended layout and windows of Block C would overcome the fourth reason for refusal of 19/0304.
- 7.5.7 The upper floor northeast elevation of Block C would be sited between approx. 18m-22m from the terraced rear elevations of Nos 1, 3, 5 and 7 Allbrook Close to the northeast. The nearest proximity from the proposed single storey element would be approx. 15m at an angle away from No. 3. The proposed southern corner of this building would be sited approx. 17m toward the rear elevation and rear garden side boundary of the detached dwelling of No. 1 Waterers Way. It is considered that these separation distances and juxtaposition between the buildings would be sufficient to avoid adverse harm in terms of loss of light, outlook, or overbearing impact. No windows would face directly towards these Allbrook Close neighbours. The proposed side elevation would contain first and second floor windows serving habitable rooms, the nearest of which would be sited approx. 20m at an angle away from the rear elevation of No. 1 Waterers Way. Given the angle of these windows away from the rear elevation of No. 1, in this instance it is considered that no adverse impact would arise in terms of overlooking.

7.5.8 The window separation distances to the other neighbouring elevations beyond (Nos 3, 5, 7, 9 and 11 Waterers Way) would range from approx. 24m – 37m, with a communal parking courtyard sited in between. The northernmost side windows would also be sited approx. 25m at an angle away from the rear elevation of No. 1 Allbrook Close to the east. These separation distances and built form relationships are all considered sufficient to avoid adverse harm to neighbouring amenity.

Amenities of future occupiers

- 7.5.9 An Acoustic Evaluation Assessment has been provided, which comments that the proposed communal amenity area furthest from the A30 (adjacent to Block B) would fall within an acceptable noise environment. In order for the other proposed amenity areas nearer to the A30 to also be acceptable, the report recommends a 2m high acoustic fence around the boundary perimeter. Minimum attenuation levels provided by windows and acoustic trickle vents are also recommended, to mitigate against traffic noise. The Council's Environmental Health Officer (EHO) has raised no objection, subject to planning conditions to secure the minimum sound insulation and ventilation performance of all flat windows, along with the specification of the proposed 2m high fence. This could be provided behind the proposed landscaping along the A30.
- 7.5.10 The proposed Block A to the front (nearest the A30) would contain 11 flats and Block B behind it would contain 7 flats. Four of the five ground floor flats would be provided with directly-accessible private amenity space that would meet the guidance of Principle 8.6 of the RDG concerning provision of private amenity space for flats. Eight of the upper floor flats would contain south-facing external balconies to also meet Principle 8.6. This would however leave six flats across Block A and B without any private amenity space. Two of the other proposed eight flats within Block C to the rear would also not be provided with any private amenity space.
- 7.5.11 Principle 8.5 of the RDG advises that for flatted developments, communal open space will also be expected. This should be: connected to the building, easily accessible to all residents, screened from public view, free of vehicles, located to receive sunlight for a substantial part of the day, and actively overlooked to provide surveillance and security. Blocks A and B would be provided with a separate communal private amenity space of approx. 270 sq m, located across the access road to the north. Block C to the rear would be provided with a more immediate south-facing communal private amenity space of approx. 267 sq m. These amenity space areas are the same as proposed under 19/0304. However, as already outlined in Section 7.4 above, both these areas would now be mostly clear from the mature TPO tree canopies. It is therefore now considered that these proposed amenity areas would be served by sunlight for a substantial part of the day, as advised by Principle 8.5 of the RDG.
- 7.5.12 As such, although eight of the total 26 proposed flats would not have dedicated private amenity space, they would now have access to appropriate and usable communal amenity space nearby. It is therefore now considered that all future occupiers of the current proposal would be provided with sufficient and accessible amenity space, thus meeting the aims of the RDG. It is therefore considered that the second reason for refusal of 19/0304 has been overcome in this regard.
- 7.5.13 Principle 7.6 of the RDG advises that as a minimum, the Council will expect new housing development to comply with the national internal space standards. The overall floorspace provision for each flat would meet the requirements as set out in the national minimum space standards and it is also considered that future occupiers would be afforded with sufficient outlook. The additional side elevations created by splitting Block A and Block B are utilised as second bedroom windows. As these windows face a communal parking area and not directly towards each other, it is considered that no adverse overlooking between future occupiers would arise.

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

- 7.6.1 Policy DM11 (Traffic Management and Highway Safety) 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 and mitigate such impacts to acceptable levels can be implemented.
- 7.6.2 Paragraph 108 of the NPPF states that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.6.3 The proposal would involve the provision of one off-street parking space for each flat (1 3-bed, 18 two-beds and 7 one-beds) and a revised vehicular off A30 London Road. Cycle parking spaces and bin storage would be accommodated within the proposed flat buildings. The Transport Statement advises that pre-application advice from the County Highway Authority (CHA) was received in respect of the above access arrangement and parking provision were acceptable in principle.
- 7.6.4 The proposed development would be accessed via a very well-used route linking Camberley and Bagshot, and towards the A322 and M3. However, the CHA has been consulted and has not objected on safety, capacity or policy grounds, subject to conditions, commenting that it is not considered that the proposal will give rise to any significant highway issues.
- 7.6.5 The CHA has commented further that the proposed access is sufficient to accommodate two-way vehicular movements. Vehicles leaving the site will benefit from the position of the access in close proximity to the nearby traffic light junction. Drivers will be able to leave at appropriate and safe times when vehicle flows are controlled by the traffic signals. A vehicle egressing right will be able to utilise the nearest lane to cross two lanes and not three. In terms of access into the site, whilst no dedicated right-turn lane is provided for the site, the relatively low number of proposed vehicle movements to the site is not thought to hinder the safe movement of vehicles in the vicinity of the access. The CHA assessment of the likely traffic generation shows that there would not be a significant impact on the traffic movements to/from the site in both the am peak (8am-9am) and the pm peak (5pm-6pm). The above CHA comments are provided in full in Annex B.
- 7.6.6 The proposed provision of one parking space per flat is considered sufficient given their location in a settlement area and near to bus routes, and approx. 600m walk to Bagshot Centre and approx. 1.3km walk from Bagshot rail station. Given the size of the proposed units adjacent retail parking subject to time limits and conditions, in this instance the lack of visitor parking is considered justifiable. Additionally, no visitor bays were proposed under the previous refusal and this did not form a reason for refusal. In light of all the above, the Local Planning Authority is satisfied that the proposal would not conflict with the aims of Policy DM11.

## **7.7 Impact on ecology**

- 7.7.1 A Preliminary Ecological Appraisal was provided under the 19/0304, which identified the dwelling of No. 134 London Road as having high potential to support roosting bats, a legally protected species. Surrey Wildlife Trust (SWT) commented that further surveys were required to help ascertain the status of bats within the site. These surveys have been provided as part of an Ecological Impact Assessment, and SWT has now raised no objection, subject to a condition requiring the development to be provided in accordance with the recommended avoidance, mitigation and compensation measures for priority species as made in the above report.

7.7.2 Subject to the above condition, it is considered that the fifth reason for refusal of 19/0304 has now been overcome.

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

7.8.1 The proposed development would be liable for the Community Infrastructure Levy (CIL), used to fund projects including open space, transport projects, pedestrian safety improvements among others. The liable amount has been calculated as £193,891.89.

7.8.2 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA, but all new development is required to either provide: SANG on-site (for large proposals of more than 100 units), or for smaller proposals; a financial contribution towards SANG, provided that sufficient SANG is available and can be allocated to the development. There is currently sufficient SANG available, which is now collected as part of CIL.

7.8.3 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £12,845.00 is needed. The applicant has agreed to secure this financial contribution towards SAMM by means of a Section 106 legal agreement.

## **7.9 Affordable housing**

7.9.1 Policy CP5 of the CSDMP requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 also requires the Council to promote a range of housing types which reflect the need for market and affordable housing.

7.9.2 The applicant is proposing 50% of the development (13 flats) to be delivered as affordable shared ownership housing, as outlined in a cover letter from a Registered Provider (Paragon Asra Housing) who has been working on this scheme alongside the applicant. Based on this letter and the floor plans, the Affordable Housing (AH) would comprise 4 x 1 beds and 9 x 2 beds within all of Block A and part of Block B. Although Policy CP5 only requires up to 40% AH provision, any provision is required to be split 50/50 between social rented and intermediate tenures. However, a viability review was undertaken for the initial refused 19/0304 outline scheme for 26 open market, whereby the Council's viability consultants concluded that although they could identify significant cost savings, the scheme would remain technically unviable. As such, no on-site AH provision could be sought, although a S106 agreement was recommended to claw back any subsequent improvement on viability. The Registered Provider of the AH has confirmed that the inputs used in the above viability review are still relevant and up to date.

7.9.3 In light of the above, in this instance it is considered that the proposed provision of 50% shared ownership affordable housing is acceptable, and the applicant has agreed to secure this by a S106 legal agreement.

## **7.10 Other matters**

7.10.1 The proposal is not within Flood Zone 2 or 3, but several areas within the site are classified by the Environment Agency as being of low risk of surface water flooding. A Flood Risk Assessment has been provided, which includes a surface water management strategy. Surrey County Council as the Lead Local Flood Authority (LLFA) has raised no objection, subject to conditions requiring details of the design of the surface water drainage scheme, along with a subsequent verification report. This would ensure that the proposed drainage would meet the National Non-Statutory Technical Standards for SuDS.

- 7.10.2 The Council's Scientific Officer has commented that as the site was formerly part of a very large nursery, a planning condition would be required to secure a contaminated land desk survey, site investigation and subsequent remediation action plan, discovery strategy and verification report to demonstrate that the agreed remediation (if required) has been carried out.
- 7.10.3 Policy CP2 of the CSDMP supports sustainable development including measures to promote energy efficiency would be supported. The Design and Access Statement advises that the proposal has been designed to accommodate any of the following: air source heat pumps, solar thermal or solar PV panels where appropriate; air cooling system, and; under floor heating. Other thermal solutions and energy/water saving measures are proposed. The final construction solution could be secured by means of a pre-commencement planning condition requiring submission of an energy and sustainability report. On this basis, it is considered that the proposal would support sustainability and would comply with Policy CP2 of the CSDMP.

## **8.0 CONCLUSION**

- 8.1 It is considered that the overall quantum of proposed development is acceptable, through the splitting of the approx. 50m long front building in to two separate buildings (Blocks A and B), and the provision of appropriate and usable private and communal amenity spaces, whilst also avoiding future pressures to remove TPO trees. The proposed increased separation distance between Block C and the rear of Nos 9, 11 and 13 Allbrook Close is considered sufficient to avoid adverse impacts in terms of loss of light or overbearing impact. The proposed upper floor windows serving hallways facing No. 11 and 13 Allbrook Close would now be high-level and obscure-glazed, which is also considered sufficient to avoid perceived overlooking.
- 8.2 Surrey Wildlife Trust has now raised no objection following the submission of bat surveys and the overall proposal is now also supported by Surrey County Highway Authority, Surrey County Council as the Lead Local Flood Authority and the Council's Environmental Health Officer and Scientific Officer. The application is therefore recommended for approval, subject to conditions as set out below.

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

- 9.1 In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included:
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development;
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development;
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## 10.0 RECOMMENDATION

GRANT subject to a legal agreement to secure the on-site Affordable Housing provision and contributions towards SAMM, and the following conditions:

1. Approval of the details of 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 Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and the Compulsory Purchase Act 2004.

2. The proposed development shall be built in accordance with the following approved plans:

Proposed site layout plan (Drawing No. 18-J2566-02 Rev A); Proposed information plan (Drawing No. 18-J2566-04 Rev A); Proposed Block A and B ground floor plans (Drawing No. 18-J2566-05 Rev A); Proposed Block A and B first floor plans (Drawing No. 18-J2566-06 Rev A); Proposed Block A and B second floor plans (Drawing No. 18-J2566-07 Rev A); Proposed Block C ground floor plan (Drawing No. 18-J2566-08); Proposed Block B elevations (Drawing No. 18-J2566-12 Rev A); Proposed streetscenes (Drawing No. 18-J2566-14 Rev A); Proposed site section plan (Drawing No. 18-J2566-15 Rev A); Proposed tree protection plan (Ref: 18073-BT4) - all received on 29 January 2020;

Proposed Block C part-section plan (Drawing No. 18-J2566-1005) - received on 19 February 2020;

Proposed Block C first floor plan (Drawing No. 18-J2566-09 Rev A); Proposed Block C second floor plan (Drawing No. 18-J2566-10 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev A); Proposed Block C Section (Drawing No. 18-J2566-21) - all received on 19 May 2020;

Proposed Block A elevations (Drawing No. 18-J2566-11 Rev B) - received on 09 June 2020;

Proposed roof plan (Drawing No. 18-J2566-20 Rev B); Proposed Block C floor plan (Drawing No. 18-J2566-08 Rev A); Proposed Block C elevations (Drawing No. 18-J2566-13 Rev B) - all received on 17 June 2020, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until samples and details of types and colours of all external materials, including hard surfacing and any boundary treatment have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory and that it accords with Policies CP2 (iv) and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. Before first occupation of the development hereby approved, all window serving bathrooms shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times.

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

5. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Barrell Consultancy [Andy Sherlock] and dated 24 January 2020. 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.

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 above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

7. No development shall commence until a strategy for monitoring and reporting on ground conditions and actions to be taken should there be the discovery of contamination is submitted to and approved by the Local Planning Authority. 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) 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 or being adversely affected by unacceptable levels of water pollution (paragraph 170) and to ensure that adequate site investigation information, prepared by a competent person, is presented (paragraphs 178 to 181).

8. 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 local 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) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5 l/s.
- b) 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.).
- c) 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.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) 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.

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, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

9. 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 constructed to the National Non-Statutory Technical Standards for SuDS, to accord with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

10. No part of the development shall be occupied unless and until the proposed modified northern pedestrian/vehicular access to London Road including the widening of the footway along the frontage of the site to 3m to extend the existing shared footway/cycleway with any private land dedicated as public highway shall be constructed and provided with visibility zones of 2.4m x 120m in both directions in accordance with the approved plans, Drawing Nos 68036-TA-001 B and 18-J2566-04 A, and thereafter the visibility zones shall be kept permanently clear of any obstruction above 0.6m high.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

11. The development hereby approved shall not be first occupied unless and until the existing southern access from the site to London Road has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

12. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans, Drawing No. 18-J2566-02 A, for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

13. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirement is 7 kw Mode 3 with Type 2 connector - 230 v 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 above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

14. The development hereby approved shall not be first occupied unless and until a Sustainable Travel Information Pack regarding the availability of and whereabouts of local public transport/walking/cycling/car sharing clubs/car clubs has been submitted for the written approval of the Local Planning Authority. The approved Sustainable Travel Information Pack shall be issued to the first time occupier of each dwelling, prior to first occupation.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

15. The development hereby approved shall be undertaken in accordance with the mitigation, compensation and enhancement actions for bats presented within Section 4 (Table 5) and Section 5 (Table 6) of the Ecological Impact Assessment : Revision A (Enzygo, 8th January 2020). Any external lighting installed on this development should comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and Lighting in the UK - Bats and The Built Environment Series".

Reason: To conserve and enhance biodiversity and legally protected species in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2019.

16. Prior to first occupation of the development hereby approved, except for the entrance/exit onto Jenkins Hill (A30) to/from the site, a two metre high tongue and grooved acoustic fencing having a minimum surface mass of 10kg/m<sup>2</sup> shall be erected along all perimeters, and retained and maintained as such unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: In the interests of the amenities of future occupants and to accord with objectives of the Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

17. Before first occupation of the development hereby approved, unless otherwise agreed upon in writing by the Local Planning Authority, all habitable rooms shall be installed with the following minimum glazing and ventilation sound attenuation performance:

a) Block A - all elevations (except south west): Windows to provide an attenuation value of 42 dBRw for bedrooms and 37 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 42 Db Dn,e,w for bedrooms and 39 Db Dn,e,w for living rooms.

b) Block B and south west elevation of Block A: Windows to provide an attenuation value of 24 dBRw for bedrooms and 22 dBRw for living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

c) Block C - all elevations: Windows to provide an attenuation value of 25 dBRw for bedrooms and living rooms;  
Ventilation system to provide an attenuation value of 39 Db Dn,e,w for bedrooms and living rooms.

Reason: In the interests of the amenities of future occupants and to accord with objectives of the Policy DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

18. No development shall commence until an Energy and Sustainability Report, outlining how the final construction design includes measures to promote energy efficiency, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the final design of the proposed construction would support sustainability to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

### **Informative(s)**

1. Highways informatives:

Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.

The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 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 (including Stats

connections/diversions required by the development itself or the associated highway 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).

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.

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.

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).

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. Flood risk/drainage informative:

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 Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use their reference number LLFA-SU-20-0197 in any future correspondence.

3. Environmental health informative:

The applicant is advised that Section 7 of the Acoustic Evaluation Assessment (ref: J 03759R1 - dated 19 February 2020) identifies suitable glazing and ventilation specifications and details to secure compliance with the attenuations required.

In the event that a satisfactory legal agreement has not been completed by 31 August 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 reasons:

1. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.