

LOCATION:	Bagshot Manor, 1 Green Lane, Bagshot, Surrey, GU19 5NL,
PROPOSAL:	Erection of 5 dwellings comprising 4 x 3 bed semi-detached and 1 x 4 bed detached with associated landscaping and parking.
TYPE:	Full Planning Application
APPLICANT:	Bagshot Manor Developments Ltd
OFFICER:	Mr Ross Cahalane

The 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 Valerie White due to concerns about overdevelopment, overlooking and highway issues.

RECOMMENDATION: GRANT subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for the erection of 5 new dwellings comprising 4 x 3 bed semi-detached and 1 x 4 bed detached with associated landscaping and parking. It is considered that the proposed dwellings would respect the character and quality of the surrounding area, and would be sited at sufficient distance from surrounding neighbours to avoid adverse harm to neighbouring amenity. The proposal would be served by ten off-street parking spaces within the site (two per dwelling), and would not lead to any loss of the 80 approved dedicated parking spaces approved under 19/2321/GPD. The proposal is supported by Surrey County Highway Authority and the Council Arboricultural Consultant, subject to conditions.
- 1.2 To address the concerns raised by the Council's Drainage Engineer, the proposal no longer includes a surface water connection to the existing watercourse along the east of the site. Drainage attenuation measures to control surface water flows within the site are proposed instead, using Sustainable Drainage Systems (SuDS). A maintenance and management plan to include the relevant specific areas of the wider site has now also been provided. Subject to conditioning, it is considered that it has now been adequately demonstrated that the development would not lead to a material increase in flood risk within or around the site.
- 1.3 The application is therefore recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The application site comprises part of an existing parking and landscaping area serving a vacant two storey office block, located to the south of this building and on the eastern side of Green Lane. The office block has prior approval for conversion to 79 flats, as approved under 19/2321/GPD. The current application would use the existing southernmost access off Green Lane. However, the current proposed additional dwellings are outside of the red line of this prior approval application.
- 2.2 The site is surrounded by detached bungalows on Broomsquires Road to the south, two storey dwellings of Elizabeth Avenue and recently developed contemporary wooden-clad dwellings of Manor Wood Grove to the east, along with a variety of single storey and two storey dwellings along Green Lane to the west. The surrounding area is therefore residential

in character and although there are a variety of architectural eras and roof forms, surrounding dwellings are limited to two storey in height. The wooded area immediately to the east of the existing building is covered by a Woodland Tree Preservation Order (Ref: TPO 13/87).

3.0 RELEVANT PLANNING HISTORY

- 3.1 2018/0897 Application for the prior approval under schedule 2, part 3, class O of the general permitted development order for the conversion of the existing office building to provide 85 flats across three floors.
Decision: Refused
- 3.2 2019/0185 Application for the Prior Approval under Schedule 2, Part 3, Class O of the General Permitted Development Order for the conversion of the existing office building to provide 84 flats across three floors.
Decision: Withdrawn
- 3.3 2019/0271 Application for the prior approval under Schedule 2, Part 3, Class O of the General Permitted Development Order for the conversion of the existing building to provide 83 flats across three floors.
Decision: Granted
- 3.4 2019/0675 Roof lights and fenestration alterations in connection with the residential use approved under prior approval 19/0271.
Decision: Granted
- 3.5 19/2321/GPD Application for the prior approval under Schedule 2, Part 3, Class O of the General Permitted Development Order for the conversion of the existing building to provide 79 flats across three floors.
Decision: Granted

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the erection of 5 new dwellings comprising 4 x 3 bed semi-detached and 1 x 4 bed detached with associated landscaping and parking.
- 4.2 The proposed dwellings would comprise of four two-storey semi-detached dwellings (Units 1-4) and one two-storey detached dwelling (Unit 5). Each dwelling consists of pitched roofs with side gable ends, front dormer windows and rear rooflights. Unit 5 would also include a flat roof attached side garage.
- 4.3 The proposed semi-detached dwellings would each have a width of approx. 5.5m, depth of approx. 10.1m, eaves height of approx. 5.8m and maximum height of approx. 9.7m. The proposed detached dwelling would have a maximum width of approx. 10.2m (reducing to approx. 7.2m at first floor), maximum depth of approx. 13.3m (reducing to approx. 11.4m at first floor), with the same eaves height and as the semi-detached dwellings. The proposed external materials comprise painted brickwork with some decorative panels adjacent the windows and fibre cement roof tiles.
- 4.4 The application site would utilise one of the two existing vehicle accesses off Green Lane. The extant 19/2321/GPD prior approval for 79 flats would continue to utilise the two existing vehicular accesses to the site off Green Lane, which lead to a total of 80 existing off-street parking spaces within the site. These approved parking areas would remain unaltered, as the proposed dwellings would be served by ten off-street parking spaces within the site (two per dwelling).

- 4.5 Amended plans have been received to include the proposed rooflights on the cross section, and to clarify that access to and from all of the 80 parking spaces for the Bagshot Manor flats would remain unaffected.
- 4.6 The application is supported by the following:
- Design and Access Statement
 - Planning Statement
 - Tree Survey Report
 - Replacement planting schedule
 - Transport Statement
 - Flood Risk Assessment and Drainage Strategy
 - Drainage Technical Note and SuDS Maintenance Plan
 - Energy and Sustainability Report

The above documents will be referred to in the report below where appropriate.

5.0 CONSULTATION RESPONSES

- 5.1 Surrey County Highway Authority No objection, subject to conditions [See Section 7.6 and Annex A]
- 5.2 Joint Waste Solutions Comments - request that each dwelling is provided with its own bin storage [See Section 7.6]
- 5.3 Council Arboricultural Consultant No objection, subject to condition [See Section 7.7]
- 5.4 Council Drainage Officer Comments [See Section 7.8]
- 5.5 Windlesham Parish Council No response received

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, ten objections have been received from seven properties, raising the following concerns:

Character and design [Officer comment: See Section 7.4]

- More open space needed on development
- Out of keeping with character of area
- Overdevelopment

Residential amenity [Officer comment: See Section 7.5]

- Loss of privacy
- Loss of light
- Close to adjoining properties
- Development too high
- Increase in noise, air and light pollution
- Negative impact from construction work

Highway matters [Officer comment: See Section 7.6]

- Insufficient parking - will overflow onto local roads
- Inadequate access
- Inadequate public transport provisions
- Loss of existing parking
- Will add to congestion on Green Lane – many cars already parked on roadside – school located at end of road

- Whitmoor Road is already congested – links to Connaught Park estate and A322
- Additional weekend traffic – already congested – Curley Park Rangers football club (Whitmoor Road)
- Proposal is not an issue on its own, but it is when combined with the development of the proposed adjoining flats.

Other matters

- Increase danger of flooding
[Officer Comment: See Section 7.8]
- Affect local ecology
[Officer Comment: Development of the site would be subject to a Natural England bat licence]
- Strain on local facilities – school, health etc
[Officer Comment: See Section 7.9]
- Potentially contaminated land
[Officer Comment: See Section 7.11]
- Impact on property prices
[Officer Comment: This is not a material planning consideration]

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, CP8, CP14, DM9, DM10 and DM11 of the CSDMP, and the NPPF. The Residential Design Guide Supplementary Planning Document (RDG SPD) was adopted in 2017 and therefore forms an additional material consideration in the determination of this application.

7.2 The main issues to be considered are:

- Principle of development;
- Impact on character of the host building and surrounding area;
- Impact on amenities of neighbouring properties and future occupiers;
- Impact on access, parking and highway safety;
- Impact on trees;
- Impact on flood risk;
- Impact on local infrastructure;
- Impact on the Thames Basin Heaths SPA, and;
- Other matters.

7.3 Principle of the development

7.3.1 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. As set out in the updated 5 Year Housing Land Supply Paper (August 2020), Surrey Heath now does not currently have a 5-year housing land supply as required by the NPPF, and can currently demonstrate a 4.85 year supply.

7.3.2 The application site is within a defined settlement area of Bagshot and it is considered that the proposal would be a sustainable form of development, being within this settlement area and approx. 700m walk to Bagshot District Centre and approx. 850m walk to its rail station,

with bus links along Guildford Road en-route. Although the proposal is within the grounds of a vacant office site, the site is outside of a Core Employment Area and benefits from extant Prior Approval for full conversion to flats.

- 7.3.3 In light of all the above, the principle of residential development in this location is therefore considered acceptable, subject to the other planning considerations as outlined below.

7.4 Impact on character of the host building and surrounding area

- 7.4.1 Policy DM9 (Design Principles) promotes high quality design that respects and enhances the local environment, paying particular regard to scale, materials, massing, bulk and density (DM9 i and ii). The National Planning Policy Framework also seeks to secure high quality design, that also takes account of the character of different areas. Development which fails to integrate into its context, promote or reinforce local distinctiveness and fails to take the opportunity to improve the character and quality of the area and the way it functions should be refused (paragraphs 59, 61 and 64 of the NPPF).
- 7.4.2 Principle 6.4 of the RDG SPD advises that housing development should seek 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. Principle 6.6 of the RDG SPD advises that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. The supporting paragraphs advise that plots are important elements in the character of an area. Their sizes, especially the widths along a street frontage are key determinants of the rhythm of buildings and spaces along a street. Development that disrupts the rhythm of the existing plots can create unattractive streetscenes.
- 7.4.3 Principle 7.4 advises that new residential development should reflect the spacing, heights and building footprints of existing buildings, especially when these are historic local patterns. 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. Where a building has been designed to reflect traditional forms and styles flat roof should not be used to span overly deep buildings.
- 7.4.4 The proposed dwellings would be two storey in height to eaves level, with pitched roofs that include front flat roof dormers. The proposed plot layouts for semi-detached units would be narrower than the detached bungalow dwellings of Broomsquires Road to the south, although the proposed detached Plot 5 would be considerably wider. All the front elevations would face the Bagshot Manor building to the north. Although the proposed pitched roofs would be partially visible at a distance from Broomsquires Road behind the row of bungalows, the proposed cross-section shows that the ridge lines would not be higher than the existing Bagshot Manor building. Although three trees would be removed to facilitate the proposal, the remaining tree line would be retained. The proposed dwellings would also be sited at significant distance away from the Green Lane Highway to the west and although this street also contains a number of bungalows, it is also sited at higher ground level.
- 7.4.5 It is therefore considered that the proposal site is sufficiently contained away from the surrounding established streetscenes to allow for a two storey development with a finer grain than the surrounding plots. The proposed gaps between the dwellings would be 2m, which is considered sufficient to avoid a cramped appearance. It is accepted that the proposal would further intensify the residential use of the wider Bagshot Manor site. However, the proposed dedicated parking spaces would be broken by landscaped strips, with space retained to the east to provide further landscaping. Additionally, although the dwellings would be sited on existing parking spaces, these were not included in the prior approval scheme for 79 flats, which would still be provided with 80 parking spaces outside of the current application site.

- 7.4.6 The proposed dwellings would include contemporary features, including flat roof front dormers and brick enclosed balconies at each front corner. The Design and Access Statement advises that the roof tiles would be grey to reflect Bagshot Manor and the external bricks would be painted. The front elevation windows also do not entirely align with each other, which would further contribute towards a contemporary appearance. However, it is considered such a contemporary approach is acceptable within this site, given the distances from the surrounding roads. The elevations would be articulated through the use of brick corbel panels and chamfered entrance porches cut in to the built volume. The precise specification and colours can be secured by planning condition.
- 7.4.7 In light of all the above, it is considered that the proposed dwellings would respect the character and quality of the surrounding area, in compliance with the design requirements Policy DM9 of the CSDMP and the relevant Principles of the RDG.

7.5 Impact on amenities of neighbouring properties and future occupiers

- 7.5.1 Policy DM9 (Design Principles) states that the amenities of the occupiers of the neighbouring properties should be respected by proposed development. Principle 8.1 of the RDG states that new residential development should be provided with a reasonable degree of privacy to habitable rooms and sensitive outdoor amenity spaces. Paragraph 8.4 of the RDG advises that a minimum distance of 20m is this Council's 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). For two storey rear to side relationships it may be possible to reduce the separation distance to 15m.
- 7.5.2 Principle 8.2 of the RDG advises all habitable rooms in new residential development should maintain at least one main window with an adequate outlook to external spaces where nearby man-made and natural features do not appear overbearing or visually intrusive. Paragraph 8.12 further advises that potential design solutions to prevent material loss of daylight to neighbouring windows and overshadowing of habitable external spaces include applying a 25 degree vertical angle from a point 2 m above the floor at the façade, to ensure it is not obstructed.
- 7.5.3 The proposed dwellings would face towards the rear elevations of the detached bungalows of Nos 5, 7, 9 and 11 Broomsquires Road to the south. The existing ground level rises towards these neighbours. Each proposed dwelling would include one first floor rear bedroom window facing these neighbours, along with a second floor rooflight. The proposed cross-section plans demonstrate that the positioning of the rooflights would be sufficient to avoid overlooking, owing to their height above internal floor level and their angle towards the skyline.
- 7.5.4 The proposed Unit 1 would be sited at an angle towards No. 5 Broomsquires Road, at distance of approx. 20.5m between the nearest ground floor windows. The proposed first floor bedroom of Unit 1 would be sited slightly further away at a more angled distance of approx. 21m. This window would also be sited at an angle away from the dwelling of No. 7, at distance of approx. 22.5m. This proposed window would be narrow and obscure-glazed, as the primary bedroom window would be on the side elevation facing Green Lane. The adjoining Unit 2 would contain one larger and clear-glazed first floor bedroom window sited more directly towards the rear of No. 7, at distance of approx. 22m. It is considered that the above relationships would be sufficient to avoid adverse impact upon No. 5 and No. 7.
- 7.5.5 The proposed first floor bedroom of Unit 3 would be sited approx. 24m from the nearest rear window of No. 9. The proposed first floor bedroom of the adjoining Unit 4 would also face this neighbour, at distance of approx. 23.5m. The proposed clear-glazed first floor bedroom of the detached dwelling of Unit 5 would be sited approx. 22m from the rear elevation of No. 11 Broomsquires Road. All these proposed windows would be clear-glazed. A proposed cross-section drawing has been provided, showing the incline in

land level of approx. 0.8m from the proposed Unit 4 towards No. 9, and the respective land level differences towards the other Broomsquires Road neighbours would be similar. It is therefore considered that these built form relationships and separation distances are sufficient to avoid adverse impact upon the abovementioned Broomsquires Road neighbours in terms of loss of light, privacy or overbearing impact.

- 7.5.6 The proposed Unit 5 would also contain a clear-glazed first floor side elevation bedroom window sited approx. 12m from the rear garden side boundary of the detached two storey dwelling of "Tara", 1A Elizabeth Avenue to the southeast. However, the distance to the rear elevation of this neighbour would be approx. 21.5m, as it is sited further to the southeast at roughly a right angle. There are also a number of mature trees within this neighbouring site towards the rear, which would restrict views directly across from the proposed side bedroom window. Given these built form and boundary relationships, it is considered that no adverse impact would arise in terms of loss of light, privacy or overbearing impact.
- 7.5.7 The proposed front elevations would face the vacant office building at distance of approx. 19.5m, with a number of window openings that could be used as flats under the extant prior approval schemes.
- 7.5.8 The proposed Unit 5 would be sited approx. 31m from the rear elevation of No. 8 Manor Wood Grove to the northeast, with some mature shrubbery covered by a Woodland Tree Preservation Order sited in between. This is considered sufficient to avoid adverse harm to amenity.
- 7.5.9 The proposed units would comply with the minimum floor areas as set out in the RDG SPD and the Government's technical housing standards. The proposed rear gardens would also meet the minimum private garden sizes as advised under Principle 8.4 of the RDG, even when accounting for the tree line along the rear. It is also considered that future occupiers would be afforded with sufficient outlook.
- 7.5.10 It is therefore considered that the proposed development would comply with the amenity requirements of Policy DM9 of the CSDMP and the supporting guidance of the RDG. It is however considered necessary and reasonable to impose a planning condition removing permitted development rights for all extensions and outbuildings, to preserve the amenity of surrounding neighbours. This includes roof extensions, given the height difference towards the Broomsquires Road dwellings to the rear. The restriction of outbuildings is to also ensure that sufficient garden space is retained for future occupiers, taking account of the retention of the mature tree line along the rear boundary.

7.6 Impact on access, parking and highway safety

- 7.6.1 The site would use the southernmost access from Green Lane which has adequate visibility of 2.4M x 43M. The extant 19/2321/GPD prior approval for 79 flats would continue to utilise the two existing vehicular accesses to the site off Green Lane. Additionally, the flats would continue to be served by 80 existing off-street parking spaces within the site, as approved under 19/2321/GPD. Each proposed dwelling would be provided with two dedicated off-street parking spaces immediately to the front. This includes a large integral garage for Unit 5 which can be conditioned to avoid conversion. The transport statement includes a trip generation and traffic impact assessment using TRICS data, and also includes vehicular tracking plans to demonstrate that the resultant site would still be provided with sufficient turning space for larger refuse vehicles. Each proposed dwelling would have dedicated bin storage adjacent the proposed parking, as shown on the proposed site plan and as requested by the Council's Joint Waste Solutions team.
- 7.6.2 Green Lane is a local residential road, which leads from Whitmoor Road and the A322 and includes a primary school. Concerns have been raised by neighbours in respect of increased traffic generation and insufficient parking provision on a road leading to a primary school and to main roads that already suffer from peak hour and weekend congestion. However, the County Highway Authority (CHA) has raised no objections on safety, capacity or policy grounds, subject to conditions (their consultation responses are appended).

7.6.3 In light of the above, no objections are raised on grounds of highway safety, capacity or policy.

7.7 Impact on trees

7.7.1 An arboricultural report including impact assessment, method statement and tree protection plan has been provided. This advises that a total of seven trees (two moderate quality and five low grade) would be removed to facilitate the development – all within the car park area, along with pruning of one third party tree just within the rear garden side boundary of Tara, 1A Elizabeth Avenue. Tree fencing protection measures are recommended to protect the Root Protection Areas (RPAs) of all other trees surrounding the parking area and along the rear boundary with Broomsquires Road/Elizabeth Avenue. The proposed dwellings would be outside of these RPAs, and the report also does not identify any future conflicts that would lead to pressure to remove these trees post-occupation.

7.7.2 Replacement planting is proposed, in the form of two large trees along Green Lane in front of the flat conversion building, three smaller trees further to the north along Green Lane and a replacement thorn hedge adjacent the southern communal parking area for the flat building. The Council's Arboricultural Consultant has raised no objection, subject to conditions to secure the replacement planting and to ensure that all tree and ground protection measures are implemented in accordance with the Tree Protection Plan. It is considered that the proposed replacement planting would compensate for the loss of trees arising from the development.

7.8 Impact on flood risk

7.8.1 The proposal site falls within Flood Zone 1. It is therefore considered that the sequential test does not need to be applied. However, the eastern part of the plot containing the detached dwelling of Unit 5 is within areas of low, medium and high risk from surface water flooding, due to the existing watercourse running along the eastern boundary of the site.

7.8.2 A site-specific Flood Risk Assessment and Drainage Strategy has been provided, which states that there is a surface water flood risk depth of up to 150mm in this area of the site. The finished floor level of Unit 5 (the only dwelling within the flood risk area) would use low permeability construction. Potential flood risk management and SuDS measures are also outlined, with the proposed development reducing the amount of impermeable area within the site.

7.8.3 Following concerns raised by the Council's Drainage Officer, an updated drainage technical note and SuDS maintenance plan have been provided, which outlines that the existing watercourse, along the east of the site and leading to neighbour gardens, will no longer be utilised for the surface water drainage scheme. The surface water runoff from the dwelling roofs and impermeable surfaces will now be attenuated within the proposed porous paving in their paths, patios and driveways. The existing parking area across from the dwellings (to be used by the flat conversion) will also contain a geocellular storage tank underneath to attenuate surface water runoff from the access road. A flow control device will be used to restrict the discharge rate to 5l/s into the existing 300mm diameter surface water drain (as advised by the Council's Drainage Officer). Some existing surface water drains within the car park will also be replaced with perforated pipes within the porous paving.

7.8.4 It is also advised that the ground will slope towards the geocellular tank to the north. Any roof runoff from the converted office building outside of the proposed boundary would drain directly into the existing surface water drain. Proposed finished floor levels for the dwellings, along with proposed levels for the drainage systems and the site as a whole, have also been provided, to confirm that flows would be possible towards the above mentioned proposed controlled surface water connection.

- 7.8.5 A maintenance schedule table for the permeable paving and the flow control device is also included within the SuDS maintenance plan. This advises that on-site private drainage systems will be managed by the site owner or their appointed management company. This now also includes a maintenance schedule for the geo-cellular tanks below the parking spaces for the converted flats, and can be secured by planning condition.
- 7.8.6 The Council's Drainage Engineer has commented that no trees should be planted adjacent to the porous surface areas in front of the dwellings, as root growth of mature trees may compromise the construction, or otherwise affect the ability for the construction to be maintained or rebuilt within the lifetime of the development. This can also be secured as part of the planning condition to agree overall landscaping.
- 7.8.7 In light of all the above, it is not considered that it has been adequately demonstrated that the development would not lead to a material increase in surface water flood risk within or around the site, contrary to Policy DM10 of the CSDMP and the NPPF.

7.9 Impact on local infrastructure

- 7.9.1 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. Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal includes five new dwellings, the development is CIL liable, with the amount estimated to be £202,608.03. CIL is a land charge that is payable at commencement of works. An informative advising of this would be added.

7.10 Impact on Thames Basin Heaths SPA

- 7.10.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 states that no new residential development is permitted within 400m of the SPA. The application site is not within 400m of the SPA but all new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL. There is currently sufficient SANG available.
- 7.10.2 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance, a payment of £3,651.00 is needed. This has been paid by the applicant.

7.11 Other matters

- 7.11.1 The site has not been classified as contaminated land for the purposes of Part 2A of the Environmental Protection Act 1990. Under the previous prior notification applications, a Phase 1 Contaminated Land Risk Assessment desktop study advised a low risk of asbestos present within the made-ground/infilled pond materials on the site. The Phase 1 assessment advised that further investigation or remedial measures will need to be undertaken in any future garden or landscaped areas, which would include the current proposal site. It is therefore considered necessary and reasonable to impose a

pre-commencement planning condition requiring investigations and assessment to characterise risks posed and to determine any mitigation measures required to ensure the site cannot be determined as contaminated under the provisions of the Environmental Protection Act 1990 - Part 2a.

- 7.11.2 Policy CP2 of the CSDMP supports sustainable development including measures to promote energy efficiency would be supported. The Energy and Sustainability Report supporting this proposal outlines that roof-mounted photovoltaic (PV) collectors, which create electricity from natural daylight, can be provided on the rear (south facing) roof slopes within the development. It would also be possible to provide air source heat pumps. The above could be secured by condition. As such, it is considered that this provision would support sustainability and would comply with Policy CP2 of the CSDMP.

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 includes 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 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.

9.0 CONCLUSION

- 9.1 It is considered that the proposed dwellings would respect the character and quality of the surrounding area, and would be sited at sufficient distance from surrounding neighbours to avoid adverse harm to neighbouring amenity. The proposal would be served by ten off-street parking spaces within the site (two per dwelling), and would not lead to any loss of the 80 approved dedicated parking spaces approved under 19/2321/GPD. The proposal is supported by Surrey County Highway Authority and the Council Arboricultural Consultant, subject to conditions. Subject to conditioning, it is now also considered that it has been adequately demonstrated that the development would not lead to a material increase in flood risk within or around the site.

10.0 RECOMMENDATION

GRANT subject to 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.

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

Proposed Unit 5 floor plans, elevations, roof plan and sections (Drawing No. 0923 P1)
- received on 07 January 2020;

Proposed block plan (Drawing No. 0919 P3); Proposed site plan (Drawing No. 0920 P3); Proposed Units 1 and 2 floor plans, elevations, roof plan and sections (Drawing No. 0921 P2); Proposed Units 3 and 4 floor plans, elevations, roof plan and sections (Drawing No. 0922 P3) - received on 03 March 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 external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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.

4. Before first occupation of the development hereby approved the bedroom window in the first floor rear elevation of Unit 1 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. No additional openings shall be created in this elevation without the prior approval in writing of the Local Planning Authority.

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

5. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Barrell Consultancy [Alex Needs] and dated 05 December 2019, and the proposed Structural Tree Planting Strategy (Drawing No. 18393-BT6 B - received on 23 June 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 soft or hard landscaping works within the curtilages of the dwellings hereby approved 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. The details shall include indication of all hard surfaces, walls, fences, access features, land level changes, rear patio/terrace details. 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. The details shall also ensure compliance with all the approved flood risk and drainage details as set out in Condition 8 below.

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.

7. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the local planning authority. The scheme will include investigations and assessment to characterise risks posed and to determine any mitigation measures required to ensure the site cannot be determined as contaminated under the provisions of the Environmental Protection Act 1990 - Part 2a. A verification report substantiating the implementation and completion of agreed mitigation measures to be submitted to and approved in writing by the Council prior to occupation of the development.

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 approved shall be undertaken in accordance with the submitted Foul and Surface Water Drainage Strategy (Drawing No. XASGreenLane.23_01 Rev P4), SuDS Maintenance Plan [Mayer Brow, August 2020] and supporting technical note [Meyer Brown - 04 August 2020]] - all received on 06 August 2020, unless otherwise agreed upon in writing by the Local Planning Authority.

Reason: To ensure a satisfactory drainage system and no material increase in flood risk within and around the site, to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. 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. 0920 P2, 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: 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.

10. 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 requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: 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.

11. Notwithstanding the provisions of Class A, Class B, Class C and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re enacting that Order) no further extensions, roof alterations or outbuildings shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

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 accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. The development hereby approved shall be undertaken in accordance with the recommendations within the submitted Planning Energy and Sustainability Report (Ref: 4181 - dated 24 January 2020 and received on 28 January 2020).

Reason: To ensure that the proposed development 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. 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.

2. 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.