

<b>LOCATION:</b>	Land To The Rear Of 42 Station Road, Frimley, Camberley, Surrey, GU16 7HF,
<b>PROPOSAL:</b>	Erection of a two storey building comprising 4 two bedroom flats with associated amenity space
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr Paterson
<b>OFFICER:</b>	Mrs Sarita Bishop

**This application would normally be determined under the Council's Scheme of Delegation. However, it has been referred for determination by the Executive Head of Regulatory as the owner of the site has been a Surrey Heath councillor within the last four years**

## **RECOMMENDATION: REFUSE**

### **1. SUMMARY**

- 1.1 This application seeks planning permission for the erection of a two storey building comprising 4 two bedroom flats with associated amenity space.
- 1.2 The siting, height, depth, proximity and massing of the proposed building to the rear of 42 Station Road would be inappropriate for this location, harmful to the character, appearance and quality of the area and the amenities of adjoining and future residents. Furthermore, it has not been satisfactorily demonstrated how the car parking demands of the scheme are to be met. In addition the proposal has not mitigated its impact on the Thames Basin Heaths Special Protection Area.
- 1.3 Given the concerns raised as set out in detail below the application is recommended for refusal.

### **2. SITE DESCRIPTION**

- 2.1 The application site, of some 0.049 hectares, is located on the north east side of Station Road. It comprises a grassed area to the rear of 42 Station Road with trees and vegetation predominantly along the rear site boundary. It is noted that the site is described in the Planning, Design and Access statement as vacant and neglected land. However, the established and recognised use of the land is as rear garden associated with 42 Station Road and, in the absence of any evidence to the contrary, the application is considered on this basis. There are two fence panels across part of the width of the garden from the common boundary with 44 Station Road and projecting just over 4 metres from the rear of the existing conservatory. There is a gap between the two fence panels and the common boundary with 40 Station Road which, at the time of the officer site visit, continued to provide unrestricted access to the application site for use as garden by the residents of 42 Station Road. The boundaries for the remainder of the site are formed by fencing, bushes, trees and the existing houses. The submitted plans show an existing vehicle access between 40 and 42 Station Road which is capable of providing limited off street parking. There is a gap in part of the the boundary between 40 and 42 Station Road which, at the time of

the officer site visit had no boundary treatment due to the removal of vegetation which was previously in this location. With the exception of a small area by the rear site boundary, the site is within Flood Zone 2.

- 2.2 Station Road is bisected by the elevated Frimley Bypass. The area of Station Road in the vicinity of the application site is typically characterised by detached two storey dwellings with small front gardens and long rear gardens. This results in a linear form of frontage development with strong front and rear building lines. With limited off street parking provision, on street car parking is also a characteristic of Station Road.
- 2.3 Nos. 40, 42 and 44 Station Road adjoin the application site to the north, south and west. These comprise three detached dwellings dating from the first half of the 20<sup>th</sup> century. They are almost identical in design when viewed from Station Road with front gables under dual pitched roofs in a white external finish. All three dwellings have been extended to the rear. There is a part single part two storey extension to the rear of 40 Station Road, there is a conservatory to the rear of 42 Station Road and a single storey rear extension to the rear of 44 Station Road.
- 2.4 A three storey office building and associated car parking occupied by BAE Systems lie to the east. Vehicular access to this site is from Lyon Way.
- 2.5 The site lies within the Victorian/Edwardian Subdivisions of the Historic Routes Character Area as defined by the Western Urban Area Character supplementary planning document.

### **3.0 RELEVANT HISTORY**

- 3.1 In 2018 and 2019 it was determined that prior approval was not required for larger home extensions to the rear of 40, 42 and 44 Station Road of between 7.9 metres and 8 metres in depth, all of which have now lapsed.
- 3.2 In the early 2000s there were a number of applications for the redevelopment of land at 40-54 and rear of 56 Station Road for a minimum of 45 dwellings. These applications were either withdrawn or appeals were withdrawn having been lodged either against refusal of planning permission or grounds of non-determination.

### **4.1 THE PROPOSAL**

- 4.1 Permission is sought for the erection of a two storey building comprising 4 two bedroom flats with associated amenity space. The application site is divided into three areas comprising the proposed building which is bounded by two amenity areas to the front and rear, parts of which are for communal use.
- 4.2 The proposed building is to be sited some 15 metres to the rear of the main two storey rear elevation of 42 Station Road. Pedestrian access would be provided from the existing vehicle access between 42 and 40 Station Road. This area provided access to a garage which was formerly on this site to the rear of 42 Station Road. It is proposed to extend pedestrian access along the majority of the length of common boundary with 40 Station Road to provide access to the garden areas at the rear of the site and secondary escape access to flats 3 and 4. The building would be sited on the common boundary with 44 Station Road with the pedestrian access of about a metre separating the building from the common boundary with 40 Station Road. The proposed design of the building incorporates gables and pitched and hipped roofs in a white external finish.
- 4.3 The proposed building would have a depth of some 22 metres and a width of some 8 metres (excluding bays). It would have three pitched roofs with maximum ridge heights of 6.5 metres to 7 metres. Given the angled line of the rear boundary separation distances of between some 22.5 metres and 23.5 metres are proposed to the adjoining

office development. A screened external staircase is proposed to the rear of the building to provide escape access to the first floor flats (3 and 4).

- 4.4 Two amenity areas are proposed. The first is between the front of the proposed building up to the revised rear fence line for 42 Station Road. This is shown to be a predominantly communal space and includes the cycle and bin stores for the development, a seating area, ramped access to the flats and small private amenity spaces for the occupiers of flats 1 and 2. Panel fencing and living green screens of approximately 2.5 metres to 3 metres in height are proposed to form the common boundaries with 40, 42 and 44 Station Road.
- 4.5 The second amenity area is to the rear of the building. This incorporates four enclosed private gardens for each flat and a shared amenity space and store. Flats 1 and 2 have direct access to their gardens with gardens 3 and 4 being some 12 metres to 16 metres from the rear of the building (some 8 metres to 12 metres from the rear external staircase).
- 4.6 Two 2 bedroom flats are proposed on each floor and have been designed to comply with the Technical Housing Standards – nationally described space standards issued by Ministry of Housing, Communities and Local Government in March 2015. The primary access for the proposed flats is in the front elevation of the building. The recessed first floor windows in the front elevation, which serve the living areas are screened by permanent fixed louvres. The ground floor windows in the side elevation facing 40 Station Road, which serve the living/kitchen areas, family and ensuite bathrooms and bedroom 1, are screened by Western Red Cedar panels with such panels shown at first floor level as an elevational feature. A first floor projecting window is also proposed in this elevation. This is also screened by a Western Red Cedar panel with a limited outlook to the rear. This projection oversails the pedestrian access to the side of the building. Three opaque high level windows are proposed in the side elevation on the boundary with 44 Station Road.
- 4.7 No car parking provision is proposed on site. The application proposed that car parking is provided off site in the Burrell Road car park.
- 4.8 The application is supported by a Planning, Design and Access statement, an Apartment Buildings context plan, an Urban Context plan, an Artists impression of the proposal, a Flood Risk Assessment, an Arboriculture Method Statement, a Parking Provision statement, a plan showing the location of public car parks in the vicinity of the site, a telecommunications supplementary statement and a Communications/Transport plan.

## **5.0 CONSULTATION RESPONSES**

- |     |                                     |  |
|-----|-------------------------------------|--|
| 5.1 | County Highway Authority            | No objection. The updated response received is annexed to this report as Annex A.  |
| 5.2 | Council's Arboricultural Consultant | No objection subject to conditions.  |
| 5.3 | Natural England                     | No objection subject to appropriate mitigation being secured in relation to the impact on the Thames Basin Heaths Special Protection Area. |
| 5.4 | Scientific Officer                  | No objection subject to condition.   |
| 5.5 | Environmental Health                | No objection on noise grounds.   |

5.6	Council's Drainage Officer	Views awaited.
5.7	Environment Agency	No objection.
5.8	Joint Waste Solutions	Information provided on refuse and recycling requirements.

## 6.0 REPRESENTATIONS

6.1 At the time of the preparation of this report 14 representations have been received objecting to the proposal on the following grounds:

### Character [See sections 7.4.1 to 7.4.11]

- Conflicts with the Surrey Heath Core Strategy and Development Management Policies 2011-2028, the Western Urban Area Character supplementary planning document (SPD) and the Residential Design Guide SPD;
- Backland development;
- Out of keeping with current plot divisions;
- Negative impact on the traditional character of the area;
- Appears no consideration to the size, shape and rhythm of the surrounding plot layouts;
- The physical space that the building would dominate is against the character of the area;
- The appearance of the building and design concepts are at odds with the rhythm of the existing Edwardian family homes;
- There are no other dwellings in gardens;
- The proposal does not address the immediate environment in which the site is situated;
- Too large for available space;
- Building blocks of flats anywhere in the area will certainly be of detriment to the character of the area;
- This road does not need another four properties on it as it simply cannot sustain them;
- Development too high;
- Poor quality overdevelopment;
- Practically the width of the plot seems inadequate of the size of the development proposed.

### Landscape [See sections 7.4.12 to 7.4.14]

- Existing rose bushes shown have been removed and replaced by hard landscaping which diminishes the frontage;
- Tree report advised of keeping trees in place for privacy reasons but application is suggesting trees would be removed;
- Concerns regarding roots of large Oak trees at the end of the garden being affected by the development;
- There are two Oak trees however only one is included on plan.

### Residential amenity [See sections 7.5.1 to 7.5.9]

- Overbearing impact;
- The proposed development in scale, size, dominance, mass, context, visual and physical relationship create an unsatisfactory impact on residential amenity;

- The proposed building would be adjacent to existing patio/outdoor dining space rendering this space exceptionally enclosed and becoming shaded for the majority of the day;
- The amenity space for 42 Station Road would be reduced to a depth of 4.5 metres (rear of conservatory to current fence panel in situ) which is unacceptable when considering the design of the overall community;
- Overlooking to 42 Station Road from habitable rooms with fixed louvre panels;
- Potential light nuisance from security/safety lighting;
- Typically no properties on the street have windows on the side of adjoining properties;
- Noise, dust and fumes;
- Potential location of communal bins in proximity to bedroom windows;
- Loss of light/sunlight;
- Loss of privacy;
- The proposal will negatively impact on the quality of life of other street residents;
- Residential environment created [See sections 7.6.1 to 7.6.6]
  - Louvres covering the windows results in limited direct sun ingress;
  - The design of the bedrooms is of very poor quality in terms of layout and usability;
  - The front amenity space does not meet standard in RDG;
  - The rear gardens are mainly north facing and shrouded by mature tall trees.
- Highway matters [See sections 7.7.1 to 7.7.8]
  - Application form is not correct in that the proposal alters vehicular access for the existing driveway;
  - The repurposing of the driveway for pedestrian only access negatively impact the parking provision for 42 Station Road (a three bed house) placing an additional burden on Station Road as a whole;
  - Due to the number of units and the nature of the location in Frimley the likelihood of potential residents owning a car is high;
  - The applicant has said “Frimley train station at the end of the road giving direct access to a global city” which is factually incorrect as there are no direct trains to London or to airports from Frimley station;
  - Very little mention of the impact of cars, provision for parking and the assessment of road use;
  - The applicant’s proposal for very limited provision of parking in Burrell Road car park has not been formally evidenced, nor is this considered to be a viable and sustainable option in the longer term;
  - As a no through road Station Road have very limited turning space;
  - Passing places for cars travelling along the road can be limited and causes regular congestion therefore any increase in traffic within the road could easily put more strain on an already challenging environment for residents and children;
  - Parking in Frimley is already considered to be at a premium directly as a result of Frimley Park hospital and people working within the High Street;
  - There is limited infrastructure and under investment in cycling provision within the community and the proposed use of bicycles is not a reasonable option in their view;
  - Waitrose is one of the most expensive supermarkets in the country with no others being available within walking distance;
  - If the proposed homes are intended to be for families, the nearest school is almost a mile walk which for a young child is not reasonable;
  - Reliance on the car would become essential for daily living;
  - 42 Station Road will lose allocated parking space to create access to the flats which could potentially lead to a further 8 cars requiring parking on an already busy and crowded road;

- Inconceivable that none of the prospective residents of the proposed development will not own some form of motorised vehicle;
  - Inconceivable that residents will park in Burrell Road car park particularly if they have shopping or any type of heavy goods in their cars;
  - There is not enough parking down Station Road for parking for flats;
  - No mention of visitor parking;
  - If planning granted then you cannot oppose anyone else building flats in the gardens of properties in Station Road and this would result in complete mayhem with parking situation;
  - There are already disagreements and notes being stuck on vehicles by the owner of 42 Station Road so he is fully aware of the parking problems down Station Road;
  - Lack of parking will only cause neighbour disputes and unrest in Station Road and be a burden on local resources;
  - No room for additional parking on the street;
  - The proposals for parking are fanciful, unrealistic and disingenuous;
  - No access for emergency services;
  - Station Road is already a very busy street with a doctors surgery;
  - Burrell Road car park is also very busy which will increase the problems;
  - The proposals in the plan to address the additional 6-8 cars are at best unworkable and on the face of it, a creative fabrication;
  - Existing parking issues would suggest that no increase in density can be supported without suitable mitigation such as a residents parking scheme being funded by the developer.
- Drainage [See sections 7.10.1 to 7.10.3]
  - Ground displacement and reduced drainage poses further issues for entire street
  - Other matters
  - The submitted images appear to present several buildings as being “adjacent” and as the “standard” within Station Road which is not the case;
  - The submitted block plans are not representative of 40 and 44 Station Road as both properties have been extended to the rear and correcting these plans may highlight further increased impacts concerning overshadowing, diminished privacy, light and amenity space;
  - No precedent for this type of development [*Officer comment: each application is determined on its own planning merits*];
  - Following clarification letter of 26 March confirming that foundations will not project beyond boundaries the proposal is no longer representative of the building as it will be repositioned away from the boundary or reduce the width of the building reducing living space or amenity space;
  - From the scale plans it would seem that the building extends 48 metres from the kerbside not the 45 metres stated within the application to meet the Fire Brigade requirements [*Officer comment: fire safety is dealt with under the Building Regulations*];
  - No evidence of water tank provision for the proposed sprinkler system;
  - Concerns about fire escape provision in terms of location and accessibility out onto Station Road;
  - How will measures to protect tree roots on neighbouring land from damage be enforced;
  - Shrubbery and hedging either side of the proposal’s pathway may have a negative impact to the existing foundations at 40 Station Road given soil depth required for healthy root systems;
  - No opportunity for community involvement;

- Concerns about the Council's notification process with neighbours [*Officer comment: publicity for this application has taken place in accordance with the relevant legislation*];
- Foxes and bats live in close vicinity to proposed development;
- Concern that the proposal is the first step toward a Council ambition to redevelop the area;
- Recent occupant of 42 Station Road was a Surrey Heath councillor who is planning to leave the area [*Officer comment: this is not a material consideration in planning terms*];
- This whole process appears on the surface to be extremely dubious and that nepotism has played a part in the proposal;
- Disruption to ground nesting birds and rare newts as per previous rejection that prevented residents being bought out by developers;
- Development is without merit;
- The proposal will effectively prevent future development of the whole site;
- Development is for the commercial benefit of the investors only with a wholesale disregard for the negative impact it will have on the quality of life of the neighbours and Station Road residents;

## **7.0 PLANNING CONSIDERATION**

7.1 The site is located within the settlement area of Frimley as defined by the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). As such Policies CP1 (The Spatial Strategy), CP2 (Sustainable Development and Design), CP3 (Scale and Distribution of Housing), CP6 (Dwelling Size and Type), CP11 (Movement), CP12 (Infrastructure Delivery and Implementation), CP13 (Green Infrastructure), CP14A and 14B (Biodiversity and Nature Conservation), DM9 (Design Principles), DM10 (Development and Flood Risk) and DM11 (Traffic Management and Highway Safety) The site is also within the Victorian/Edwardian Subdivisions sub area (offset from main thoroughfares) of the Historic Routes Character Area as defined by the Western Urban Area Character (WUA) Supplementary Planning Document May 2012. The Council's Supplementary Planning Documents in relation to the Residential Design Guide (RDG) September 2017, Infrastructure Delivery July 2014 and the Thames Basin Heaths Special Protection Area (TBHSPA) Avoidance Strategy 2019, the Vehicular and Cycle Parking Guidance January 2018 published by Surrey County Council, the National Planning Policy Framework/Practice Guidance and saved Policy NRM6 of the South East Plan are also relevant to the consideration of the submitted proposal.

7.2 The main planning issues relevant to this application are considered to be as follows:

- Principle of the development;
- The impact on the character of the area,
- The impact on residential amenity of adjoining occupiers;
- The residential environment created;
- Highways, parking and access;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths Special Protection Area;
- Flood risk and surface water drainage

### **7.3 The principle of development**

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

7.3.2 The site is within the settlement area of Frimley, wherein residential development is acceptable. Policy CP1 of the CSDMP 2012 states that new development will be directed in accordance with the spatial strategy which provides the most sustainable approach to accommodating growth within the borough, that new development will come forward largely through the redevelopment of previously developed sites in the western part of the borough. Frimley is acknowledged as being a sustainable location but notes that it has limited potential for housing growth. In this regard it is noted that in the glossary to the NPPF, residential gardens are excluded from the definition of previously developed land. Whilst the Council cannot currently demonstrate a 5 year housing land supply, and recognising that the site is in a sustainable location, the release of this site for housing should not automatically be accepted, nor be at the expense of the established residential context; the impacts of which are fully considered below.

#### **7.4 The impact on the character of the area**

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

7.4.2 Policy CP2 of the CSDMP 2012 states that new development should ensure that all land is used efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density, and that trees and vegetation worthy of retention should be protected.

7.4.3 The NPPF promotes an efficient use of land. However, this should not be at the expense of the character and appearance of the area. Paragraph 127 of the NPPF requires that whilst not preventing or discouraging appropriate innovation or change, development should be sympathetic to local character.

7.4.4 The WUA and RDG also emphasise the need for new development to respect, enhance and have regard to distinctive patterns of development and take opportunities to add to the positive features of the area. Principle 6.6 of the RDG states:

“New residential development will be expected to respond to the size and rhythm of surrounding plot layouts

Fine residential plot divisions will be supported and encouraged particularly in intensifying urban areas. Loss of fine grain plots layouts will generally be resisted.

Plot boundaries to the front, side and rear will be expected to be clearly and strongly defined. Proposals with weak or absent plot definition and plot layouts that are out of context with the surrounding character will be resisted”

7.4.5 The Guiding Principles of the Victorian/Edwardian subdivisions sub area of the Historic Routes Character Area state that new development should pay particular regard to the need to reflect historic plot divisions, architectural detailing and scale and massing in all development, include high quality architectural detailing of publicly visible elevations, provision of opportunities to soften the closely set buildings with vegetation, buildings should predominantly contain traditional elements such as the use of gables, pitched roofs etc, be principally of red brick with the occasional use of render, the inclusion of front boundary walls and/or hedges and buildings to strongly address the road frontage with a traditional front/back relationship to the street. It also states that buildings with large footprints that include large areas of flat roof will be resisted with the massing of building and roof elevation being broken down to avoid this problem. Positive features of the character area include the retention of many properties from the Victorian/Edwardian

era, concentrations of buildings with original Victorian/Edwardian architectural features, plot layouts and building scale and massing and attractive streetscenes with strong enclosure and repetitive rhythms of building proportions, materials and colours. The RDG also sets out standards for new development including guidance on architectural detailing, use of natural light, window design, internal space standards, density and layout.

#### Layout and design

- 7.4.6 The applicant has provided a context plan for apartment buildings. The plan shows the site in the context of Frimley High Street, the Station Road doctors' surgery, residential development in Station Road/Burrell Road and the Lyon Way Core Employment Area. Three apartment buildings are referred to, two of which are former office buildings converted under Class O of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (Wyvern House Frimley High Street and Magna Vita Lyon Way). It is also noted that they are not in the same character area as the proposed site. 56 Station Road is a two storey building comprising 6 one bedroom flats with 10 parking spaces located at the end of Station Road. This building was approved in 1996 and is frontage development onto Station Road. When this building was originally approved it was subject to an age occupation restriction of 60 years old because the parking standard in operation at that time for unrestricted occupation could not be met. Additional parking was subsequently provided and the age restriction was lifted. After detailed assessment it is considered that the context provided particularly in relation to apartment buildings is not comparable to the application proposal. Notwithstanding this, the proposal, also has to be assessed on its overall impact on the character of the area and this is discussed in more detail below.
- 7.4.7 The Station Road streetscene in the vicinity of the site is generally characterised by detached houses with regular spacing and similar building relationships to the street. There are significant separation distances between the dwellings and the Lyon Way Core Employment Area located to the north east and south west, of these properties, which is provided by long rear gardens. This gives a feeling of openness and a defined visual break between residential and commercial development which are defining features of this part of Station Road. There is minimal development beyond the rear house elevations. This together with the frontage relationship to Station Road result in strong front and rear building lines which are typical of this part of Station Road.
- 7.4.8 The proposed building is shown to be located to the rear of Station Road in a backland location. The site has been subdivided into numerous areas to facilitate the building and its associated amenity areas. This does not reflect the frontage development which is characteristic of Station Road, nor the size, shape and rhythm of surrounding plot layouts. Furthermore, the plot layout is out of context with the surrounding character in terms of size and shape. The siting of the building to the rear of frontage development fails to reflect or respect the strong front and rear building lines typical of the area. Having regard to these comments the proposal would be completely out of character with the established pattern of development and would result in an incongruous form of rear garden development. As such the proposal conflicts with Policy DM9 and is contrary to Principle 6.6 of the RDG.
- 7.4.9 Dwellings in the vicinity of the application site, generally, have a similar character which reflect their time of construction, design and external finish. The proposed building would have a two storey depth of some 22 metres which is significantly greater than any other building in Station Road including the purpose built flats at 56 Station Road. This size of footprint is at odds with those of existing buildings and as such it is harmful to the character of the area. This impact is further exacerbated by the screened external staircase at the rear of the building which is a wholly alien feature in this part of Station Road.

- 7.4.10 The design of the building incorporates features from existing dwellings in the vicinity of the site such as the gable details in the front elevation of the building, dual pitched roofs and the use of white render. The proposed building comprises three distinct design elements. The front part of the building has side gables under a dual pitched roof with two subordinate front facing gable details. The first floor windows incorporate permanent fixed louvres. The pitched roof for the middle section of the building links into the roof in the front section of the building. A hipped pitched roof is proposed at the end of this section. These roofscapes include solar panels and rooflights to illuminate flats 3 and 4. The rear section has side facing gables and a dual pitched roof and a screened external staircase.
- 7.4.11 It is considered that the proposed building would have a disjointed and contrived appearance as a result of the depth of building in combination with various pitched roofs and side and front facing gables. This also results in awkward transitions at roof level particularly at the rear section of the building. The windows in the side elevation adjoining 40 Station Road incorporate Western Red Cedar screening panels. The resultant impact on the design of the buildings whereby the windows are wholly covered with no glazing visible is considered to be contrived and out of keeping with the established pattern and form of fenestration in the area and objection is raised to the proposal in this regard. Having regard to the above comments, the proposal would not reflect the cohesive and simple design approach typically seen in this part of Station Road nor does it reflect the pattern and form of existing fenestration. As such the proposal is considered to be unacceptable in design terms which would result in significant and demonstrable harm to the character and appearance of the area and objection is raised to the proposal in this regard.

#### Landscape

- 7.4.12 The application is supported by an Arboricultural Method Statement which includes a tree survey. No trees are shown within the application site with two hedges (one Beech and one Leylandii, now removed) shown on the survey plan forming part of the common boundary with 40 Station Road. Established trees are shown within the gardens of 40 and 44 Station Road and within the curtilage of the office building to the rear. The Council's Arboricultural Consultant is satisfied with the submitted information subject to the imposition of appropriate conditions to secure details of foundations, service routes and landscaping. As such no objection is raised to the proposal on landscape grounds.
- 7.4.13 Given the above commentary the proposed development would be contrary to policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies (2012), the principles and objectives of the WUCA and RDG and the NPPF in that it would result in material harm to the character of the area such that planning permission should be refused.

### **7.5 The impact on residential amenity of adjoining occupiers**

- 7.5.1 Paragraph 127 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form. Principle 8.3 of the RDG states that the occupants of new dwellings should be provided with good quality daylight and sun access, and that developments should not result in occupants of neighbouring dwellings suffering from a material loss of daylight and sun access. Principle 8.1 states that new development should have a degree of privacy and should not have a significant adverse effect on the privacy of neighbouring properties. Principle 8.4 sets out the minimum garden space standards.

- 7.5.2 The application site is bounded by the residential properties of 40, 42 and 44 Station Road with an office building and its car parking. When considering the impact on neighbouring occupiers the existing pattern/form of development and overlooking are material considerations in assessing the proposed scheme.
- 7.5.3 The proposed building is proposed to be sited immediately adjacent to the common boundary with 44 Station Road and within about a metre of the common boundary with 40 Station Road. Given this and having regard to the depth and height of the building proposed, the proposal is considered to give rise to unacceptable overbearing and overshadowing impacts to the rear gardens of these properties which would be unacceptable in residential terms. The building would dominate both gardens resulting in poor relationships with both properties and a material loss of outlook. As such objection is raised to the proposal in these grounds.
- 7.5.4 The general pattern of overlooking in Station Road is to the front and rear of properties. The proposal introduces a number of habitable and non habitable windows in the side elevations, some of which are high level in opaque glazing with the remainder being screened by wooden panels. Whilst it is acknowledged that the screens and the height of the windows have been proposed to address issues associated with potential direct overlooking to adjoining neighbours, they would be visible from adjoining properties and there would be a resultant perception of being overlooked.
- 7.5.6 The RDG advises that a minimum distance of 20 metres is the 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 15 metres. In this case the separation distance between the first floors rear windows in 42 Station Road and the screened first floor windows in the proposed building is 15 metres. Whilst the louvres have been incorporated to address potential privacy concerns, there would also be perception of being overlooked which would be unacceptable in amenity terms. Furthermore, there is an existing ground floor window in the side elevation of 42 Station Road which forms the boundary for the main pedestrian access to the proposed building. This access is proposed to be the sole access for residents, visitors and deliveries/collections to the proposed building. It is therefore considered that the likely pattern of activity associated with the use of this access and the potential loss of privacy in proximity to this window would be detrimental to the quiet enjoyment of their property that the residents of 42 Station Road may reasonably expect to enjoy. As such objection is raised to the proposal on these grounds.
- 7.5.7 The proposed bin stores are shown to be sited along the common boundary with 40 Station Road and would be screened by fencing or the proposed living green screen. It is considered that, in the event that planning permission were to be granted, appropriate bin stores could be secured to ensure these facilities would not give rise to unacceptable odour impacts.
- 7.5.8 The sub-division of the original curtilage for 42 Station Road to facilitate the proposed development has resulted in a rear garden area of some 38 square metres being retained for 42 Station Road. The RDG advises that the minimum outdoor amenity size standards for a three bedroom house is between 55 square metres (predominantly south facing) and 65 square metres (predominantly north facing). The consequence of the subdivision of the site has resulted in inadequate amenity space provision being retained for the residents of 42 Station Road and objection is raised to the proposal in this regard.
- 7.5.9 The proposal is therefore considered to have significant adverse impacts on adjoining properties to the detriment of the amenities these residents may reasonably expect to enjoy. As such objection is raised to the proposal in this regard.

## **7.6 The residential environment created**

7.6.1 The proposal is for 4 two bedroom flats. The proposed double bedrooms indicate a floor area of 15.95 square metres with the singles having a floor area of 10.7 square metres. The submission states that it complies with the Governments Technical Housing Standards. In this regard the standard advised that:

“c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide

d. in order to provide two bedspaces a double (or twin bedroom) has a floor area of at least 11.5m<sup>2</sup>

e. one double (or twin bedroom) is at least 2.75 metres wide and every other double (or twin) bedroom is at least 2.55m wide.....”

7.6.2 With the exception of bedroom 2 for flat 4, the desire to provide two bedrooms has resulted in bedroom layouts which are contrived with long corridors and differing widths, none of which consistently provide a width of 2.75m or 2.15m for the single or double bedrooms to provide a bedroom which meets the minimum space standard. As such the proposal conflicts with Principle 7.6 of the RDG wherein the Council expect new housing development to comply with the national internal space standards.

7.6.3 Whilst windows are proposed to serve habitable rooms within the building, the windows in the first floor front elevation facing 42 Station Road and the side elevation facing 40 Station Road, would be screened by louvres or wooden panels. Whilst it is recognised that there are rooflights in first floor apartments, this lack of outlook would create a poor living environment. Furthermore, it is considered that the diminished levels of natural light to the kitchens and living rooms in the ground floor flats would result in a reliance in artificial light and ventilation which would not be considered desirable or sustainable. As such the proposal conflicts with Principles 7.2, 8.2 and 8.3 of the RDG wherein the Council will expect new residential development to make optimal use of natural light, warmth and ventilation so as to minimise the use of energy for lighting and heating, the provision of at least one main window to a habitable room with an adequate outlook to external space and good quality daylight and sun access levels to habitable internal rooms for occupants of new dwellings.

7.6.4 Principle 8.6 of the RDG states that flatted development will be expected to provide private outdoor amenity space for each unit. The proposal includes communal and private amenity spaces which are considered to meet the recreational and functional needs of future residents and are acceptable.

7.6.5 Bin storage facilities are proposed within the communal space proposed at the front of the building. They would be located adjacent to the common boundary with 40 Station Road. Subject to the comments above at paragraph 7.5.7 it is considered that appropriate bin storage facilities would be provided.

7.6.6 The proposal is therefore considered to result in an unacceptable standard of living for the future occupiers of the development for the reasons outlined above and objection is raised to the proposal in this regard.

## **7.7 Highways, parking and access**

7.7.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.

- 7.7.2 The proposal details the use of the existing vehicle access for pedestrian purposes. This means that the limited off street parking for 42 Station Road would be removed. The proposal states that four proposed parking spaces are to be off site within the Council's Burrell Road Car Park some 260 metres walking distance from the site. In their initial response, the County Highway Authority (CHA) advised that dedicated leased parking in this car park would be acceptable.
- 7.7.3 However the views of the Council's Parking Manager have been sought in this regard. He advises that dedicated leased parking for residents is not provided by the Council's Parking Service. Season tickets are available for residents and businesses but possession of such a ticket does not guarantee a space. He confirms that this car park is small and busy with a lot of short stay use which needs to be preserved to offer parking for customers, shoppers and visitors to the doctors' surgery. Given these comments the provision of dedicated leased car parking for future residents of the proposed scheme in perpetuity cannot be secured. As such the application is to be assessed on the basis that no car parking provision is proposed to serve the proposed development.
- 7.7.4 The CHA was advised of these comments and its revised response is attached as Annex A. It agrees that for the reasons outlined above, the Burrell Road car park should not be considered as a suitable alternative to providing parking within the development. Notwithstanding this, it is considered unlikely that residents would wish to park so far from their dwelling in any event.
- 7.7.5 The CHA confirms that one parking space should be provided per apartment in accordance with the SCC parking guidelines. However, it considers the site to be in a sustainable location, being a short walking distance to local bus services, Frimley train station and local amenities and makes good cycle provision which may be secured by condition in the event that planning permission were to be granted. In raising no objection to the proposal it is of the view that the development would maximise opportunities for trips to be made by non-car modes of travel and would therefore support car free living.
- 7.7.6 However, the CHA does recognise that it is likely that at least some of the residents of the proposed development would own private cars and would therefore have a need for parking. The under-provision of parking may lead to the loss of on street parking amenity for local residents which is a matter for the local planning authority. It acknowledges that there is evidence that Station Road already has on street parking pressure which may therefore be exacerbated by the proposed development and notes that an objective assessment of this could be made through a Parking Street survey. Given the above comments and those made by local residents concerning the issues surrounding on street parking it is considered that the proposal has not demonstrated that it can satisfactorily address the parking needs arising from the development and as such objection is raised to the proposal in this regard.
- 7.7.7 The proposed bin storage facilities would be within the 25 metre carry distance of the highway. As such no objection is raised to these proposed arrangements.
- 7.7.8 The proposal will lead to an increase in vehicle movements on the local highway network. The CHA raise no objection to the proposal in this regard.

## **7.8 Impact on infrastructure**

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule which came into force on 1 December 2014. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to Infrastructure Delivery.

7.8.2 This development would be CIL liable and an Informative would be added to the decision advising the applicant of the CIL requirements in the event of an appeal being lodged. It is therefore considered that the proposal would be in accordance with Policy CP12, the Infrastructure Delivery SPD and the NPPF in this regard.

## **7.9 Impact on the Thames Basin Heaths Special Protection Area**

7.9.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).

7.9.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 800m from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL.

7.9.3 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment which has not been paid by the applicant.

7.9.4 It is therefore considered that the proposal conflicts with Policy CP14B, Policy NRM6 and the Thames Basin Heaths Special Protection Area SPD.

## **7.10 Flood risk and surface water drainage**

7.10.1 The site is within Flood Zone 2. Paragraphs 155-165 of the NPPF considers flood risk. This is supported by the technical guidance with the PPG. Policy DM10 is reflective of the NPPF and states that development within flood zones 2 and 3 will not be supported unless the sequential and exception tests have been applied and passed and is a form of development compatible with the level of risk. It is also necessary to demonstrate through a site flood risk assessment that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral. Where risks are identified, flood resilient and resilient design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels

7.10.2 The application is accompanied by the Flood Risk Assessment and Sustainable Urban Drainage Strategy. The Assessment acknowledges that the proposed development is categorised as "more vulnerable" for the purposes of PPG. It recommends that the finished floor level is no lower than 0.17m above the general ground level, the use of permeable paving and the provision of an underground geo cellular storage.

7.10.3 The Environment Agency has raised no objection to the proposed development as submitted subject to their Flood Risk Standing Advice and for the local planning authority to determine if the sequential test has to be applied including whether or not there are other sites available at lower flood risk. The views of the Council's Drainage Officer are awaited and an update will be given to the meeting.

## **7.11 Other matters**

7.11.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted. In the absence of any specific information submitted in this regard, it is considered that these measures may be secured by way of condition in the event that planning permission were to be granted.

## **8.0 CONCLUSION**

8.1 In conclusion, the siting, depth, proximity, height and massing of the proposed building to the rear of 42 Station Road would be inappropriate for this location, harmful to the character, appearance and quality of the area and the amenities of adjoining and future residents. Furthermore, it has not been satisfactorily demonstrated how the car parking demands of the scheme are to be met. In addition, the proposal has not mitigated its impact on the Thames Basin Heaths Special Protection Area. The benefit of providing 4 additional dwellings is not outweighed by the harm identified above.

## **9.0 POSITIVE/PROACTIVE WORKING**

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

a) Provided 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.

## **10.0 RECOMMENDATION**

REFUSE for the following reasons:

1. This part of Station Road is characterised by a sense of spaciousness and a linear pattern of development with typically detached dwellings, deep rear gardens and strong front and rear building lines. The proposal development's subdivision of the existing plot by the erection of a building with associated amenity spaces in a backland location having regard to the siting, quantum, massing, depth and height of development and unsatisfactory window treatment would result in a harsh and incongruous pattern and form of development, being intrusive, imposing and forming poor relationships with the neighbouring properties. As such the proposal would fail to respect and enhance the character, appearance and quality of the area including the Victorian/Edwardian subdivisions of the Historic Routes Character Area, contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Guiding Principles VS1 and VS3 of the Western Urban Area Character Supplementary Planning Document 2012, Principles 4.1, 6.2, 6.6, 7.1, 7.4, 7.5, 7.8 and 7.9 within the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
2. By virtue of its siting, proximity, depth, height, massing and orientation the proposed building is considered to have unacceptable overbearing and overshadowing impacts on the rear gardens of 40 and 44 Station Road. Furthermore, the proposed screened windows/panels in the side elevation facing 40 Station Road and the first floor windows in the front elevation facing 42 Station Road are considered to give rise to a perceived sense of overlooking to the residents of these properties. In addition, activity associated with the use of the sole pedestrian access to the proposed building by residents, visitors and service people in proximity to the ground floor side window in 42

Station Road would give rise to unacceptable levels of disturbance and loss of occupational privacy to the residents of 42 Station Road. As such, the proposal is considered to result in a material loss of amenity to adjoining residents that they may reasonably expect to enjoy. The proposal is therefore considered to conflict with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Principles 8.1 and 8.3 of the Residential Design Guide supplementary planning document 2017.

3. The proposal does not provide a satisfactory living environment for future residents in that the proposed bedrooms do not meet the minimum space standard for a room with two bed spaces as set out the Technical Housing Standards - nationally described space standard issued by the Department for Communities and Local Government March 2015. Furthermore, the screening of windows results in a reliance in artificial light/ventilation, loss of outlook and inadequate access to good quality daylight and sunlight which is neither desirable nor sustainable. As such the proposal conflicts with the objectives of Policy CP2 of the Surrey Heath Core Strategy and Development Management Polices 2011-2028 and Principles 7.2, 7.6, 8.2 and 8.6 of the Residential Design Guide supplementary planning document September 2017.
4. It has not been satisfactorily demonstrated that the proposal would make adequate car parking provision for future residents. As such the proposal conflicts with the objectives of Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the Vehicular and Cycle Guidance January 2018 published by Surrey Council.
5. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan 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.

### **Informative(s)**

1. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.