



Surrey Heath Borough Council

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**Service:** Regulatory Services  
**Our Ref:** 19/2182/FFU  
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Mr Michael Conoley  
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United Kingdom

**Date of Decision:** 29th June 2020

**TOWN & COUNTRY PLANNING ACT 1990**  
**Town & Country Planning (Development Management Procedure)**  
**(England) Order 2015**

**Application Number:** 19/2182/FFU

**Proposal:** Demolition of existing dwelling and garage and erection of 4 detached dwellings with associated access, parking and landscaping.

**Location:** 24 Park Avenue, Camberley, Surrey, GU15 2NG

In pursuance of their powers under the above-mentioned Act and Order the Council, as the Local Planning Authority, hereby **REFUSE** permission for the above development in accordance with your application and drawing numbers 1456/P-01B, 02A, 03, 04A, 05A, 06, 07, 08A, 09A, 10A, 11, 11A, S-01, 02, 03, 04, 05, 06, 07 and JEC/584-01B for the following reasons:

- 1 Park Avenue and Kingsley Avenue are characterised by a verdant sense of spaciousness and a linear pattern of development with large detached dwellings, deep rear gardens and strong front and rear building lines. The proposal development's subdivision of the existing plot by the creation of a new access drive, extent of hardstanding and associated turning areas; and the siting and quantum of Units 3 and 4 and associated works in a backland location would result in a harsh and incongruous pattern and form of development, with the massing and heights of Units 3 and 4 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 Hedged Estates Character Area, contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy

and Development Management Policies 2012, Guiding Principles HE1, HE2 and HE3 of the Western Urban Area Character Supplementary Planning Document 2012, Principles 4.1, 6.2, 6.6, 6.7, 7.1, 7.4 and 9.3 within the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.

- 2 The proposal is unacceptable in that having completed an appropriate assessment it fails 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 Heaths Special Protection Area) of the South East Plan in relation to the provision of a contribution towards strategic access management and monitoring measures (SAMM) in accordance with the requirements of the Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document 2019.
- 3 It has not been satisfactorily demonstrated that the proposal would not have an adverse impact on trees to be retained within and adjoining the site. As such the proposal would conflict with the objectives of policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012, principles HE1 and HE3 of the Western Urban Area Character Supplementary Planning Document and principle 6.4 of the Residential Design Guide Supplementary Planning Document 2017
- 4 The proposed development if permitted would lead to an intensification in vehicular movements to/from the site where it has not been satisfactorily demonstrated that visibility can be achieved when vehicles egress the site and join Park Avenue. This could lead to conditions prejudicial to highway safety contrary to Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework 2019.

#### **Informatives:**

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.



Executive Head - Regulatory  
Duly authorised in this behalf  
(ATTENTION IS DRAWN TO THE NOTES ATTACHED)

## **NOTES TO APPLICANTS**

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (unless your decision relates to an enforcement notice of a minor commercial development – see below).
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).

- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

### **Further advice**

- If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, the owner may serve a Purchase Notice on Surrey Heath Borough Council. This Notice will require the Council to purchase his interest in the land in accordance with the provisions of Part IV of the Town and Country Planning Act 1990.
- In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 120 of the Town and Country Planning Act 1990.
- This decision notice refers only to the application made and does not convey any other consent or permission. Applicants should satisfy themselves that any other relevant consent is obtained before any work commences. For example: approval under the Building Regulations; consent under the Environment Agency byelaws; the release of any restrictive covenants on the land or permission of any landowners. Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended proper provision shall be made for the fire brigade to have means of access to the building and any

neighbouring building.

- This decision notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained at [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk). A paper copy can be obtained but there is a charge for this service.