

<b>LOCATION:</b>	24 Park Avenue, Camberley, Surrey, GU15 2NG,
<b>PROPOSAL:</b>	Demolition of existing dwelling and garage and the erection of 3 new dwellings.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr D Berridge
<b>OFFICER:</b>	Mrs Sarita Bishop

**This application would normally be determined under the Council's Scheme of Delegation. However, it has been called in by Cllr Lewis given the level of local concern and the previous refusal.**

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 This application seeks planning permission for the erection of 3 detached two-storey four-bedroom houses with associated parking, access and landscaping, following demolition of the existing dwelling and garage.
- 1.2 The subdivision of the plot and the siting/footprint and appearance of Units 2 and 3 would be inappropriate for this location resulting in a cramped and incongruous pattern and form of development. Additionally, there is also a concern that given the proposed number of parking spaces there would be realistic pressure to remove proposed landscaped areas at the front of the site to provide additional hardsurfacing to the detriment of the character of the area. It is therefore considered that the proposal would be harmful to the Hedged Estates Character Area. Moreover, it has not been satisfactorily demonstrated that the proposed access arrangements would be acceptable in highway safety terms. The impact on the amenity of surrounding neighbours and future occupiers would be acceptable as would the proposed parking provision in terms of the County Council's guidance on car and cycle parking standards.
- 1.3 Given the concerns raised as set out in detail below the application is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site, of some 0.64 hectares, is located on the south side of Park Avenue. It comprises a large detached six bed dwelling with accommodation over three floors with an attached single garage. There is also a detached double garage located adjacent to the site boundary with 26 Park Avenue. The property is currently unoccupied and dates from the early 20<sup>th</sup> century. It has a white painted finish with a pitched tiled roof. The frontage is enclosed by hoardings. There are trees and vegetation adjacent to the site boundaries with the rear garden comprising a cleared open area. The existing property benefits from an "In" and "Out" access arrangement onto Park Avenue.

- 2.2 Whilst 24 Park Avenue has one of the widest site frontages for properties in Park Avenue, it follows the existing pattern of development typically characterised by large detached dwellings with buildings set back from the road with space around the built form and deep rear gardens. This results in a linear form of frontage development with strong front and rear building lines. The adjoining areas of Park Avenue and Kingsley Avenue are also characterised by generous landscaped plots accommodating detached dwellings with a variety of designs largely dating from the 1950's/1990's, with the enclosure of the streetscene by established hedges and street trees.
- 2.3 The application site is located within the Hedged Estates Character Area of Camberley, as identified in the Western Urban Area Character SPD.

### **3.0 RELEVANT HISTORY**

There have been a number of applications which relate to the extension of the house. The following application is considered to be the most relevant to the current proposal:

- 3.1 SU/77/0160 Erection of two detached houses with double garages on land to the rear of Aramby 24 Park Avenue. The proposal sought to retain Aramby on a reduced curtilage with the introduction of a new access drive adjacent to the eastern site boundary leading to two detached houses and garages to the rear of the site. This was refused in April 1977 on grounds of detrimental impact on the character of the area and on adjoining neighbours. The appeal was dismissed in February 1978.
- 3.2 19/2182 Erection of 4 detached two-storey four bedroom houses with associated parking, access and landscaping, following demolition of the existing dwelling and garage.
- Reported to the 18 June 2020 Planning Applications Committee with an officer recommendation for refusal. Refused 29 June 2020. The proposal was refused for four reasons: 1) character; 2) SPA grounds; 3) Impact on trees; and, 4) highway safety. A copy of the decision notice is appended as Annex A.
- An appeal has been lodged against this refusal. This is being dealt with by the written representations procedure and a decision is awaited from the Planning Inspectorate.
- 3.3 21/0211 Demolition of existing dwelling and garage and erection of 2 detached dwellings. This is currently under consideration.

### **4.0 THE PROPOSAL**

- 4.1 Permission is sought for the demolition of the existing dwelling and the erection of 3 four bedroom detached dwellings and garages.
- 4.2 The dwellings are proposed as a continuation of the Park Avenue frontage. The proposed design of the houses would reflect the Surrey Vernacular Arts and Crafts style with the use of gable pitched and hipped roofs, tile hanging, brick and render external finishes and bay windows.
- 4.3 Unit 1 is located on the west side of the site. The proposed dwelling and attached single garage would have a maximum width and depth of 16.5 metres and 14.1 metres respectively. It would have a pitched roof with a maximum ridge height of 8.5 metres. As originally proposed a minimum separation distance of just under 3 metres (chimney) would be retained to the common boundary with 22 Park Avenue with a separation

distance of some 0.4 metres to the common boundary with plot 2. However, to address the issues raised by the Arboricultural Officer in relation to the Swedish Whitebeam and Sweet Chestnut an amended plan was received which showed the removal of the Sweet Chestnut, the setting of Unit 1 back from the Park Avenue frontage by a further 1.4 metres with an increase in landscaped front garden and a reduction in the separation distance to the common boundary with 22 Park Avenue of about 200mm. It is noted that a separation distance of over 4 metres would be retained between the side elevations of plots 1 and 2. The property would have a proposed rear garden depth in excess of 70 metres.

- 4.4 Unit 2 is located on the middle of the site. The proposed dwelling and attached single garage would have a maximum width and depth of 11.9 metres and 13.8 metres. It would have a pitched roof with a maximum ridge height of 8.4 metres. Minimum separation distances to plot 1 are as above with separation distances of some 2.3 metres to the common boundary with plot 3 and 4.8 metres between side elevations of these plots. The property would have a maximum garden depth in excess of 75 metres.
- 4.5 Unit 3 would be located on the east side of the site. This proposed dwelling and attached single garage would have a maximum width and depth of 13.3 metres and 14.6 metres respectively. It would have pitched roofs with a maximum ridge height of 8.2 metres. Minimum separation distances to plot 2 are as above with a minimum separation distance of just over 2 metres to the common boundary with 26 Park Avenue. The property would have a maximum garden depth in excess of 80 metres.
- 4.6 Park Avenue is subject to a 30 mph speed limit. Pedestrian and vehicular access to the site would be from one single access point leading to a communal drive. The existing access on the western side of the site would be retained to serve the development with visibility splays of 2.4 x 37 metres (west) and 2.4 x 39 metres (east) proposed. The eastern access would be closed.
- 4.7 Including garages, three car parking spaces are proposed for Units 1 and 3 with 2 spaces to be provided for plot 2. All plots have turning facilities to enable vehicles to exit the site in a forward gear. Access gates are proposed for Unit 3.
- 4.8 The application is supported by a Design and Access Statement; a site context plan relating to plot sizes in the Hedged Estates Character Area; a Transport statement; an Arboricultural Method Statement and Implication Strategy; a Phase 1 Desk Study; a Flood Risk Assessment; and surface water drainage strategy; a Phase 1 Habitat and Protected Species Survey; and, a Utilities report. An indicative landscaping plan has also been submitted.

## 5.0 CONSULTATION RESPONSES

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|-----|-------------------------------------|---|
| 5.1 | County Highway Authority            | Objection on highway safety grounds due to the vehicular egress onto Park Avenue. See Annex B of this agenda. |
| 5.2 | Council's Arboricultural Consultant | No objection, appended as Annex C   |
| 5.3 | Surrey Wildlife Trust               | No views received   |
| 5.4 | Thames Water                        | No views received   |
| 5.5 | Environmental Health                | No objection subject to a condition concerning unforeseen contamination                                       |
| 5.6 | Council's Drainage Officer          | No views received.  |

## 6.0 REPRESENTATION

6.1 At the time of the preparation of this report 149 representations from 97 addresses have been received including a representation from a planning consultant on behalf of the residents of 1, 18, 19, 20, 22, 23, 26, 31 Park Avenue and 15, 35, 48 and 50 Kingsley Avenue which object to the proposal as set out below:

Character [*Officer comment: See section 7.4 below*]

- Overdevelopment, conflicts with paragraph 11 of the NPPF as there is no need within the area for 3 houses to be placed on a plot suitable for 1;
- Out of character with surrounding hedged estate;
- Plot is not substantial enough to take this level of development;
- Similar to proposals for 30/32 Kingsley Avenue in 2012 where permission was refused in 2012 on grounds that the siting of the development was Would form an alien feature at odds with form and pattern of development and conflict with guiding principles in the SPD and development plan and current proposal should be rejected for same reason;
- Loss of existing historic and attractive building;
- Spacing between the houses in not in keeping with the rest of the road nor is the spacing between the new houses and 22 and 26 Park Avenue;
- The houses are too close to each other;
- Density;
- Squeezing 3 properties side by side into this width will alter the appearance of the road;
- A single access and cul de sac arrangement are out of keeping with the general character, appearance, form and pattern of the area;
- Nowhere on Park Avenue, Kingsley Avenue or neighbouring road is there access between two houses to rear garden plots [*Officer comment: this does not form part of the proposal*];
- Backland development [*Officer comment: this does not form part of the proposal*];
- The proposed driveway is in effect a compressed cul de sac;
- Garden grabbing;
- Not on previously developed land;
- The NPPF states that plans should positively seek opportunities to meet the

development needs of the area and are sympathetic to local character which this proposal does not do;

- Development should maintain the existing building lines;
- Contrary to guiding principles in the Western Urban Area Character SPD and the development plan;
- Site not big enough for three houses;
- Plot widths for the two smaller properties are considerably smaller than the average of most other properties in Park Avenue and this with plot 1 is likely to result in an over-urbanised grouping in what is otherwise a well distanced residential street;
- Query on calculation of plot sizes relating to the inclusion of the rear gardens;
- The proposed plots do not allow for sufficient parking for the size of houses;
- Narrow width and scale of plots 2 and 3, in particular, do not reflect the wider scale elevations of surrounding properties;
- The building footprints of plots 2 and 3 are essentially square shaped which is not typical of the area;
- Very small internal room sizes in plots 2 and 3 are also uncharacteristic of properties in the area as are the small driveways;
- Existing dwelling enjoys an open aspect and verdant character which would be materially harmed if it is subdivided and replaced by 3 new dwellings;
- The proposal would unacceptably dominate the street scene;
- The proposed Surrey Vernacular/Arts and Crafts design does not respect the style of design of existing properties;
- Large areas of hardsurfacing would dominate the street frontage;
- Is totally out of character with existing surrounding properties of single houses on single plots;
- Not in keeping with hedged estate;
- Unusually long gardens does not alter the fact that there will be an unsightly concentration of houses along the frontage of Park Avenue;
- Development is incongruent with the rest of the road and is contrary to the special Hedged Estates principles and privileges that are in place here, characterised by generous plot sizes and open space between houses;

- As the plots have shared access they are not enclosed plots which is out of character;
- Visually cramped and incongruous form of development which would jar with the existing massing and pattern of built development in the immediate vicinity and the wider Hedged Estates character area;
- The proposal does not respond to the shape or rhythm of the surrounding plots by virtue of the siting of the 3 dwellings resulting in narrower plots in comparison to the neighbouring properties;
- The proposal goes against the historic pattern of Park Avenue;
- The artist's impression of the street scene is unhelpful and misleading, not showing how closely packed these houses are;

Landscape [*Officer comment: see section 7.4 below*]

- Proposal does not address or seek to address the significant destruction of the woodland carried out by the developer;
- All of the many trees that were taken down without permission should be replaced in the same area where they had been taken down [*Officer comment: no specific permission was required from the Council*]
- Had the site not been cleared so violently permission could not have been granted due to proximity of trees;
- Proposal needs to allow for more planting to offset the area of woodland and natural corridor which was destroyed;
- Queries the use or value of the tree consultant's report given the tree removal on the site in 2019;
- Further tree loss has been earmarked by developer;
- The positioning of houses next to the root ball of other large trees that currently stand will cause further environmental damage;
- Lack of adequate replanting proposals;
- Loss of tree canopy;
- Trees are needed to help fight global warming and reduce carbon emissions from the M3

Residential amenity [Officer comment: See section 7.5 below]

- Increased noise from M3 due to tree removal;
- Noise pollution from ongoing developments which will undoubtedly become worse;
- Lack of space between dwellings which will disturb the outlook for surrounding properties;
- Future and adjoining residents would be adversely impacted due to noise and general disturbance associated with vehicular use of the driveway;
- Increase in traffic, parking and noise pollution;
- Loss of privacy;
- Proximity of built form

Highway safety [Officer comment: See section 7.6 below]

- Insufficient access;
- Inadequate car parking provision for multi car households which would result in on street parking and dangerous obstruction on the highway to both road users and pedestrians;
- Query on refuse collection arrangements and potential for 3 houses worth of refuse, recycling and garden waste placed onto the pavement;
- Single access and service road uncharacteristic of the area as existing properties have individual access arrangements;
- Concern about potential for access to be blocked by vehicles;
- Dangerous egress;
- Hazardous traffic and pedestrian flow;
- No doubt overspill parking from this development will cause obstruction on Park Avenue during and after construction;
- Increase traffic flow into a tight area;
- Park Avenue is a narrow road;
- Due to the position of trees on the roadside visibility is poor at the access;
- Highly likely that visitors cars will be parked in the cul-de-sac causing a breach of the minimum carriageway width by emergency vehicles;
- Doubtful that the proposal can provide adequate turning for the largest vehicle;
- Park Avenue is too narrow to accommodate heavy construction vehicles and additional traffic during and after construction;

- Shared access road/cul-de-sac is not adequate for delivery vehicles, refuse collection or parking for residents/visitors;
- Self- evident that adding further vehicular traffic will only worsen the status quo on Park Avenue;
- Potential on street parking would be dangerous to sightlines to nearby junction;
- Single shared access accident waiting to happen;
- Two trees within the highway require replacing, notwithstanding the development proposals;
- Garages will not be used for parking;
- Single garage and one space in front of garage is insufficient for large expensive properties what will have at least two cars that will want to come and go independently of each other;
- Properties in this area are large and double fronted with a habitable room either side of a focal front door, with only plot 1 reflecting this character;
- Plot 3 is particularly narrow;
- Surrounding plots are roughly scaled at 2-3 times as deep as they are wide, the new units depth would be 4-5 times their width (long and narrow) and would be totally out of scaled proportion to surrounding plots;
- The difference in permitted and travelled speeds of 2mph and 3mph is not large enough to viably argue that this would have a positive impact upon highway safety and cannot therefore be utilised as justification for what is plainly inadequate provision of visibility splays;
- The proposed low level of parking would result in the overspill of vehicles parking on Park Avenue and parking on grass verges;

#### Other matters

- Lodged an application to demolish the existing house without having permission to building anything else [*Officer comment: In this case permission is required from the Local Planning Authority for demolition not just under the Building Regulations*];
- Clear cases of profiteering from unscrupulous developers [*Officer comment: Not a material planning consideration*];
- Proposal does not put people first;
- A councillor's primary role is to represent their ward or division and the people who live in it;
- Flooding issues associated with removal of trees and hedges;
- Developer and his unscrupulous architect are laying claim to boundary trees that are not theirs;

- It is a blatant attempt to make money without any thought given to surrounding neighbours;
- Morally wrong to take down half an ancient woodland;
- The underhanded way this developer has taken down nearly 200 mature trees should not be rewarded;
- The amount of differing wildlife has now found their environment gone forever;
- The development does not meet the development needs of the area contrary to the NPPF;
- This type of development is not what people want contrary to the objectives of neighbourhood planning in the NPPF;
- No consultation with neighbours prior to the site being deliberately cleared over a weekend to prevent council action;
- Site clearing showed no regard for flora or fauna on site;
- Ecology reports were not independent and merely cursory;
- The architect's plans are misleading as they show mature flora that either does not exist or were removed during the mass clearance of the site prior to applying for planning *[Officer comment: A site plan has been submitted without the vegetation on the site];*
- Restrictive covenant is in place preventing development *[Officer comment: This is not a material planning consideration but a private land matter];*
- The proposed development does not fulfil a housing need in Camberley;
- The Council's failure to protect the trees on this site;
- If approved set a precedent that will spread and destroy the beauty of this area *[Officer comment: Not a material planning consideration];*
- Increase in water run off downhill contribute to risk of flooding;
- Concern that this site and its activities will attract the attention of eco groups and the resultant protests and activities;
- Adverse impact on wildlife habitat;
- Proposal shows the folly of the well publicised pre-emptive strike on the trees and the great environmental damage caused;
- No justification for demolition or replacement of existing dwelling;
- Adverse impact on climate change objectives;
- Developer has declared that he will remove the hedge between 22 and 24 once the development is complete, yet he continues to deceptively show the large mature hedge on his proposed site plan *[Officer comment: In the event that planning permission were to be granted hedge protection and replacement planting would be secured by way of condition].*

- 6.2 The occupiers of 22 Park Avenue were notified of the amended siting of Unit 1. They maintain their objection on grounds of overlooking and associated loss of privacy, proximity of building, the impact of their balcony and their ability to overlook future residents and pattern of development.

## **7.0 PLANNING CONSIDERATION**

7.1 The site is located within the settlement area of Camberley as defined by the Surrey Heath Core Strategy and Development Management Policies Document 2012. 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 Hedged Estates Character Area as defined by the Western Urban Area Character Appraisal (WUAC) 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 and future occupiers;
- Highways, parking and access;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths Special Protection Area

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

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

7.3.2 The site is within the settlement area of Camberley, 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, and that Camberley has scope for residential development across the area. 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 National Planning Policy Framework (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 WUAC 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”

Principle 7.4 of the RDG expects development to reflect the spacing, heights and building footprints of existing buildings, especially when these are local historic patterns.

7.4.5 The Guiding Principles of the Hedged Estates Housing Character Area state that new development should be set in spacious, regular plots, provide space between and around building which allows for the maintenance/development of a verdant character; consist principally of two-storey detached buildings set in individual plots enclosed by hedges and mature vegetation; the provision of a green character through retention of existing large trees and mature vegetation and the provision of substantial new landscape features in the form of large trees, shrubs and tall hedges; dense vegetation screens and hedges will reduce visibility of buildings from the street and between neighbours. It also states that development forms that are contrary to the prevailing development form of detached houses set in generous individual enclosed plots will be resisted, as will proposals with closely set buildings, cramped or overly prominent appearances, minimal provision of side gardens and high plot ratios. Development that erodes the soft, green character of the area will also be resisted. The RDG also sets out standards for new development including guidance on architectural detailing, use of natural light, window design, internal space standards, density and layout.

#### Layout and design

7.4.6 The Park Avenue and Kingsley Avenue streetscenes are characterised by large detached houses with significant separation distances between, typically provided by their adjoining rear gardens. This give a feeling of openness and spaciousness which is a defining feature of the local area. The proposed houses are shown as frontage development onto Park Avenue. This relationship to the street reflects the existing street pattern seen in the area and is acceptable in principle.

7.4.7 The applicant has provided an analysis of plot sizes within the Hedges Estates Character Area in support of the current proposal to demonstrate that the proposed plot sizes would not be out of keeping with the existing plot sizes within this character area. It notes that, in this context, the proposed plots sizes have site areas that are significantly larger than existing residential curtilages. However, it is noted that this includes the rear gardens of the

proposed houses which are significantly larger than existing rear gardens in the area. Whilst the proposed rear gardens reflect the spacious and open character of the area it is not just a question of site area. It is important to consider how the proposed plot widths would relate to the Park Avenue street scene.

- 7.4.8 In this regard the proposed plot width and footprint for Unit 1, including its amended siting, is considered to be compatible with those typically seen in the area. However, the proposed plot widths for plots 2 and 3 are narrower than those which are typically seen in the area. Furthermore, the predominant characteristic building footprint is rectangular in shape with the widest element being across the width of the plot. The proposed layout for Plots 2 and 3, with the narrowest parts of the built form fronting onto Park Avenue, would not reflect this character resulting in a cramped form of development which is out of keeping with the established pattern and form of development characteristic of the area. As such the proposal conflicts with Policy DM9 of the CSDMP, Principles HE1, HE2 and HE3 of the WUAC and Principles 6.6 and 7.4 of the RDG
- 7.4.9 There are a variety of designs seen in the local area. The use of the Surrey Vernacular Arts and Crafts design ethos for the proposed development is considered to be compatible with existing development in Park Avenue and the wider Hedged Estates Character Area and is acceptable in principle. However, having regard to the width of dwellings as set out above, existing dwellings in the area are invariably characterised by a central front door with accommodation either side resulting in a sense of symmetry to front elevations. This is reflected in the design for Unit 1. However, Units 2 and 3 are narrower than the majority of existing houses in the area with a front door to one side. As such they would not reflect the general appearance of dwellings typically seen in the area to the detriment of the streetscene and conflict with Policy DM9 of the CSDMP, Principles HE1 and HE2 of the WUAC and Principle 7.4 of the RDG.
- 7.4.10 Access and car parking to serve the development is proposed to the front of the dwellings within a landscape setting. This generally reflects the character of the area and is acceptable in principle. However, notwithstanding the comments below on the level of car parking provision, the proposal is for 3 four bedroom houses. It is considered that the likely level of car ownership associated with these houses, particularly in relation to plot 2 would result in realistic pressure to reduce the amount of landscaped area to the front of the houses and/or result in on street car parking. Both of these outcomes would be harmful to the character of the area, particularly given the relatively narrow width of Park Avenue and the general absence of on street car parking. This would be in conflict with Policy DM9 of the CSDMP, Principles HE1 and HE3 of the WUAC and Principles 6.7 and 6.8. As such objection is raised to the proposal in this regard.

#### Landscape

- 7.4.11 The Hedged Estates Character Area has a strong green character. In Park Avenue this is emphasised by both established trees and shrubbery within front and rear gardens but also through the trees planted in highway verges.
- 7.4.12 It is evident from the representations received in respect of this application that there is a great deal of anger in the local community concerning the tree removal that took place in the summer of 2019. Whilst acknowledging this, the trees were not subject to a Tree Preservation Order and as such there was no breach of planning control. The application therefore falls to be determined on the site as seen when the site visit for the current application was undertaken.
- 7.4.13 The proposed site layout indicates that trees located on the site boundaries would be retained as part of this proposal. It is noted that a Birch tree within the highway verge would need to be felled on potential safety grounds and the applicant would fund a replacement tree. The application is supported by Arboricultural Impact Assessment and Tree Protection Strategy. As originally submitted the Arboricultural Officer objected to the proposal on grounds of proximity to a Swedish Whitebeam to the front of Unit 1

and a Sweet Chestnut located adjacent to the common boundary with 22 Park Avenue and Unit 1. A concern was also raised about the level of detail provided. The Council's Arboricultural officer has considered the revised details and raises no objection to the removal of the Sweet Chestnut provided that significant post development landscaping is secured. The additional arboricultural details are acceptable in principle but further detail is still required. This may be secured by way of condition in the event that planning permission were to be granted.

- 7.4.14 An indicative landscaping scheme has been submitted. However, the level of landscaping proposed is not considered to be adequate for this site nor does it provide sufficient detail on species, sizes or planting densities. In any event and notwithstanding the removal of the Sweet Chestnut, if planning permission were to be granted on this site it would be subject to a condition which would require the submission and implementation of a comprehensive and extensive landscaping scheme appropriate to the sylvan character of the Hedged Estates Character Area.
- 7.4.15 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 WUAC 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 and future 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 22 and 26 evens Park Avenue and 11-19 and 31-35 odds Kingsley Avenue. Nos. 27-31 Park Avenue are on the opposite side of Park Avenue to the application site. 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 Given the degree of separation between the proposed dwellings and adjoining development in Park Avenue and Kingsley Avenue, the proposal is not considered to give rise to any material overbearing or overshadowing impacts or loss of light or outlook.
- 7.5.4 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. The pattern of overlooking proposed between the development and adjoining dwellings in Park Avenue and Kingsley Avenue reflects the pattern of overlooking typically seen in the area. Given this, and the separation distances retained in excess of 70 metres no material loss of privacy to adjoining occupiers would result from this proposal.

- 7.5.5 The further objection from 22 Park Avenue to the amended siting of Unit 1 on privacy grounds is noted. However, as the ground floor openings are secondary windows to the lounge and family room, the first floor obscure glazed window serving an ensuite shower room and the ability to secure supplementary boundary screening by way of condition in the event that planning permission were to be granted no material loss of privacy is considered to result from the amended siting. As the residents of 22 Park Avenue already overlook the application site from their balcony, any future purchasers of Unit 1 will be aware of this established pattern of overlooking when deciding whether to purchase. However, as noted above, it is envisaged that in the event that planning permission were to be granted supplementary boundary screening will be required.
- 7.5.6 Within the development first floor windows in the side elevations are proposed to serve either secondary bedroom, bathroom or stairwell windows. Given the nature of these rooms/space and the use of obscure glazing to maintain an appropriate level of occupational privacy which could be secured by way of condition in the event that planning permission were to be granted, no objection is raised to the proposal in this regard.
- 7.5.7 The relationship between the proposed development and 27-31 odds Park Avenue is similar to the existing relationship between these properties in terms of separation distances and pattern of overlooking and the existing house. As such no objection is raised to the proposal in this regard.
- 7.5.8 The proposed rear gardens for the rear gardens would meet the minimum sizes as set out in the RDG and are acceptable. Appropriate bin storage facilities would also be provided.
- 7.5.9 The proposal is therefore considered to result in an acceptable standard of living for the future occupiers of the development, and is not considered to result in any significant adverse impacts to surrounding properties. The proposal is therefore considered to be acceptable in terms of residential amenity.

## **7.6 Highways, parking and access**

- 7.6.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 With regard to the access arrangements, the County Highway Authority advises that it has not been demonstrated that sufficient visibility splays can be achieved without existing street trees causing obstruction to these splays. Park Avenue is subject to a 30 mph speed limit and, as such, visibility splays with an "x" distance of 2.4m and a "y" distance of 43m in both directions should be provided. A speed survey has been undertaken and the recorded 85<sup>th</sup> percentile speeds are shown as 28 mph (eastbound) and 27 mph (westbound). In situations where the 85<sup>th</sup> percentile speeds are less than the posted speed limit, lower visibility splays can be considered. However, the sightlines are still affected by the trees fronting the site even with reduced distances considered in relation to the 85<sup>th</sup> percentile. Given this the County Highway Authority (CHA) raises objection to the proposal on the grounds that 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 (see Annex B for a copy of this objection).

- 7.6.3 With regard to car parking provision to serve the development, one garage and two surface spaces are proposed for plots 1 and 3 with one garage and one surface space for plot 2. There is ample space within the garden areas for cycle parking. Notwithstanding the comments above concerning the site layout, the CHA are satisfied with this level of provision and raises no objection to the proposal in this regard.
- 7.6.4 All of the properties will have on curtilage storage for refuse/recycling bins. It is proposed that refuse collection will take place from Park Avenue. No objection is raised to these proposed arrangements.
- 7.6.5 The proposal will lead to an increase in vehicle movements on the local highway network (an increase in 10 vehicular movements across an average weekday). The CHA are satisfied that this would not result in a severe impact on the local highway network and raise no objection to the proposal in this regard.

## **7.7 Impact on infrastructure**

- 7.7.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule which came into 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.
- 7.7.2 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.

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

- 7.8.1 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).
- 7.8.2 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.
- 7.8.3 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.
- 7.8.4 It is therefore considered that the proposal conflicts with Policy CP14B, Policy NRM6 and the Thames Basin Heaths Special Protection Area SPD.

## **7.9 Other matters**

- 7.9.1 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.
- 7.9.2 The application is accompanied by a Phase I Habitat and Protected Species Survey which was undertaken in April 2019 and updated in October 2019. This concluded that there was no evidence of bats, badgers, amphibians or reptiles were found within the buildings nor on the land. Woodpecker holes were found in some of the trees. The Ecologist has confirmed that before the trees were felled, the trees were inspected. No nesting birds were found and no bat droppings were identified. No views have been received from Surrey Wildlife Trust. However, in the event that planning permission were to be granted it would necessary to impose conditions to secure a comprehensive replacement planting scheme and biodiversity improvements. Given the length of time that the building has been vacant and since the completion of the habitat and protected species survey it would also be appropriate to impose a condition that required the building to be rechecked for the presence of bats before any works commenced on site.
- 7.9.3 Policy DM10 expects development to reduce the volume and rate of surface water run off through the incorporation of appropriately designed Sustainable Drainage Systems at a level appropriate to the scale and type of development being proposed. No views have been received from the Council's Drainage Officer in respect of this proposal. However, in the event that planning permission were to be granted a detailed drainage strategy would be secured by way of condition. On this basis no objection is raised to the proposal on drainage grounds.
- 7.9.4 With regard to archaeology no heritage significance or archaeological potential have been identified with the site. However, in the event that planning permission were to be granted, a condition securing a watching brief during demolition and construction would be appropriate.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
  - c) Have 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 This application seeks planning permission for the erection of 4 detached two-storey four bedroom houses with associated parking, access and landscaping, following demolition of the existing dwelling and garage.

- 9.2 The subdivision of the plot and the siting/footprint and appearance of Units 2 and 3 would be inappropriate for this location. There is also a concern that given the proposed number of parking spaces there would be realistic pressure to remove proposed landscaped areas at the front of the site to provide additional hardsurfacing to the detriment of the character of the area. Moreover, it has not been satisfactorily demonstrated that the proposed access arrangements would be acceptable in highway safety terms. The impact on the amenity of surrounding neighbours and future occupiers would be acceptable as would the proposed parking provision in terms of the County Council's guidance on Car and Cycle parking standards. The additional houses would be a benefit in increasing the housing stock in the Borough. However, this benefit is not outweighed by the harm arising from the development as set out above.

## 10.0 RECOMMENDATION

REFUSE 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 with wide frontages, deep rear gardens and strong front and rear building lines. The proposal development's subdivision of the existing plot by the creation of a single access and drive and the narrow width/siting of the plots and dwellings proposed for Unit 2 and 3 when compared to the established pattern and character of development would result in a cramped and incongruous pattern and form of development. Furthermore there is a concern that given the number of car parking spaces proposed for the size of houses proposed, there would be pressure to remove frontage landscaping, to provide additional hardsurfaced area to meet the parking needs of future resident to the detriment of the landscape character of the area. 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, 6.6, 6.7, 6.8, 7.1, 7.4 and 9.3 within the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework 2019
2. 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.
3. 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.

## **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.