

LOCATION:	Solstrand, Station Road, Bagshot, Surrey, GU19 5AS,
PROPOSAL:	Demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
TYPE:	Full Planning Application
APPLICANT:	Mr Arran Atkinson
OFFICER:	Melissa Turney

This application would normally be determined under the Council's Scheme of Delegation. However, it has been called-in by Cllr Valerie White due to concerns of over development of the site, height, bulk and mass, overbearing, impact on privacy of neighbours and highway issues.

RECOMMENDATION: GRANT, subject to conditions

1.0 SUMMARY

- 1.1 This application seeks planning permission for demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
- 1.2 The principle of the development would be considered acceptable. For the reasoning explained in this report, the proposal is considered to relate to the surrounding area, acceptable in terms of residential impact, highway safety, impact on the Thames Basin Heath SPA and ecology. The proposal is recommended for approval, subject to planning conditions.

2.0 SITE DESCRIPTION

- 2.1 The site consists of a fire damaged detached two storey dwelling located within the settlement area of Bagshot. The application plot is "L" shaped. The land levels change on the site and the land slopes downwards towards the south, or to the rear of the site.
- 2.2 The surrounding development is residential, mainly detached dwellings of varying plot sizes. To the east and west are residential gardens, with the rear grounds of Queen Anne House (a Grade II Listed Building) backing onto the western boundary and with the rear gardens of four detached dwellings, perpendicular to the western boundary. To the south of the site is a block of flats (Hartdene Court).

3.0 RELEVANT HISTORY

- 3.1 20/0807/FFU Erection of part first floor part two storey side and front extension, part single part two storey rear extension and raising the roof to provide loft accommodation. Withdrawn

4.0 THE PROPOSAL

- 4.1 Full planning permission is sought for the demolition of existing dwelling and all associated buildings and structures and erection of 3 detached three bedroom dwellings with associated car parking, refuse storage and collection point and landscaping.
- 4.2 Plot 1 (the dwelling facing Station Road) would be of a traditional design with hipped roof over and front gable projection. The detached dwelling would be set back from the highway by approximately 21m, set off the boundary 1.3m with neighbour at Sandewood and 5m to the western boundary. The dwelling would have a height of 7.5m and eaves height approx. 5m, a total depth of approximately 13.2m including the single storey rear and front gable projections and have a width of approximately 8.3 m. The dwelling would have an internal floor space of approximately 133sqm and rear garden of approximately 195sqm.
- 4.3 Plot 2 and 3 would be located to the rear of the site. Plot 2 would be located 2.9m, from the western boundary and there would be separation distance of 3.8m to the plot 3. Plot 3 would be located 4.3m from the eastern boundary.
- 4.4 Plot 2 would have an attached garage. The dwelling would be of a traditional design with hipped roof over and front half dormer detailing. The dwelling would have a maximum height of 8.2m and eaves height of 5m. The attached garage would have a height of 5.3m. The dwelling would have a width of approximately 9.8m and depth of approximately 11.9m. The dwelling would have an internal floor space of approximately 141sqm including the attached garage and rear garden of approximately 141sqm.
- 4.5 Plot 3 would be of a traditional design with hipped roof over and front half dormer detailing. The dwelling would have a maximum height of 8.2m and eaves height of 5m. The dwelling would have a width of approximately 9.8m and depth of approximately 11.9m. The dwelling would have an internal floor space of approximately 111sqm and rear garden of approximately 182sqm.
- 4.6 During the course of the application amended plans were received to reduce the number of units to the rear from 3 to 2.
- 4.7 The proposal would include an access road to the western boundary which serve the three plots. There is an area of hardstanding in front of plot 2 which provides the turning head of vehicles.

Plot 1 – would be provided with two off street parking spaces

Plot 2 – would be provided with 2 off street parking spaces one of these would be included within the garage

Plot 3 – would be provided with 2 off street parking spaces

- 4.8 The proposal includes a waste collection point adjacent to the western boundary.
- 4.9 In support of the planning application the following documents were submitted a Design and Access Statement, Transport statement, Arboricultural Report and a Ecology Report.

5.0 CONSULTATION RESPONSES

- 5.1 County Highways Authority Raises no objection subject to conditions. See Annex A for a copy of their comments.
- 5.2 Joint Waste Solutions As per the agreed terms, fees and charges of the Council, developers are advise to purchase the bins on behalf of the residents prior to

occupancy. Maximum pulling distance (distance from presentation collection point) of 25m for the two wheeled bins.

Confirmed that collection point is within maximum pulling distance.

- 5.3 Surrey Wildlife Trust Recommends a badger survey to check for new setts prior to commencement, a precautionary reptile method of working and clarification on the bat mitigation prior to determination. Further details were submitted and no objection was raised. SWT also requires demonstration of biodiversity net gain.
- 5.4 Windlesham Parish Council Objected to the original and revised proposal due to concerns of over development of the site due to the height, bulk and mass and impact on residents' privacy levels. Also concerns with highways and flooding issues.
- 5.5 Arboricultural Officer No objection subject to condition.

6.0 REPRESENTATION

6.1 A total of 85 individual letters were sent to surrounding properties on 2nd November 2021 and re-consultation was carried out 8th April 2022. At the time of preparation of this report 21 letters of representation have been received with 10 objections and 1 support summarised below. Overall in the main the objection letters don't object to the redevelopment of existing dwelling (Replacement dwelling of Solstrand):

- Neighbours will be surrounded by buildings due to the development taking place at Queen Anne house [*Officer comment: Not a material planning consideration*]
- Demolishing the current property will be dangerous as the building sits higher than neighbours to the west concerns property will be damaged during the construction [*Officer comment: There are concerns that neighbouring properties would be damaged during the demolition of the existing dwelling. However, this is not a material planning consideration and is a civil matter between relevant parties with the Council unable to legally intervene*]
-
- Additional traffic noise at the back of the neighbours to the west [*Officer comment: Please refer to section 7.4*]
-
- The dwelling to the rear would be overbearing to neighbours [*Officer comment: Please refer to section 7.3*]
- Impact of the character of the area and over development of the site [*Officer comment: Please refer to section 7.3*]
- Impact on privacy and loss of light to Sandlewood [*Officer comment: Please refer to section 7.4*]
-
- Lack of appropriate screening or details of planting tree heights or types [*Officer comment: Please refer to paragraph 7.3.10*]
-
- Highway safety issues parking, width of the access road and width restriction [*Officer comment: Please refer to section 7.5*]
-
- Backland development fails 6.2, 6.4, 7.3.1 and 7.3.2 of the Surrey Design Guide [*Officer comment: Regard has been had to the Council's Residential Design Guide*]
-
- Construction phase details are required [*Officer comment: Please refer to section 7.5*]
-

- Highway and access including the amount of parking and hard standing that would have to be accommodated as well as access to the site being inadequate as it sites next to the traffic calming measure. [Officer comment: Please refer to section 7.5]
- Possibility that 12 bins would be on the pavement on Station Road [Officer comment: Please refer to section 7.8]
- Increase in flooding and concerns over drainage [Officer comment: Please refer to section 7.8]
- Does not appear there is safe access for emergency vehicles [Officer comment: The local authority building control department or approved inspector is the lead authority and responsible for ensuring compliance with the building regulations].
- Removal of number trees prior to the application being submitted [Officer comment: Not a material *planning consideration, the trees are not protected*]

6.2 There has been 1 letter of support summarised below:

- Application appears to make good use of the oversized garden land, within the settlement and with consideration of standing to surrounding properties
- Also provision of new semi-detached houses is much needed in an area abundant with retirement flats

7.0 PLANNING CONSIDERATION

7.1 The application site is located within the defined settlement boundary, as set out in the Proposals Map included in the Core Strategy and Development Management Policies Document 2012 (CSDMP). For this proposed development, consideration is given to Policy DM9 and DM11 of the CSDMP, guidance within The Residential Design Guide (RDG) Supplementary Planning Document 2017 and the National Planning Policy Framework (NPPF).

7.1.2 The main issues to be considered within this application are:

- Principle of development
- Impact on the character and appearance of the surrounding area and host dwelling (including trees)
- Impact on the residential amenity of neighbouring properties.
- Impact on highway safety
- Impact on ecology
- Impact on the Thames Basin Heaths Special Protection Area
- Other matters (including flooding)

7.2 Principle of development

7.2.1 In line with paragraph 11 of the NPPF there is a presumption in favour of sustainable development. The site lies in a relatively sustainable location, within the urban settlement and within walking distance of Bagshot Train Station and the village centre. The Council's spatial strategy, under Policy CP1 of the CSDMP, explains that there is limited capacity to accommodate new development in Bagshot, to be mainly achieved through redevelopment of existing sites, and this proposal is consistent with that aim.

7.2.2 The Council is able to demonstrate a Five-Year Housing Land Supply (i.e. 7.2 years), with the appropriate buffer included. This is based on the most recent evidence published in the Surrey Heath Strategic Land Availability Assessment (2021) and the Council's Five-Year Housing Land Supply Statement (2021). In addition to this, Surrey Heath's result from the most recent Housing Delivery Test measurement (2021) is 132%, which is greater than the threshold of 75% as set out in footnote 8 of the NPPF. Therefore, the development plan and its policies may be considered up-to-date with regard to paragraph 11 of the NPPF.

- 7.2.3 Subject, therefore, to other material planning considerations, such as the impact on the character of the area and neighboring residential amenities, it is considered that the proposal would be acceptable in principle and would be in line with the NPPF, and Policy CP1 of the CSDMP.
- 7.3 Impact on the character and appearance of the area**
- 7.3.1 Consistent with section 12 of the NPPF and the National Design Guide, Policy DM9 of the CSDMP promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density.
- 7.3.2 The RDG provides further guidance relating to the design of residential developments. Principle 6.6 sets out that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Proposals with plot layouts that are out of context with the surrounding character will be resisted. The supporting paragraphs advise that plots are important elements in the character of an area. Their sizes, especially the widths along a street frontage are key determinants of the rhythm of buildings and spaces along a street, how active it will be and the grain of development in an area. Principle 7.4 advises that new residential development should reflect the spacing, heights and building footprints of existing buildings.
- 7.3.3 Station Road is characterised by mainly detached dwellings with varying plot shapes and sizes. There is also a small row of terraces located to the east of the application site. In addition to this, there is a varied mix of dwellings in terms of their size, style and appearance. The dwellings to the north of the highway have a similar building line. The dwellings immediate to the east of the application site have a staggered building line, then there is a small row of terraces.
- 7.3.4 The proposal comprises of a detached dwelling to the front of the site, which would replace the existing dwelling, and two additional dwellings located to the rear of the site. Whilst back-land development can be inappropriate, this is dependent upon the existing pattern of development within the vicinity and the immediate context. Although there are no examples of a secondary tier of development elsewhere along Station Road, it is noted that to the rear (south) of the application site is a block of flats, to the east of the application site the plot sizes reduce in width and depth, and to the west is a mixture with rear gardens along Bridge Road perpendicular to the site. Given this context, two plots to the rear would not form poor relationships with the rhythm of surrounding properties and would not appear as an isolated form of development. The topography of the land, with the dwellings at the rear being notably lower than Station Road frontage, would further assist with this integration. Whilst the introduction of the plots to the rear would be some of the smallest in depth within the surrounding area, there is a mixture of the plot sizes in terms of the width and depth within the surrounding area.
- 7.3.5 Paragraph 6.16 of the RDG sets out that plot widths along the street frontage are key determinants of the rhythm of buildings and spaces along the street. The proposed access road would serve the three plots. While the existing vehicular access would be altered, it would not introduce an additional vehicular access. There would be an increase in hard standing to the front, however, visually due to the existing situation the plot width along the street scene is not considered to be significantly visually different to the current situation as to disrupt plot rhythms and would not be out of context within the surrounding area.
- 7.3.6 During the course of the application amended plans were received to reduce the number of units to the rear. This reduction in units and level of the built form has increased the spacing around the buildings. The level of spaciousness retained on the site is considered acceptable. The gaps retained to the sites boundaries are considered sufficient, and would not appear out of place for the general vicinity. The quantum of built form on the site would therefore not appear cramped or be over development.

- 7.3.7 The frontage plot would reflect the heights of other dwellings along Station Road. As the land levels decrease from north to south, the heights of the dwellings to the rear can be accommodated on site without being overly visible from Station Road. The proposed dwellings to the rear would be visible from the Hart Dene Court, however, they would be viewed within the context of the flats and neighbour at Windlecot and they would not over dominate these neighbours. As such the scale and massing of the proposal would not be obtrusive in the locality or the existing street scene.
- 7.3.8 The proposed access track would run down the western boundary adjacent to the rear gardens of Bridge Road. The access track would provide an increase separation distance from the rear boundaries and flank elevation of plot 1 compared to the existing situation. While it is noted that vehicles could be visible when driving down the access track it not considered there would be high level of vehicle movements to the resulting 2 plots to the rear of the site that would result in significantly visually harm to the character of the area when viewed from these neighbours rear gardens.
- 7.3.9 The three dwellings would be of different sizes with similar shapes and it is considered that these would respond well to their varied surrounding context. Internally, there would be an area laid to hardstanding, however this covers the space needed for turning and access only. The proposed site plan shows that planting would be provided within the site and on its boundaries to soften the built form and it is therefore recommended that a landscape scheme is secured by planning condition. The architectural design of the proposed dwellings is considered to reflect the character of surrounding properties and the finished in brick and render would be acceptable and no concerns are raised. A planning condition has been added to this recommendation requiring these details to be submitted prior to any works above slab level.
- 7.3.10 The Planning Statement outlines that the site has been cleared. As part of the application an arboricultural report has been submitted which has been reviewed by the Council's Arboricultural Officer. It is considered that while no objection is raised there appears to be limited scope for replanting within the site, but the plans indicate replanting on the road frontage. It is considered reasonable and necessary to attach a condition to require a landscaping scheme to be submitted for approval to the Council and the protection of any retained trees on site.
- 7.3.11 Noting the size of the rear plots, size of the residential gardens and the surrounding character of the area, it is considered reasonable and necessary to remove permitted development rights for householder developments (house extensions and outbuildings etc) to plots 2 and 3 only to allow the Council control over such developments at the site in the future.
- 7.3.12 In summary, it is considered that the proposal would harmonise satisfactorily into its context, in accordance with Policy DM9 of the CSDMP, and principles 6.6 and 7.4 of the RDG.

7.4 Impact on residential amenity

- 7.4.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principles 8.1 and 8.3 of the RDG advise that the new residential development should respect residential amenities of both neighbours and future occupiers in terms of privacy and light loss. Principle 8.2 goes on to say that all habitable rooms in new residential development should be provided with appropriate outlook. Principle 7.6 talks about the internal space standards, whereas Principle 8.4, 8.5 and 8.6 set out the outdoor amenity space.

Neighbouring properties

- 7.4.3 The application site is surrounded by residential properties. In terms of plot 1 (replacement dwelling to the front of the site) would be located in a similar location to the existing dwelling. The neighbour to the east Sandlewood is located on slightly higher land level. The two storey front gabled projection is located to the western elevation and therefore is a sufficient distance from the common boundary. The two storey rear elevation would be similar to this neighbour and the single storey element would not extend beyond this neighbour's rear elevation. The resulting ridge height would increase and the proposed dwelling would be of similar height to the neighbour at Sandlewood. The dwelling would be located 1.3m from the common boundary with the neighbour Sandlewood and 5m from the boundary with neighbours at Plot one and Casa Mia (Fronting Bridge Road). Compared to the existing dwelling the proposed dwelling has a reduced width to allow space for the access track to the plots to the rear. As such the proposed dwelling flank elevation is a greater distance from neighbours at Plot 1 and Casa Mia which increases the separation distance. The neighbours to the north are separated by the highway. It is considered that the proposed dwelling would not adversely impact on the amenities of the neighbouring properties in terms of appearing overbearing, nor result in an unacceptable loss of light.
- 7.4.4 Concerns have been raised over the potential noise impact that the proposed vehicular access would have on the rear gardens of the neighbours. There are two units located to the rear as such the vehicular movements on the access track would be limited. The neighbour at Plot One has green houses to the rear boundary and the neighbour at Casa Mia has a large outbuilding located on the rear boundary. Therefore, due to the existing built form on the common boundary, the limited vehicle movements, and the depth of the rear gardens, on balance the proposal would not generate a significant increase in noise levels from vehicle movements that would be detrimental to neighbouring properties.
- 7.4.5 The introduction of vehicular access and new dwellings could result in increased light pollution to neighbouring properties. As mentioned above there are two units located to the rear of the site which result in net increase of 2 on the site. This would result in limited number of comings and goings as a result it is not considered to generate unacceptable level of light pollution. However, it is considered reasonable and necessary to attach a condition requiring details of any external lighting to be installed to protected the amenities of the neighbouring properties.
- 7.4.6 In terms of the plots located to the rear of the site, Plot 3 is located to the rear of Sandlewood. The RDG sets out that back-to-back distances should be a minimum of 20m. The proposed front elevation of the dwelling is located approximately 32.3m from the rear elevation of this neighbour. The land levels also decrease such that the proposed dwellings would be located on lower land level than the neighbouring properties to the north. As such this distance would be sufficient to mitigate against overbearing and over shadowing impacts to this neighbour. While that this dwelling would be on higher than level than this neighbour, due to the distance it is not considered there would be unacceptable levels of overlooking.
- 7.4.7 Plot 2's flank two storey elevation would be located 24.9m from the neighbour at Windlecot, Bridge Road's rear elevation. As mentioned above the RDG sets out that back-to-back distances should be a minimum of 20m. For two storey rear to side relationships it may be possible to reduce the separation distance to 15m. The applicant has submitted a cross section which shows that the proposed dwelling would be at a slighter higher land level and the neighbour at Windlecot. Further they have drawn on the 25 degree vertical angle from a point 2m above the floor at this neighbour which shows this angled would not be breached. As such the distance between the two properties would be above the guidance and would be sufficient to mitigate against overbearing and over shadowing impacts to this neighbour.
- 7.4.8 Plot's 2 and 3 rear elevation would face towards the flats. Within the block of flats northern elevation facing the application site there are not any habitable windows. The proposed arrangement would not be considered to give rise to overlooking impacts.

- 7.4.9 In terms of overlooking as mentioned above the land levels slope downwards in the site. Plot 1 to the front of the site would result in similar situation to the existing. However, within the proposal are first floor windows within the flank elevation. It is considered appropriate to attach a condition to any consent requiring these windows to be obscure glazed and top level opening only to protect the privacy of these neighbours. The amenity area would be similar to the existing. It is therefore considered that plot 1 would not result in unacceptable levels of overlooking to neighbouring properties.
- 7.4.10 Plots 2 and 3 are located at the rear of the site which is on a lower land level. The neighbours to the west adjacent to the plot boundaries are on a more similar land level which is shown in the cross section. Plot 2 has the proposed attached garage located adjacent to the boundary with neighbour at Windlecot which provides additional screening. There are no windows proposed in the western flank elevation of plot 2 which would face towards this neighbour. A condition would be attached to any planning permission granted to secure details of boundary fencing. This would be considered sufficient to mitigate any unacceptable levels of overlooking to neighbouring properties.

Future occupiers of the proposed development

- 7.4.11 In considering the proposed residential amenities of the future occupiers of the new dwellings, the internal floor space would comply with the recommendation contained in the Nationally Described Space Standards. Plot 1 would have a rear garden size of approximately 195sqm, Plot 2 approximately 141sqm and Plot 3 approximately 182sqm. The proposed garden spaces would comply with the Principle 8.4 of the RDG which sets out the predominantly south facing gardens should have an area of 55sqm. All habitable rooms would be provided with adequate outlook.
- 7.4.12 Plots 2 and 3 would have similar relationship with Plot 1, as Plot 3's relationship with Sandlewood. As such this distance would be sufficient to mitigate against overbearing and overshadowing impacts to the future occupiers.
- 7.4.13 Plot 2 and 3 rear elevation would face towards the flats. As mentioned above the RDG sets out that back-to-back distances should be a minimum of 20m. For two storey rear to side relationships it may be possible to reduce the separation distance to 15m. The two storey distance would range from approximately 12.5m to 18.6m. The applicant has submitted a cross section which shows block of flats are on a lower land level than the proposed dwellings. Further they have drawn on the 25 degrees vertical angle from point 2m above the floor at this neighbour which shows this angled would not be breached. As such while at the closest point the distance is below 15m due to the land levels differences and light angles are not breached this distance would be sufficient to mitigate against overbearing and overshadowing impacts to the future occupiers.
- 7.4.14 It is therefore considered that the proposal will not adversely affect the residential amenities of adjacent properties or future occupiers in terms of overdominance, obtrusiveness, loss of light or overlooking. As such, the proposal would be in accordance with Policy DM9 of the CSDMP and the RDG.

7.5 Highway impacts

- 7.5.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.5.2 The proposed development would require 6 spaces to be provided in line with 'Vehicular and Cycle Parking Guidance (2018)', the proposal would comply with the requirements.

- 7.5.3 The proposal previously moved the vehicular access off Station Road. The County Highway Authority (CHA) has been consulted and initially expressed concerns for the proposed development regarding the existing give-way markings associated with the road narrowing on Station Road which under existing proposed conditions would continue to overlap a short section of the access. These concerns stemmed from highway safety risks which could occur in the likely event that a westbound vehicle was waiting at the give-way markings and blocking access to the development. In view of the proposed uplift in vehicular trip movements at this point, it was the CHA's view that this issue would be exacerbated by the development. However, the applicant has since submitted amended plans in order to show the site access in its original position, albeit slightly narrowed, thereby avoiding the existing conflict with the give-way markings. Therefore, CHA removed their objection.
- 7.5.4 Sufficient space will be provided within the site for vehicles to turn so they are able to enter and leave in forward gear, and this will be especially important in view of the site access proximity to the adjacent road narrowing and associated give-way markings. It is therefore considered that vehicles including deliveries would be able to access site and turn safely. Due to the location of the waste collection point within 25m of the highway the refuse vehicle would not need to access the site.
- 7.5.5 Therefore, there are no objections to the proposal on highway safety, policy or capacity grounds. The CHA has recommended planning conditions requiring modified access, construction transport management plan along with provision of electric vehicle charge sockets. The proposed off-street parking is considered sufficient for the three bedroom dwelling proposed. The Local Planning Authority is therefore satisfied that the proposal would not conflict with the aims of Policy DM11.

7.6 Ecology impacts

- 7.6.1 Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath. Where appropriate, new development will be required to contribute to the protection, management and enhancement of biodiversity.
- 7.6.2 Surrey Wildlife Trust (SWT) have reviewed the AAe Environmental Consultants report dated 28th May 2021. While there are no active badger setts within the site there are likely some nearby. It is recommended that immediately prior to the start of development works a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species. A planning condition has been added to this recommendation requiring these details. A precautionary condition will also be imposed with respect of the presence of reptiles.
- 7.6.3 It was considered by SWT that insufficient information has been provided to conclude the likely absence of roosting bats. Further information was submitted and on review SWT are satisfied with the justification provided with regard to the bats. It is therefore considered that the protected species have been given due regard and no objection is raised. The Trust also goes on to say that the applicant should ensure that the proposed development will result in no net increase in external artificial lighting at primary bat foraging and commuting routes across the development site.
- 7.6.4 The SWT has requested that biodiversity net gain is achieved on the site. However, the biodiversity net gain provisions of the Environment Act 2021 have not yet come into force, as secondary legislation has not yet been made. Given therefore that the 10% is not yet planning policy, it is not considered reasonable to enforce. Policy CP14A requires enhancement of biodiversity, The proposed development would offer opportunities to restore or enhance biodiversity and such measures will assist the LPA in meeting the above obligation and will also help offset any localised harm to biodiversity caused by the development process. Consistent with SWT advice, a condition can therefore be imposed

to secure this. Details of biodiversity enhancements are set out in 'Conclusions and Recommendations' section of the above mentioned report including landscape planting of known benefit to wildlife, fencing with gaps to allow animals to pass underneath and provision of bat and bird boxes. A scheme of ecological enhancements can be secured via a condition which would be reasonable and necessary in the event that permission is granted.

7.7 Impact on Thames Basin Heaths SPA

- 7.7.1 Policy CP14B of the CSDMP 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 Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.
- 7.7.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy (TBHSPAAS) SPD (2019) identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a financial contribution towards SANGS.
- 7.7.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.7.4 Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).
- 7.7.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £1,261.85 which has been paid by the applicant.

7.8 Other matters

- 7.8.1 As the proposed development would involve the provision of an additional residential unit the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m², for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal. It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.
- 7.8.2 Policy DM10 states that development proposal should at least be risk neutral. Flood resilient and resistant design, as well appropriate mitigation and adaption can be implemented so that the level of flood risk is reduced to acceptable levels. The application site is situated within Flood Zone 1 where residential use is considered to be appropriate. The Planning Statement advise that the neighbour to the west is partly within the flood zone 2 and the neighbours to the south are within flood zone 2 and 3, the application site is elevated above this. It is considered necessary that detailed drainage strategy should be

developed following the grant of planning permission and this can be achieved to ensure the requirements of Policy DM10 of the CSDMP are met. A planning condition has been added to this recommendation requiring the provision of this strategy prior to commencing works on site.

- 7.8.3 Policy CP2 of the CSDMP indicates that development will be required to provide measurements to improve energy efficiencies and sustainability. The Design and Access Statement sets out the energy conservation to support the application. The measures include thermal requirements, at least 75% internal light fitting will be energy efficient, water efficiency measurements, water butts will be installed and pre-installed appliances will be A or A+ rated for energy efficiency. It is considered necessary to secure these details through a condition.
- 7.8.4 The Council's Joint Waste Solutions have confirmed that there is maximum pulling distance from the presentation of collection point of 25m for two wheeled bins. The proposed waste collection point is located 25m from the highway and therefore meets this requirement and no objection is raised.

8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY

- 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 1 or more of the following:
- a) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.
 - b) Have negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development
- 8.2 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 It is not considered that the proposed development would result in an adverse impact on the character and appearance of the host dwelling or local area, on the amenities of the adjoining residents, or on highway safety, subject to the recommended conditions. Therefore, the proposal complies with the CSDMP, the RDG and the NPPF.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within one year of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

21.002.E(PA) 021 Rev PA2 Received 06.04.2022
21.002.E(PA) 022 Rev PA1 Received 27.10.2021
21.002.E(PA) 023 Rev PA2 Received 06.04.2022
21.002.E(PA) 024 Rev PA2 Received 06.04.2022
21.002.L(PA) 001 Rev PA1 Received 27.10.2021
21.002.L(PA) 010 Rev PA3 Received 06.04.2022
21.002.L(PA) 011 Rev PA3 Received 06.04.2022
21.002.L(PA) 015 Rev PA1 Received 27.10.2021
21.002.L(PA) 016 Rev PA2 Received 06.04.2022
21.002.L(PA) 017 Rev PA2 Received 06.04.2022
21.002.S(PA) 030 Rev PA2 Received 06.04.2022

unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

Reason: In the interests of visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period.

All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years following the completion of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. No foundations or ground floor slabs shall be constructed on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) have been submitted to and approved by the Local Planning Authority in writing. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The protection of any retained tree and any other protection specified shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site.
- Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, the protective fencing as proposed and shall be retained intact, for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
 - Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
 - All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
 - Prior to first occupation, details of the satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction (where working within RPA is shown) shall be submitted to and approved in writing by the Local Planning Authority.
 - No development or other operations shall take place except in complete accordance with the approved tree protection scheme and Arboricultural Method Statement (Ref:

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area and to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. Before the first occupation of the development hereby approved all first floor windows in the side elevation of plot 1, as well as first floor windows in the eastern elevation of plot 2 facing plot 3, as well as first floor windows in the western elevation of plot 3 facing plot 2, shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations without the prior approval in writing of the Local Planning Authority.

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

8. No part of the development shall be first occupied unless and until the proposed modified vehicular access to Station Road has been constructed and provided with visibility zones in accordance with Drawing Number 21.002.L(PA)011 REV PA2 and thereafter the visibility zones shall be kept permanently clear of any obstruction over 600mm high.

Reason: In order that development does not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and National Planning Policy Framework

9. Prior to the occupation of the development hereby approved, a scheme of ecological enhancements shall be submitted to and approved by the Local Planning Authority to ensure an overall net gain in biodiversity will be achieved. The scheme will include all the details set out in the conclusions and recommendations AA Environmental Limited (AAe). The development shall be implemented in accordance with the approved details.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

10. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) measures to prevent the deposit of materials on the highway has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason: In order that development does not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and National Planning Policy Framework

11. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority

Reason: In order that development does not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and National Planning Policy Framework

12. Relating to Plots 2 and 3 only - Notwithstanding the provisions of Schedule 2 Part 1 Class A, Class B and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no further extensions or outbuildings shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved coming into first use.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement or other alterations to the development in the interests of visual and residential amenity and to accord with Policy of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. No development shall take until immediately prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts. If any badger activity is detected a suitable course of action shall be submitted to and approved in writing by the LPA to prevent harm to this species.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

14. Prior to commencement of the development no external lighting shall be installed on the site without the Sensitive Lighting Management Plan having first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained on site.

Reason: In the interests of the amenities of neighbours. To preserve and enhance biodiversity in accordance with Policy DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

15. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for the parking of vehicles and cycles and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason: In order that development does not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and National Planning Policy Framework

16. Any closed boarded fencing erected on the site shall include holes in the case of with a minimum of 20cm x 20cm to allow badger and other mammals to move freely through the site. These shall be retained and maintained for their designated purpose in perpetuity or if necessary replaced with similar boxes/tubes.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

17. Prior to commencement of the development a reptile precautionary method of working shall be developed and submitted to and approved in writing by the LPA. Precautionary working methods should follow best ecological practice. Should any reptiles be discovered during construction, works should cease in this area and a suitably experienced ecologist contacted. Works will need to proceed in line with the advice provided.

Reason: To preserve and enhance biodiversity in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

Informative(s)

1. 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, however, there is a charge for this service.
2. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.

3. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
5. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
9. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Further information on how this was done can be obtained from the officer's report.
10. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
11. Construction activities on site have regard to the potential presence of terrestrial mammals to ensure that these species do not become trapped in trenches, culverts or pipes. All trenches left open overnight should include a means of escape for any animals that may fall in. If badger activity is detected, works should cease and advice from a suitably experienced ecologist sought to prevent harm to this species.