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| <b>LOCATION:</b>  | Solstrand, Station Road, Bagshot, Surrey, GU19 5AS,  |
| <b>PROPOSAL:</b>  | 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. |
| <b>TYPE:</b>      | Full Planning Application  |
| <b>APPLICANT:</b> | Mr Arran Atkinson  |
| <b>OFFICER:</b>   | 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.

This application was deferred from the 4<sup>th</sup> August 2022 Planning Applications Committee to enable a full drainage strategy to be provided. This was the only outstanding matter, with all other matters considered to be acceptable by Members.

**UPDATE:**

**RECOMMENDATION: GRANT, subject to conditions**

**Background**

- (i) Following an officer deferral from the 9<sup>th</sup> June Planning Applications Committee, this application was reported back to the Committee on 4<sup>th</sup> August 2022 with an officer recommendation for approval. The recommendation was voted upon and lost. However, Members could not provide defensible reasons for refusing the application and so the application was deferred solely on drainage grounds. This is explained by the Minutes, extract below:

*Following discussion about reasons for refusal and questions raised in relation to the proposed development, Members indicated a preference for refusing the planning application based on character and design, highways, amenity impact along with drainage. However, the Committee was referred to the report and advice received from consultees to the planning application in relation to each area identified for refusal. Furthermore, it was advised that all of the reasons given were not defensible at appeal and therefore were not considered as reason for refusal for the planning application. Although, the drainage element of the application was conditioned, Members requested upfront information to satisfy this concern. It was therefore agreed that the application would be deferred only on this element of the application and would be reported back to the Committee once details were worked up in full on a drainage strategy for the site. Once this drainage strategy had been completed, the application would be reported back to the Committee for consideration of this outstanding matter only.*

- (ii) A detailed drainage strategy has now been received (see paragraphs (iv) onwards for details of this strategy). A 14 day re-consultation period has been undertaken on this strategy with neighbour notification letters sent out on 19<sup>th</sup> October 2022. Any additional letters of representation received (beyond those already report in the original report) will be reported as an update.
- (iii) The applicant has engaged with the Council's Drainage Engineer to design an agreeable solution. The Council's Drainage Engineer supports the drainage strategy, subject to conditions. He also seeks off-site improvement works (see paragraphs xvii – xxi below for further consideration).

### Drainage Strategy

- (iv) The applicant has provided the following additional drainage information:
- Surface Water Drainage Strategy and Maintenance Plan
  - Drainage layout (Drawing 22391-GAP-XX-00-DR-C- 9000 Rev P06)
  - External works layout (Drawing 22391-GAP-XX-00-DR-C- 9100 Rev P04 and 22391-GAP-XX-00-DR-C- 9101 Rev P04)
- (v) The drainage submission includes technical details of the proposed surface and foul water drainage strategy, set out in the above documents.
- (vi) The surface water drainage strategy is to discharge water from all areas into the existing Thames Water surface water sewer located to the front of the site within the highway of Station Road. This will be via an attenuated discharge at a rate of 5.0l/s, subject to agreement by Thames Water.
- (vii) Surface water drainage from Plot 1 will fall under gravity with flow controlled using a hydrobrake. Excess surface water will be stored using an overside pipework and manhole chambers located to the front of plot 1. Surface water from plots 2 and 3 will be pumped up to the mixing chamber after the plot 1 hydrobrake. Excess surface water for plots 2 and 3 will be provided by the permeable sub-base within the turning head and surface water pumping chamber itself. This pumping chamber is located under the turning head.
- (viii) The strategy layout has been designed to accommodate a 1 in 100 year (+40% climate change) storm events below ground. For events greater than this the proposal has been designed to allow for excess surface water to flood from the channel drain at the top of the access road. From there the surface water will flow down the access road to the lower part of the site over the turning head outside plot 2 where it would then drain into the water pump (located under the turning head). For events of 1 in 200 years (+70% climate change) the turning head would flood by 25mm.
- (ix) In the event of surface water pump failure, excess surface water would first be stored within the pump chambers and permeable sub-base within the turning head. If capacity was exceeded, then surface water would be collected above ground within the turning head to a maximum depth of 50mm. After this depth water will spill over a weir kerb placed between plots 2 and 3 and follow an overland route towards the southern eastern corner of the site. This shown by the larger blue arrows on the drainage layout plan (see off-site works below for further information). To prevent flooding from the Thames Water mains affecting the site; excess surface water will flood from the mixing chamber at the site entrance. From there water will flow above ground westwards

along Station Road. A non-return valve will be placed on the incoming main from the flow control chamber, to prevent water backing up into the private drainage.

- (x) The external works layout plan (9001 P04) shows the different materials of the hard standing including the following:
- Access road – light duty tarmac
  - Driveways – block paving
  - Footpaths around the dwellings - Paving
- (xi) For foul water drainage, plot 1 would reuse the existing connection. For plot 2 and 3 a foul pump chamber will be placed within the turning head to lift foul water into the existing off-site connection. The strategy explains that the pump chamber will be designed to accommodate sufficient foul water storage from the 2 properties for a minimum period of 24 hours, should the event of a power, or mechanical, failure to the pumps.

*Maintenance:*

- (xii) The maintenance of the surface water drainage infrastructure would be undertaken by a specialist maintenance company, overseen and organised by a managing agent. The managing agent will also be responsible to maintain the foul drainage network and the estate roads on site.
- (xiii) The conventional piped network and attenuation devices have been designed to facilitate access for regular inspection and maintenance in accordance with Building Regulations and Sewer Sector Guidance. All maintenance operations are to be carried out in accordance with the manufacturer's recommendations. Intervals will not exceed 12 months. Inspections will be the responsibility of the managing agent to organise.
- (xiv) Further safeguards are proposed for residents. This includes each pump having a separate electricity supply and meter independent from individual supplies for each plot. The future occupiers will be provided with 24hr contact details to enable direct contact with the specialist pump maintenance company should the managing agent be contactable. In the event of the failure of the pump a warning system will be provided to alert occupiers or management company.
- (xv) The drainage scheme will be installed and operational before occupation of the dwellings and this can be secured by condition.

*Summary:*

- (xvi) In the officer's opinion the drainage strategy would comply with the NPPF and PPG which states the requirements to comply with 1 in 100 year event (plus climate change). The proposal has been designed by accounting for surface water flooding likely to occur with a 1% annual probability (1 in 100 year event) and takes account of a 40% increase with climate change. The modelling has gone beyond this and has also been designed to take into account a simulated event of 1 in 200 years, plus 70% climate change i.e. beyond the national policy requirements. In this scenario the turning head would only flood by 25mm. As such, in the officer's opinion the drainage strategy is robust and is supported by the Council's Drainage Engineer.

## Off-site infrastructure works

- (xvii) Beyond the on-site strategy, the Drainage Engineer has also considered a worst-case scenario in the event that excess surface water from the site from excess rainfall went above these threshold limits. This also includes the worst-case scenario of a failure to the power of the pump and backup. With such an extreme event, the off-site discharge from excess rainfall could potentially cause a greater increase in the volume and speed of the surface water run-off and exacerbate flooding off-site, however, this cannot be quantified. This could impact upon neighbouring land to the south of the site, namely Hartdene Court, and could impact upon the capacity of an existing culvert and the downstream catchment. Currently this basin area has limited capacity and restricted outlet. However, as outlined above in paragraph (xvi) the drainage scheme has been designed above and beyond the national policy requirements.
- (xviii) However, such a scenario must also be considered within the context of pre-existing flooding. Hartdene Court already experiences surface water flooding, being partly located within flood zones 2 and 3. Moreover, in such an extreme event, flooding would be wider and could not be said to be attributed solely to the additional run-off from the application site, when this is only a minor development being for a net increase of two dwellings.
- (xix) The Drainage Engineer's view is that any additional hardstanding from the status quo ought to be mitigated for off-site but he accepts that this is a highly precautionary approach. To secure this he has requested a financial contribution of £6,000 for SHBC to undertake flood improvement works. These works would improve the flow of water by diverting exceedance flows south of the site to an existing culvert and would upgrade the connection discharge, including enlarged pipework downstream i.e. beneath Wardle Close.
- (xx) Planning obligations must only be used when they meet three tests: Necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind of the development. In the officer's opinion the drainage engineer's request would not pass these tests. Firstly, this is because for the reasons explained above a pragmatic approach ought to be taken. This obligation would be unduly onerous upon the applicant when the on-site drainage strategy complies with national and local policy. Secondly, the drainage engineer failed to fully cost or explain how the money would be spent and this imprecision is unreasonable. Thirdly, this would be part of wider flooding improvements that the engineer wishes to make and the harm cannot be attributed solely to this development. Fourthly, there is uncertainty as to the third-party land affected by these works and the agreement of these third parties including County Highways, Network Rail and potentially private landowners.
- (xxi) Officers' explored whether a Grampian condition (i.e a negatively worded condition that precludes any development on site until these off-site works have been completed) could be used as an alternative. However, for similar reasons as outlined in paragraph (xx) the Grampian condition would not meet the test for imposing a condition. As such, neither approach would meet the tests.

## Other matters

- (xxii) At the 4<sup>th</sup> August committee, it was agreed that a condition preventing the conversion of the garage at Plot 2 to accommodation should be added to the application. Condition 20 is therefore recommended.

(xxiii) Concerns were also previously raised about icing of Bridge Road. However, the Council's Drainage Engineer has confirmed that this development would have no impact upon this existing issue and so is completely unrelated to this scheme.

### AMENDED RECOMMENDATION

Subject to amendments to condition 2 to update the drawing numbers; amendments to drainage conditions 18 and 19 to include the agreed drainage strategy; and additional condition 20 to prevent conversion of the garage the application is recommended for approval. An additional informative will also be added to outlined to the applicant what information is expected to be submitted for the approval of condition 19. For completeness, reference should be made to all the conditions listed at the end of the original report that follows this update.

#### Amended condition 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  
SD20569-01-A Received: 20.07.2022  
Surface Water Drainage Strategy and Maintenance Plan Received: 18.10.2022  
22391-GAP-XX-00-DR-C- 9000 Rev P06 Received: 18.10.2022  
22391-GAP-XX-00-DR-C- 9100 Rev P04 Received: 18.10.2022  
22391-GAP-XX-00-DR-C- 9101 Rev P04 Received: 18.10.2022

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.

#### Amendments to condition 18

The development hereby permitted drainage scheme shall be carried out and maintained in accordance with approved details:

- Surface Water Drainage Strategy and Maintenance Plan
- Drainage layout (Drawing 22391-GAP-XX-00-DR-C- 9000 Rev P06)
- External works layout (Drawing 22391-GAP-XX-00-DR-C- 9100 Rev P04 and 22391-GAP-XX-00-DR-C- 9101 Rev P04)

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

### Amendments to condition 19

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

### Additional condition 20

The plot 2 garage hereby permitted shall be retained for such purpose only and shall not be converted into living accommodation without further planning permission from the Local Planning Authority.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

### Additional informative 12

It is drawn to the applicant attention that for the submission of approval of condition 19 the below details are required to be submitted;

- Maintenance obligations for pumped foul drainage systems to include the full operational restoration of foul drainage pumps, or to have an alternative provision in place, within 24 hours, to ensure property drainage is not affected and surface water provisions are not contaminated by surcharge.
- Maintenance obligations for pumped surface water drainage to include the full operational restoration of surface water drainage pumps, or to have an alternative provision in place, within 12 hours, to provide a sufficient drain down time of surface water attenuation systems.

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## **FIRST COMMITTEE UPDATE PROVIDED TO THE PLANNING APPLICATION -**

### **UPDATE**

#### **RECOMMENDATION: GRANT, subject to conditions**

- (i) This application was deferred from Planning Applications Committee on 9<sup>th</sup> June before it was presented to Committee Members. It was deferred because officers deemed that insufficient information had been provided in relation to the drainage of

the site. Whilst the site is located outside of flood zones 2 (medium risk) and 3 (high risk) it is in close proximity to these flood zones to the south and west. Furthermore, given that the land levels significantly alter on the site, and given the increase in hardstanding, it was considered vital to obtain drainage details upfront, in the interests of neighbouring properties.

- (ii) The applicant has provided the following additional drainage information:
- Surface water design calculations
  - Surface water drainage strategy and maintenance
  - Drainage Strategy (Drawing 9000 P02)
  - External works layout plan (Drawing 9001 P02)
  - Topographical Survey (SD20569-01A)
- (iii) The drainage submission includes technical details of the proposed surface and foul water drainage strategy. The surface water drainage strategy is to discharge water from all areas into the existing Thames Water surface water sewer. This will be via an attenuated discharge with the use of an attenuation tank to the north east corner of the site adjacent to the highway, subject to agreement by Thames Water. Surface water at the lower end of the site for plots 2 and 3 will be pumped up to higher part of the site. Storage for the excess surface water at the lower end of the site will be provided by a permeable sub-base within the turning head.
- (iv) Maintenance of the systems would require inspection chambers, silt traps, and or rodding eyes to allow surface water drains to be jetted and cleared. The attenuation tank will contain a row of Wavin Aquacell Core units, along the base, which will allow the tank to be cleaned from end to end. The network will be maintained by the management company for the development.
- (v) The external works layout plan (9001 P02) shows the different materials of the hard standing including the following:
- Access road – light duty tarmac
  - Driveways – block paving
  - Footpaths around the dwellings - Paving
- (vi) The additional information has been reviewed by the Council's Drainage Engineer. Overall, the Drainage Engineer concludes that the drainage proposal does appear to be workable but this would require full details and assessment. On this basis, a pre-commencement condition has been imposed (see Condition 18 and 19 below).
- (vii) In particular, the Drainage Engineer raises the following points (where applicable, further updates on these points will be provided at the meeting):
- The site will require two private pumping stations due to the elevation differences across the site;
  - Finished Floor Level (FFL) of Plot 3 requires clarification (59.9m appears to be incorrect, indicating over 1m above surrounding ground and adjacent to Plot 2 FFL (58.8));
  - Details of highway access will be required to demonstrate that the surface water from the highway is unable to enter the site;
  - Further clarification of hard surfaces will be required;
  - If the pump system should fail the design of the hard surfaces will be required to compensate the risk.
- (viii) A revised consultation period has been carried out with neighbour notification letters sent out 7<sup>th</sup> July 2022

(ix) One additional objection has been received in addition to those reported at section 6 of the original report:

- Further concerns over the removal of trees, drainage and sewage – *[Officer comments: Additional information has been submitted and is consider sufficient that a condition can be attached if planning permission is granted]*
- Section 5.3 Officers Committee Report “Surrey Heath Wildlife Trust required demonstration of biodiversity net gain”. This has not been demonstrated. *[Officer comments: Section 7.6 of Committee report address this]*
- Section 7.3 Officers Committee Report “Impact on the character and appearance of the areas” Over development and appropriateness *[Officer comments: Section 7.3 of Committee report address impact on the character of the area]*
- Parking concerns lack of visitors parking spaces *[Officer comments: Section 7.5.2 of the Committee report address the proposal meets the required parking standards and therefore in officer view no objection can be raised].*
- Light – *[Officer comments Section 7.4.6 address the impact of Plot 3 on neighbour at Sandlwood]*
- Fails Surrey Heath Residential Design Guide (RDG) – *[Officer comments: The report outlines why the proposal complies with the RDG particularly section 7.3 and 7.4]*
- Shred spaces: Principle 6.3 of the RDG - Long stretches of surface with no refuge areas for vulnerable road users should be avoided. *[Officer comments supporting text in the RDG paragraph 6.9 Shared spaces are streets and areas of public realm in which all uses have equal status. They involve the introduction of features which influence driver behaviour to reduce vehicle speeds and create places that encourage a high level of social interaction between residents. They work best in short residential streets such as mews, cul de sacs and rural lanes. As such the proposal is an access road to service 2 additional dwellings and therefore consider acceptable.]*
- Objection that plot 1’s permitted development have not been removed. *[Officer comments: Due to plot 1 being replacement dwelling and is of similar size of the existing it is not consider reasonable to removed permitted development from this plot.]*

(x) In conclusion, subject to the additional conditions 18 and 19 below and amendments to condition 2 (i.e. to update the drawings to include the drainage information), the application is recommended for approval as per the original recommendation.

#### Amended condition 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  
9000 P02 Received: 20.07.2022  
9100 P01 Received: 20.07.2022  
SD20569-01-A Received: 20.07.2022

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.

#### New condition 18

The development hereby permitted shall not commence until full details of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Detailed design drawings indicating the location of all new or affected drainage systems. Drawings to include annotations for all drainage assets, pipe diameters, surface and invert levels. Representative cross-sections required to show profile along access road and across porous construction areas.

b) Details of how drainage systems will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

c) Details of the drainage management responsibilities and maintenance regimes for all drainage systems. Details to outline responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). Location details of pump controls required. Pump system to maintain an external visual indicator of pump or power failure. All future responsibilities to be clearly detailed for any associated surface water assets and drainage systems, including the retention of any porous surfaces or sub-base construction.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

#### New condition 19

The development hereby permitted shall not commence until full details of a foul water drainage scheme have been submitted to and approved in writing by the planning authority. This shall include:

- Details of the foul drainage management responsibilities and maintenance regimes for all shared drainage systems required;
- Details to outline the responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing).

- All future responsibilities to be clearly detailed with a process to follow in the event of pump failure. The location details of pump controls shall be provided and a pump system to maintain an external visual indicator of pump or power failure.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

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## **ORIGINAL COMMITTEE REPORT PROVIDED TO THE PLANNING APPLICATIONS COMMITTEE AGENDA ON 9TH AUGUST - DEFERRED**

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.

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| 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 8<sup>th</sup> 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 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 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 sits 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 28<sup>th</sup> 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 m<sup>2</sup>, 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  
9000 P02 Received: 20.07.2022  
9100 P01 Received: 20.07.2022  
SD20569-01-A Received: 20.07.2022

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.
- o 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.
  - o 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.
  - o 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.
  - o 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.
  - o 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 DM9 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.

18. The development hereby permitted shall not commence until full details of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Detailed design drawings indicating the location of all new or affected drainage systems. Drawings to include annotations for all drainage assets, pipe diameters, surface and invert levels. Representative cross-sections required to show profile along access road and across porous construction areas.



b) Details of how drainage systems will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

c) Details of the drainage management responsibilities and maintenance regimes for all drainage systems. Details to outline responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). Location details of pump controls required. Pump system to maintain an external visual indicator of pump or power failure. All future responsibilities to be clearly detailed for any associated surface water assets and drainage systems, including the retention of any porous surfaces or sub-base construction.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

19. The development hereby permitted shall not commence until full details of a foul water drainage scheme have been submitted to and approved in writing by the planning authority.

Details of the foul drainage management responsibilities and maintenance regimes for all shared drainage systems required. Details to outline the responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). All future responsibilities to be clearly detailed with a process to follow in the event of pump failure. Location details of pump controls to be provided. Pump system to maintain an external visual indicator of pump or power failure.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

### **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](http://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.