

<b>LOCATION:</b>	Lawrence Lodge, Old Dean Road, Camberley, Surrey, GU15 4JY,
<b>PROPOSAL:</b>	Demolition of existing flat blocks and construction of 20no. total dwellings, including 13no. apartments and 7no. houses with associated parking, amenity space and landscaping
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Alex Rivers
<b>OFFICER:</b>	Duncan Carty

This application was reported to the 1 June 2023 Planning Applications Committee because the proposal is a major development (i.e., providing over 10 dwellings).

This application is being reported back to Committee because of a proposed change to planning condition 1 to extend the time limit to commence the development from 1 year to 3 years.

**RECOMMENDATION: GRANT, subject to conditions and a legal agreement**

#### UPDATE

- (i) This application was reported to the Planning Applications Committee on 1 June 2023 and this committee resolved to grant planning permission subject to the completion of a legal agreement and updated planning conditions (see Annex C).
- (ii) Condition 1 was imposed with the development to commence within one year of the date of the permission. This implementation period is shorter than the standard period of three years but was imposed in accordance with the agreement at the Executive in July 2019 and as stated within the Surrey Heath SANG Allocation Criteria, February 2020. This measure was introduced to ensure that valuable SANG capacity would not be tied up for long periods by unimplemented consents. Furthermore, the supply of SANG capacity is particularly limited within the west part of the Borough. Due to concerns raised by applicants as to the challenges of a one year permission, the 2020 criteria allows discretion to be applied to development proposals in excess of 50 dwellings, taking into account site specific circumstances.
- (iii) Since the Committee resolution, the applicant has approached the Council with a request to extend the time limit to commence the development from one to three years. This request is related to the need to keep the site available for 18 months for hostel accommodation for the homeless, assisting the Council with this function, and to allow time to move the homeless to new accommodation to be provided elsewhere in the Borough at that time.
- (iv) In support of this request the Council's Housing Services Manager has stated:

*"The Lawrence Lodge site currently consists of 32 units of temporary accommodation for homeless households.*

*The Council has exclusive use of this accommodation in order to discharge its homeless accommodation duties under the Housing Act 1996, Part VII (as amended).*

*Recently the Council contributed to capital works at Lawrence Lodge to bring it up to current fire safety standards. This was assessed as the most cost effective option of managing an increase in homelessness. The alternative would have been to be using more expensive bed and breakfast and hotel accommodation, mostly out of the Borough.*

*The condition of the Council's contribution was that the accommodation remains available for at least 18 months*

*As part of the process of decommissioning Lawrence Lodge, the Council and Accent are undertaking a project to look at alternative temporary accommodation provision.*

*The project will use available tools to look at current and future demand, the types of accommodation needed, how the accommodation can be provided, land availability and funding streams.*

*The project is likely to take four months and, depending on the model or models of new provision identified, there will be a lead in period while new schemes are scoped and delivered.*

*Linked with this is the fact that the Council needs temporary accommodation as there are insufficient homes to meet demand from homeless households and therefore a period will be needed to allow current homeless households to be decanted from Lawrence Lodge. Ideally this would be to a settled home however if there is no availability it will be to other temporary accommodation. The early decommissioning of Lawrence Lodge would inevitably lead to increased costs due to the use of Bed and Breakfast.”*

- (v) Whilst this proposed development is for 20 units, hence below the threshold stated within the 2020 criteria, these are unusual and exceptional circumstances. Permitting this change to a 3 year implementation period would meet a clearly current and ongoing social objective. A social objective is in line with the NPPF's sustainable development objectives. In this case, this need is of material weight that outweighs the SANG capacity limitations and in the officer's opinion should be supported. It is therefore recommended that condition 1 be varied.

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**The original officer report follows with the amended Condition 1, as now proposed, and the amended conditions from the original update provided for the Committee on 1 June 2023.**

This application has been reported to the Planning Applications Committee because it relates to major development (providing over 10 dwellings).

**RECOMMENDATION: GRANT, subject to a legal agreement and conditions**

## **1.0 SUMMARY**

- 1.1 This planning application relates to the redevelopment of the site to provide 20 dwellings, including 13 flats and 7 houses. The development would be constructed at Lawrence Lodge, a home providing temporary accommodation for the homeless, within the settlement of Camberley.
- 1.2 The application proposal is considered to be acceptable in terms of its impact on local character, residential amenity, highway safety, ecology, and flood risk/drainage.

- 1.3 The current proposal is to be provided as 100% affordable housing. A legal agreement would be required to secure contributions towards mitigation for impacts on the Thames Basin Heaths Special Protection Area and secure affordable housing.
- 1.4 Subject to this provision, the proposal is recommended for approval.

## 2.0 SITE DESCRIPTION

- 2.1 The application site is at the cul-de-sac south end of Old Dean Road in the settlement of Camberley. The existing two storey development on the site was built in the 1980's as a home for the homeless and is currently partly used. The existing building is one principal building, linked at first floor (with undercroft vehicular accesses) with a small detached building close to the north side of this principal building. The accommodation includes 27 no bedsits and 3 no two bedroom flats, but with shared facilities (bathrooms/kitchens). The site is heavily developed with small grassed areas around the buildings providing some shared private amenity space. Boundary fences around the site are principally chain link or palisade types which allow views through between the site and its surrounds.
- 2.2 The 0.36 hectare site is located beyond a play area which fronts onto Barossa Road. On the opposite side from the play area is Bluebell Mews a two storey development of flats. Nos. 26 and 28 Old Dean Road lie to the rear of these dwellings and face the application site. Nos. 2 and 4 Upland Road lie to the north west corner. Allotment gardens lie to the east and south of the application site. The site lies within the Post War Open Estate Character Area as defined within the Western Urban Area Character SPD 2012.

## 3.0 RELEVANT HISTORY

- 3.1 85/0637 Demolition of four semi-detached houses and erection of three two-storey blocks to provide temporary accommodation for single parent families and homeless families with associated parking and service provision.  
*Approved in April 1994 and implemented.*

## 4.0 THE PROPOSAL

- 4.1 The current proposal relates to the erection of 20 dwellings as a redevelopment of the existing site. The proposal includes 13 flats (including 4 no two bedroom and 9 no one bedroom flats) within a two storey building with accommodation in the roof and 7 no houses (comprising 1 no four bedroom, 4 no three bedroom and 2 no two bedroom houses). The current proposal is laid out such that the flatted block is to the west flank, orientated so that the rear wall faces the play space, with parking provided to the front and side of this block, with houses arranged to the south and east facing into a parking court in front. Landscaping is to be provided to break up the parking court with landscaped features including soft landscaping facing the end of the cul-de-sac (acting as an end stop) and sitting out areas to the front of the flats, close to the main entrance, and between the houses.
- 4.2 The flatted block would be T-shaped in plan and would measure about 30 metres in width and ranging between 12 and 22 metres in depth, with a ridge height of 10 metres. The houses would measure 7.8 metres in ridge height and with depths of about 11.5 metres and have a general width of about 5 metres each. The flat and houses would be provided with accommodation which exceeds the minimum house sizes set out in the National Minimum Housing Standards. The current proposal is to be provided as 100% affordable housing, split into 13 units (65%) for social rent (flats) and 7 units (35%) shared ownership (houses).

- 4.3 The proposed development would be provided with traditional design having gable roofs over the buildings. The flats would have flat roofed dormers set into the roofslopes and recessed balconies to the rear of this block (facing the play space). The flats would have patterned brickwork under some of the windows and horizontal banding at ground floor level. The dormers would be clad with a similar material for the flat roof storm porches for the door entrances to the building. The proposed houses, except for one detached house, are arranged as pairs of semi-detached dwellings with ridged roofs over and parapets to define the side edge of the roofs and the central boundary between these dwellings, as well as accommodating the drop in levels between these dwellings.
- 4.4 A total of 25 car parking spaces would be provided across the site. Electric charging points have been indicated on the site plan to be provided at the rate of one per dwelling. Private garden areas for the dwellings would be between 61 and 181 square metres in area, each to a minimum depth of 8.8 metres. The private amenity for the flats would be between 4 and 5.4 metres in depth. Balconies would be provided for all of the upper floor flats. Photovoltaic panels are proposed to south facing roofs on the flat building and dwellings.
- 4.5 This planning application has been supported by the following:
- Planning Statement;
  - Transport and Travel Plan Statements;
  - Ecological Assessment;
  - Arboricultural Impact Assessment;
  - Energy Strategy Report; and
  - Drainage Strategy Report.

The officer report below makes references to these documents, where applicable.

## 5.0 CONSULTATION RESPONSES

- |     |                            |   |
|-----|----------------------------|---|
| 5.1 | County Highway Authority   | No objections, subject to conditions for access arrangements, construction management, electric charging and travel information pack [ <i>These comments are added at Annex A</i> ].  |
| 5.2 | Local Lead Flood Authority | No objections, subject to conditions regarding the agreement of drainage design details and verification.   |
| 5.3 | Housing Services Manager   | Housing have requested that the proposal provides 100% social rented affordable housing for this development.<br><br>[ <i>Officer comment: The proposal would provide 65% social rented and 35% shared ownership affordable housing which would comply with policy. It is therefore not considered that 100% social rented housing can be applied for this development and it has been confirmed by the applicant that this split is for viability reasons</i> ]. |
| 5.4 | Scientific Officer         | No objections subject to conditions on land contamination, air quality and demolition and a construction environment management plan.   |
| 5.5 | Arboricultural Officer     | An objection is raised to the loss of trees and reduction in tree canopy cover [ <i>These comments are added at Annex B</i> ].  |
| 5.6 | Surrey Wildlife Trust      | No objections.  |
| 5.7 | Joint Waste Solutions      | No objections.  |

## 6.0 REPRESENTATIONS

- 6.1 There were 32 notification letters were sent on 6 December 2022 and a notice was published in the local paper on 14 December 2022. No representations have been received in support and 12 representations received (from 5 addresses), including one from the Barossa Allotment Committee, raising an objection to the proposal on the following grounds:
- 6.2 Character and trees [See section 7.3 ]
- Impact on trees – root protection areas need to be protected
  - Loss of mature trees (12)
- 6.3 Residential amenity [See section 7.4]
- Minimise noise disturbance during construction
  - Increase in pollution (noise, dust)
  - Disruption and noise impact during construction
  - Loss of privacy
  - Proximity to site boundaries (closer than existing)
  - Impact of bike shed
  - Ensure retention of trees to protect privacy
  - Noise nuisance
  - Noise disturbance from sitting out garden area (for flats)
  - Construction undertaken during reasonable hours
  - Close to adjoining properties
- 6.4 Highway safety [See section 7.5]
- Increase in traffic
  - Inadequate parking provision (two spaces needed per property to prevent overspill into local streets)
  - Inadequate access
  - Loss of parking
  - Impact on congestion on local roads
  - Construction traffic to avoid Barossa Road
  - Traffic impact during construction
  - Difficulties in access from new hedge planting
  - Impact on refuse collections
  - Loss of on-street parking in front of properties and impact on deliveries to such properties [*Officer comment: Pedestrian access to these properties is to be provided – which are the same access arrangements. There are no existing parking for these properties who rely on on-street parking in the vicinity of this site*]
- 6.5 Other matters
- Potential for contaminated surface water infiltrating allotment site [See section 7.9.3]
  - Potential for contamination e.g. dust of allotment site (which provides food/crops) and fence and better screened/shielded during construction [See section 7.9.3. In addition, a Construction Environment Management Plan, to be provided by condition, would provide such details]
  - Security of allotment site – secure fencing needs to be retained or replaced (at the same height) [*Officer comment: This is a private matter. However, it is expected that fencing will be provided, by condition, to secure private amenity spaces*]
  - Retaining walls may be needed where there are proposed changes in level at site boundaries [*Officer comment: This is noted. However, it is expected that fencing will be provided, by condition*]

- Impact on local ecology/wildlife (hedgehogs, foxes, slow worms, stag beetles, bats, squirrels, birds e.g. woodpeckers) [See *paragraph 7.9.2*]
- Impact on wildlife from loss of trees and replacements must be native species[See *paragraph 7.9.2*]
- Close to adjoining properties [*Officer comment: It has not been indicated whether the concerns are related to character or residential amenity*]
- Information missing from plans [*Officer comment: It has not been made clear what is missing*]
- Site addresses of neighbouring properties wrongly named on submitted drawings [*Officer comment: This has been corrected*]
- Disruption to services (gas, water, electricity, post) during construction [*Officer comment: This would not be a reason to refuse this application*]
- Reuse site materials [*Officer comment: This is noted*]
- Access for visitors, deliveries, dust bin services and emergency needed to be maintained during construction (and after) [*Officer comment: This could be considered under the method of constriction statement (by condition)*]
- House numbering should reflect the existing numbering of properties in the road [*Officer comment: This is noted but is a street naming/numbering issue*]
- Not enough information provided with the application and information missing from plans [*Officer comment: The application submission meets minimum validation requirements*]
- Amended reports have not reflected the amended proposal [*Officer comment: This is noted but not material to the consideration of this proposal*]
- Dedicated parking spaces required for properties adjoining the site [*Officer comment: This would not meet the tests for imposing conditions*]
- Impact on utilities: water, TV, electricity supply from EV points and disruption to phone and Broadband connections during demolition/construction [*Officer comment: This is not a material planning consideration*]
- Strain on existing community facilities [*Officer comment: It has not been made clear which community facilities are considered to be affected*]
- Proposed Box hedging is prone to Box blight and Box caterpillar/moth and future maintenance of boundary hedging (grass or wood chip preferred) [*Officer comment: The provided landscaping details are noted, However, landscaping details are to be agreed by condition*]

## 7.0 PLANNING CONSIDERATION

7.1 The application site lies in the settlement of Camberley. The application is considered against the relevant policies, which are Policies CP1, CP2, CP5, CP6, CP11, CP14, DM9, DM10, DM11 and DM14 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved) (SEP); and the National Planning Policy Framework (NPPF); as well as advice within the Residential Design Guide SPD 2017 (RDG) including the MHCLG's Technical Housing Standards 2015 (THS), the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (as amended) (AAS) and Western Urban Area Character SPD 2012 (WUAC). The main issues to be addressed in the consideration of this application are:

- Principle and need for the development;
- Impact on character;
- Impact on residential amenity;
- Impact on highways safety and parking capacity;
- Impact on the Thames Basin Heaths Special Protection Area; and
- Impact on flood risk and drainage.

## **7.2 Principle and need for the development**

- 7.2.1 Paragraph 60 of the NPPF indicates that to support the Government's objective of significantly boosting the supply homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed.
- 7.2.2 The current proposal would provide 100% affordable housing where there is a need for such provision. The existing accommodation has been used for the homeless but provides accommodation with shared accommodation (kitchens/bathrooms) which is now considered to be obsolete where units of self-contained accommodation to house the homeless would be more expected. The existing accommodation currently has a limited use, with a proportion of the accommodation vacant, and accommodation elsewhere in the Borough is to be provided to accommodate the current occupants.
- 7.2.3 The proposal is to provide a split 65% of social rent (flats) and 35% shared ownership (houses) affordable housing for this development. The comments of the Council's Housing Services Manager are noted but the proposal would meet the requirements of Policy CP5 (due to the 100% affordable provision) and provides a greater proportion of social rented properties, than would normally be applied to major housing development. Whilst this would need to be seen against the loss of the existing (albeit sub-standard) accommodation, overall it is considered that the proposal can be supported by providing 100% affordable housing, subject to the completion of a legal agreement and the assessment below.
- 7.2.4 As such, it is considered that the principle and need for the development is accepted with the proposal complying with Policy CP5 of the CSDMP and the NPPF.

## **7.3 Impact on character and trees**

- 7.3.1 Policy DM9 of the CSDMP indicates that new development should respect and enhance the local character paying regard to scale, materials, massing, bulk and density. Policy CP2 of the CSDMP reflects these requirements.
- 7.3.2 Principle 6.4 of the RDG requires that housing development should seek the highest density possible without compromising local character. Principle 7.8 of the RDG indicates that architectural detailing should be used to create attractive buildings that positively contribute to the character and quality of an area. Principle P01 of the WUAC requires new development to pay particular regard to the maintenance of space between and round buildings and provision of space to retain existing trees and vegetation. Particular attention should be paid to existing building proportions, and consist principally of two storey detached or linked detached buildings and provision of space to enable the retention of existing trees and vegetation. However, it is noted that in this local area, the predominant built form is terraced houses.
- 7.3.3 The current proposal would provide a flatted block of two storey height with accommodation in the roof. The houses would be provided with two storey height. The existing development has a two storey height and extends across the width of the site, providing a built-up form of development. The current scheme whilst providing a flat block to a greater height (providing accommodation in the roof), the development form is broken up with gaps between the houses and more open (and usable) space to the front of dwellings. The reduction in spread of development to provide such gaps and relief on the development form is welcomed.
- 7.3.4 The proposal provides a traditional built form with gable roofs and includes detailing (as indicated in Paragraph 4.3 above), to add interest to the proposed buildings. The use of flat roof dormers, which sit into the roofslopes (set-in from all roof edges), is also considered to be acceptable. The recessed balconies would also be acceptable in design

terms in this location. The proposed houses include parapets to define these dwellings and to take into account the stepped nature of these properties, due to changes in land levels, which is considered to be an acceptable design solution. As such, no objections are raised to the proposed design of the buildings.

- 7.3.5 The tree report indicates that the proposal would result in the loss of 4no. Category C trees (i.e. trees of a low quality), which have limited merit, none of which are considered to be worthy of protection (under a Tree Preservation Order). Three of these trees are required to be removed for the sub-station and one for the development. The concerns of this level of tree loss (and tree cover) has been raised by the Arboricultural Officer, and the tree officer considers one of these trees is of a Category B quality (i.e. moderate quality or value capable of making a significant contribution to the area for 20 or more years).
- 7.3.6 However, notwithstanding these concerns, it is considered that the proposal would provide improved landscaping around the site, providing structured landscaping, including new trees, especially around the parking area in front of the proposed houses and around the front entrance of the flats. Noting the current poor environment, on balance, it is considered that the proposal would improve the overall landscaping within the site.
- 7.3.7 No objections are therefore raised on character and tree grounds and the proposal complies with Policies CP2 and DM9 of the CSDMP and the NPPF, and advice in the RDG and WUAC.

#### **7.4 Impact on residential amenity**

- 7.4.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. Principle 6.4 of the RDG requires that housing development should seek the highest density possible without adversely impacting on the amenity of neighbours and local residents. Principle 8.1 of the RDG indicates that development should be provided
- 7.4.2 The nearest residential properties are 26 and 28 Old Dean Road (which lie to the south of the site and face towards the site with their front walls set a minimum of about 12 metres from the mutual site boundary), 2 Upland Road located to the north west corner of the plot and Bluebell Mews, a terrace of houses and flats, to the north west of the site.
- 7.4.3 The proposed detached house is located close to the angled flank boundary of 28 Old Dean Road. The orientation of this proposed dwelling, the separation to the flank boundary of 3 metres would limit any material effect on the amenity of the occupiers of this dwelling. The flank wall of the proposed flats would face 26 Old Dean Road, set 23.4 metres apart. One secondary living room/kitchen window, per floor, would face this property. However, noting the level of separation at 23.4 metres, it is not considered that a significant loss of privacy would occur to this property.
- 7.4.4 The rear elevation of the proposed flats would face onto the play area (and houses beyond). The north west corner would include recessed balconies which would directly face this play area, with more oblique views over a part of the side garden/private amenity area of 2 Upland Road. Noting the recessed nature of the balconies in this location, it is not considered that there would be a significant loss of privacy to that property.
- 7.4.5 The proposal would not have any significant impact on any overbearing impact or overshadowing or loss of light to any adjoining or nearby residential property, particularly when compared to the existing arrangements.
- 7.4.6 The proposal would provide outdoor amenity space to exceed the requirements of Principles 8.4 and 8.6 of the RDG, which are 65 square metres for the houses and 3 metre deep rear shared amenity and 1.5 metre deep balconies/ground floor areas to



provide private amenity space for the flats. As such, the proposal is not considered to have an adverse impact on residential amenity with the proposal complying with Policy DM9 of the CSDMP and the RDG.

## **7.5 Impact on highway safety**

- 7.5.1 Policy DM11 of the CSDMP requires 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. All development should ensure safe and well-designed vehicular access and egress and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians. Policy CP11 of the CSDMP requires development to comply with parking standards.
- 7.5.2 The parking provision would provide 25 parking spaces for this development, and an electric charging point for each dwelling (to be provided by condition), which would comply with recommended parking guidelines. The access would be maintained but there will be amendments to the turning facility, within the public highway, provided within the site close to the site entrance. In this regard, the County Highway Authority raises no objections in principle to these changes, subject to the appropriate legal processes under Section 278 of the Highways Act 1980 (as amended). The County Highway Authority has advised that the proposed development would not result in a material increase in vehicular trips when compared with the existing use. The proposal would provide access for other vehicles (such as refuse and emergency vehicles and deliveries).
- 7.5.3 No objections are therefore raised on these grounds. As such, the proposal is considered to be acceptable on highway safety grounds with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

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

- 7.6.1 The application site lies a minimum of 400 metres from the Thames Basin Heaths Special Protection Area. Policy CP14 of the CSDMP requires that development will only be permitted if it will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths Special Protection Area (SPA). All new (net) residential development located between 400 metres and 5 kilometres of the SPA will be required to contribute towards the provision of Suitable Alternative Greenspaces (SANGs) and Strategic Access and Management Monitoring (SAMM) measures. This is reflected in Policy NRM6 of the SEP, the NPPF and advice in the SPAAS. In accordance with the SANG Allocation Criteria (2020), a one year permission is proposed due to the limited supply of SANG capacity in the Borough.
- 7.7.2 Taking into consideration the more limited uplift in accommodation to be provided, the contributions towards SANG and SAMM measures would be £11,328 and £1,401.28, respectively. A legal agreement is to be provided to secure these contributions. Subject to the completion of a legal agreement in this regard, no objections are raised on these grounds with the proposal complying with Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the SPAAS.

## **7.8 Impact on flood risk and drainage**

- 7.8.1 Policy DM10 of the CSDMP indicates that development within flood risk zones 2 and 3 (medium and high risk), or on sites of 1 hectare or more, will not be supported unless it can be demonstrated that the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral and, where risks are identified flood resilient and resistant design and appropriate mitigation and adaptation can be implemented so that the level of risk is reduced to acceptable levels, and that the form of development is compatible with the level of risk. Development will be expected to reduce

the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at an appropriate level to the scale and type of development.

- 7.8.2 The site lies within Zone 1 (low flood risk). The proposed drainage strategy includes the use of permeable paving and soakaways to allow infiltration with the foul sewer to use the existing foul water system by gravity (in the same manner as the existing development). The LLFA raises no objections to the proposal subject to conditions.
- 7.8.3 No objections are raised on drainage and flood risk grounds with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

## **7.9 Other matters**

- 7.9.1 Policy CP2 of the CSDMP requires development to contribute towards carbon dioxide emission reductions increase capacity for renewable and low carbon energy methods. The proposal would use photovoltaics for all dwellings. No objections are therefore raised on these grounds.
- 7.9.2 Policy CP14 of the CSDMP indicates that development which results in the harm or loss of features of interest for biodiversity will not be permitted. The provided ecology report indicates that there would be negligible impact on protected species, such as bats, badgers, reptiles or breeding birds (or their habitats) but measures to limit any risk during construction and provision of enhancements (bat and bird boxes) are to be provided. As such, no objections are raised on these grounds.
- 7.9.3 The application has been supported by environmental reports including land contamination. The Scientific Officer has raised no objections subject to conditions. No objections are therefore raised on this basis.
- 7.9.4 The proposal relates to 100% affordable housing and as such would not be CIL liable under the CIL regulations.
- 7.9.5 Noting the layout for the houses and the size of their respective gardens, it is considered appropriate to remove permitted development rights for house extensions and outbuildings to these plots

## **8.0 PUBLIC SECTOR EQUALITY DUTY**

- 8.1 Under the Equalities Act 2010, the Council must have 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 regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.

## **9.0 CONCLUSION**

- 9.1 No objections are raised to the proposal on principle, local character, residential amenity, highway safety and flood risk/drainage grounds. Subject to the completion of a legal agreement for the securing of contributions towards SAMM and SANG measures and to provide and retain the development as 100% affordable housing, the application is recommended for approval.

## 10.0 RECOMMENDATION

GRANT, subject to a legal agreement and the following conditions:

1. The development hereby permitted shall be begun within three years 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: 20005wd2.01 Rev D, 20005wd2.02 Rev D, 20005wd2.03 Rev B, 20005wd2.04 Rev B, 20005wd2.05 Rev B, 20005wd2.06 Rev C, 20005wd2.07 Rev C, 20005wd2.08 Rev C, 20005wd2.10 Rev C, 20005wd2.12 Rev C, 20005wd2.13 Rev C, 20005wd2.14 Rev B, 20005wd2.15 Rev B, 20005wd2.20 Rev B, 20005wd2.21 Rev C, 20005wd2.22 Rev B, 20005wd2.23 Rev C, 20005wd2.24 Rev C, 20005wd2.25 Rev C, 20005wd2.30 Rev B, and 20005wd2.31 Rev B, received on 13 March 2023; 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

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

4. No demolition works or construction of the development hereby approved shall commence until a Demolition and Construction Environment Management Plan (DCEMP), to include details of:

- (a) map showing the location of all ecological features
- (b) risk assessment of any potentially damaging construction activities
- (c) practical measures to avoid and reduce impacts on biodiversity during construction
- (c) hours of construction and working
- (d) location and timing of works to avoid harm to biodiversity features
- (e) light impact mitigation
- (f) material and waste management
- (g) details of proposed means of dust suppression and emission control
- (h) details of proposed noise mitigation
- (i) procedure for implementing the DCEMP, responsible persons and lines of communication, and complaints procedure
- (j) use of protective fencing, exclusion barriers and warning signs

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: The condition above is required in order that the development should not prejudice the amenities of residents nor nature conservation in accordance with Policies DM9 and CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. 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) programme of works (including measures for traffic management)
  - (e) provision of boundary hoarding behind any visibility zones
  - (f) HGV deliveries and hours of operation
  - (g) vehicle routing
  - (h) measures to prevent the deposit of materials on the highway
  - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
  - (j) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm (adjust as necessary according to individual school start and finish times) nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in (specify named roads) during these times
  - (k) on-site turning for construction vehicles  
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: The condition above is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users, and to protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

6. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local 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 details shall include:
- (a) The results of soakaway location specific infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
  - (b) Evidence that the proposed final solution will manage the 1 in 30 (+35% allowance for climate change) and 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate equivalent to the pre-development Greenfield run-off.
  - (c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers, etc.). Confirmation is required of a 1 metre unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.
  - (d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off the site will be protected from increased flood risk.
  - (e) Details of the management responsibilities and maintenance regimes for the drainage system.
  - (f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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 the site and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7. 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 surface water 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), and confirm any defects have been rectified.

Reason To ensure the drainage system is constructed to the National on-Statutory Technical Standards for SuDS and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. The development hereby approved shall not begin until a scheme to deal with contamination risk of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include :

- (a) a site investigation report to address the potential risks described in Preliminary Risk Assessment

- (b) if required, a 'remediation action plan' based upon (a);

- (c) a 'discovery strategy' dealing with unforeseen contamination discovered during demolition and construction;

- (d) a 'validation strategy' identifying measures to validate the works undertaken as a result of (b) and (c);

- (2) Prior to Occupation, a verification report appended with substantiating evidence to demonstrate the agreed remediation has been carried out in accordance with part (1) (d) above.

- (3) Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out and completed wholly in accordance with such details as may be agreed.

Further risk assessment and remediation (if required) shall reference the site layout described in revised Site Plan (drawing no. 20005wd2.01, dated Oct 2022) as amended.

Reason: In the interests of amenity and to comply with the National Planning Policy Framework.

9. An air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and to comply with the National Planning Policy Framework.

10. No soft or hard landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, access features, the existing trees to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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.

11. A Landscape Management Plan, including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development, or any phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

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 the National Planning Policy Framework.

12. No development including demolition shall take place until a detailed arboricultural method statement has been submitted and approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction" and shall contain details of pruning or removal of trees, specification and location of tree and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for hard surfaces. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works to be carried out in strict accordance with the approved details.

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

13. No part of the development shall be occupied unless and until the proposed modified vehicular and pedestrian accesses to Lawrence Lodge have been constructed in general accordance with Drawing No. 20005wd2.01 Rev A and subject to Surrey County Council's full technical and road safety auditing requirements. Prior to commencement of the proposed development, the existing vehicular access to Lawrence Lodge shall be provided with a vehicle turning head in general accordance with Drawing No. 2022/6591/003 Rev 4 and subject to detailed design and Surrey County Council's full technical and road safety auditing requirements. The new turning head shall be kept permanently clear of all obstructions for uninterrupted public use at all times. The development hereby approved shall not be commenced unless and until the existing access to 21-32 Lawrence Lodge has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of Policies CP11 and DM11 of the Surrey Heath

14. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (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 the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings have been provided with cycle parking in a robust, secure enclosure in accordance with the approved plans (Drawing No. 20005wd2.20) and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

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

16. Prior to the first occupation of the development a Travel Information Pack shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and Surrey County Council's Travel Plans Good Practice Guide for Developers. The approved Travel Information Pack shall be issued to the first time occupier of each dwelling, prior to first occupation.

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

17. Notwithstanding the provisions of Class A, Class B, Class C 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, roof alterations, outbuildings shall be erected or undertaken to the houses hereby permitted without the prior approval in writing of the Local Planning Authority.

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.

18. No demolition works or construction of the development hereby approved shall commence until a Ecological Enhancement Plan (EEP), to include details of:

(a) description and evaluation of features to be provided:

(b) location plan of all ecological enhancement features being provided;  
(c) ecological trends and constraints on the site that might influence management;  
(d) prescriptions for management actions; and  
(e) ongoing monitoring and remedial measures  
has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the demolition works and construction of the development.

Reason: The condition above is required in order that the development should not prejudice nature conservation in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

19. Details of external lighting for the development hereby approved shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the approved development.

Reason: The condition above is required in order that the development should not prejudice nature conservation in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

20. Details of the proposed boundary treatments shall be submitted to and approved by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the development hereby approved.

Reason: To preserve and enhance the visual amenities of the locality and to ensure adequate amenity space is provided for future residents in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

21. Prior to occupation of the proposed development, the existing vehicular access to Lawrence Lodge shall be provided with a vehicle turning head in general accordance with Drawing No. 2022/6591/003 Rev 4 and subject to detailed design and Surrey Council's full technical and road safety auditing requirements. The new turning head shall be kept permanently clear of all obstructions for uninterrupted public use prior to the occupation of the buildings.

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

### **Informative(s)**

1. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-management-permit-scheme>. The applicant is also advised that Consent may be



required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice)

2. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
3. The applicant 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 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).
5. 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.
6. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. Public highway status can only be removed from land, which forms part of the publicly maintained highway, by a legal procedure called Stopping Up. When highway rights are extinguished, control of the land reverts to the freeholder of the sub-soil. The Department for Transport has authority to undertake Stopping Up Orders using the provision of Section 247 of the Town and Country Planning Act 1990.
9. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022.
10. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway,

bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.

## **SECOND RECOMMENDATION:**

In the event that a satisfactory legal agreement has not been completed by 1 October 2023 (unless a longer time period has been otherwise agreed by the Head of Planning Services), the Head of Planning Services be authorised to REFUSE for the following reasons:

1. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.
2. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework, and advice within the Surrey Heath First Homes Policy Guidance Note 2021 and Written Ministerial Statement (24.05.21).