

WA/2021/02448 – Erection of extensions and alterations to roof to provide 7 dwellings and associated landscaping works following partial demolition of existing storage building (as amended by plans received 03/11/2021) at CHAPMAN HOUSE MEADWAY HASLEMERE GU27 1NN

Applicant: Mr Jason Vince - Earlswood Homes
Parish: Haslemere CP
Ward: Haslemere Critchmere and Shottermill Ward
Grid Reference: E: 488784
N: 132723

Case Officer: Philippa Smyth
Neighbour Notification Expiry Date: 02/11/2021
Extended Expiry Date: 25/02/2022

Committee Meeting Date: Western Area Committee 23/02/2022

RECOMMENDATION That, subject to conditions, permission be **GRANTED**

1. Summary

This application has been called into Committee at the request of Cllr Robini, owing to concerns that the proposed height of the building would be out of keeping and owing to concerns regarding overlooking.

The application is seeking permission for:

- The partial demolition of an existing adjoined storage building.
- The alterations and extensions to the existing roof to provide an additional storey and the erection of a 3-storey extension, to provide 7 residential units.
- Refurbishment of the existing building including the provision of a number of balconies and material alterations.
- Landscaping and parking.

The application follows the granting of a Prior Approval application (CR/2021/0004) for the change of use of the existing office to 14 residential units. In total, 21 residential units would be provided, 11 1-bed units and 10 2-bed units.

The surrounding area features buildings and dwellings of varying architectural style and merit. The proposed extensions would be in keeping with the design and proportions of the existing building. The additional storey would be set back by 1.5 meters which would ensure a subservient appearance, not overly prominent in the streetscene. Appropriate materials would be used.

The principle of a residential use of the site has been established, and the conversion of the existing office to residential can be lawfully implemented. This is relevant when addressing the concerns raised regarding residential amenity. It is a material consideration that many of the existing windows which served the office could serve habitable, residential rooms. The proposed extensions and roof alterations would not introduce additional views into residential properties over and above the scheme which could be lawfully implemented. Whilst some balconies and terraces are proposed, conditions could be attached requiring appropriate screening to be in place to ensure no additional harm by way of overlooking or loss of privacy. Owing to the orientation of the proposed extension and setting-in of the proposed roof extension, Officers are satisfied that the development would not appear overbearing or result in a loss of light or outlook.

The County Highway Authority raises no concerns regarding access, highway safety of the level of parking provision proposed, subject to a number of conditions.

Bicycle and refuse storage would be provided, as would some modest areas of landscaping which would soften the appearance of the application site.

2. Site Description

The application site is located on the corner of Meadway and Timbermill Court and comprises a two-storey former office building, with a long narrow single storey projection and car park.

The surrounding area is predominantly residential, but the site is a short walk to the shops and services of Wey Hill and Haslemere, more generally.

The site is accessed by vehicles and pedestrians by Timbermill Court, but some parking exists perpendicular to Meadway.

The site is relatively flat with little in the way of soft landscaping or vegetation.

3. Plans

Please see Appendix A.

4. Proposal

The application proposes:

- The partial demolition of an existing adjoined storage building.
- The alterations and extensions to the existing roof to provide an additional storey and the erection of a 3-storey extension, to provide 7 residential units.
- Refurbishment of the existing building including the provision of a number of balconies, material and facade alterations.
- Landscaping and parking.

Amended plans were received which corrected an inaccuracy with the site boundary red line.

Further amended plans were received which altered some of the fenestration, including removing windows and the roof terrace on the north-eastern elevation.

5. Relevant Planning History

CR/2021/0004	General Permitted Development Order 2015, Schedule 2 Part 3 Class O - Prior Notification Application for change of use from offices (Class B1(a)) to 14 dwellinghouses (Class C3).	Change of use B1c to C3 prior approval required and granted 30/03/2021
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6. Relevant Planning Constraints

Developed Area of Haslemere
 East Hants SPA 5km Buffer Zone
 Wealden Heaths II SPA 5km Buffer Zone
 Section 52 Agreement
 Revocation Order

7. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, SP2, ALH1, ST1, AHN3, TD1, NE1, CC1, CC2
- Haslemere Neighbourhood Plan 2013 – 2032: H1, H2, H3, H6, H7
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D4, D6, D7, D8, D9

Other guidance:

- The National Planning Policy Framework 2021 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Haslemere Design Statement (2012)
- National Design Guide (2019)

8. Consultations and Town/Parish Council Comments

Haslemere Town Council	<p>Objection:</p> <ul style="list-style-type: none"> • The proposal by way of scale, mass and design would result in a cramped and overdeveloped site, failing to take the opportunity for improving the character of the area, harm to the area and out of keeping with the streetscene contrary to Policy TD1 of the Local Plan Part 1, and retained Policies D1 and D4 of the Local Plan 2002. • The proposal harms the amenities of neighbouring occupiers by way of overlooking, loss of light during the day, light pollution at night, overbearing and outlook contrary to Policy TD1 of the Local Plan Part 1, and retained Policies D1 and D4 of the Local Plan 2002. • Failure to provide adequate onsite parking or offer suitable alternatives, causing inconvenience to surrounding residents contrary to Policy TD1 of the Local Plan Part 1, and Retained Policies D1 and D4 of the Local Plan 2002, WBC Parking Guidelines and S9 of the NPPF. • The proposal required a tree subject to the Tree Preservation Order to have work done for the development to proceed. This is contrary to Policy NE2 of the Local Plan Part 1 which requires new development to make a positive contribution to biodiversity by maintaining and enhancing existing trees and hedgerows.
County Highway Authority	No objection, subject to conditions
Council's Environmental Health Officer – Contaminated Land	Response received 21/10/2021: No objection, subject to conditions.

9. Representations

18 letters have been received, from 15 addresses, raising objection on the following (summarised) grounds:

- Concerns re. harm to biodiversity.
- Limited information on ecology.
- Insufficient parking.
- Pressures of parking on surrounding roads and access for emergency vehicles.
- Increased traffic.
- Safety issue for pedestrians.
- Concerns re. balconies.
- Overlooking.
- Loss of privacy.
- Loss of view.
- Loss of light.
- Light and noise pollution.
- Residential uses are far noisier than offices.
- The design of the building is at odds with the area.
- The proposal does not improve the appearance of the building.
- Loss of trees is disappointing.
- Tree screening is not adequate to protect privacy.
- Lack of consultation from the applicant.
- Overdevelopment of the site.
- Negative impact on streetscene.
- Overbearing development.

Submission in Support

In support of the application, the applicant has made the following (summarised) points:

- The proposal would not be out of keeping with the surrounding buildings in the street scene which consist of a mix of 2-storey with steep pitched roofs but also with some examples of 3-storey buildings.
- Historically, permission was granted (WA/1987/2276) for a roof extension of almost identical overall height to that now proposed.
- The ground and first floor conversion to residential has been approved by virtue of the Prior Approval, but the rationalisation of windows proposed through the application would reduce opportunities for overlooking compared to the implementation of the Prior Approval in isolation.
- Changes were made to further reduce the number of windows in the north-western elevation to further improve the relationship with Lion Mead.
- Separation distances are very generous, therefore any views between properties would not therefore give rise to harmful loss of privacy.
- The parapet around the roof at 1.1m high together with the set-back design would prevent and restrict views over neighbouring gardens from within the new roof apartments.
- Privacy screening could be added to external roof terrace areas if felt necessary.

- The additional height, scale and mass would not be out of keeping with surrounding residential buildings.
- Whilst the building footprint would increase, it would be modest in the context of the existing building.
- The proposals do not offend the 25-degree or 45-degree rule in respect of loss of light to neighbouring properties.
- Given the separation distances involved, there would not be a harmful overbearing impact or loss of outlook to neighbouring properties.
- There would be no material increase in light pollution, given the significant reduction in glazed areas as a result of the façade changes.
- Sufficient parking is provided, and no objection is raised by the Highway Authority.
- The proposed works to the TPO trees are a minimal, arboriculturally justified crown reduction which would not harm the long-term health or amenity value of the tree. Similar works have been undertaken historically to ensure an acceptable relationship with surrounding buildings.

10. Planning Considerations:

10.1. Principle of development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

10.2. Housing Land Supply

The Council published its latest Five Year Housing Land Supply Position Statement, with a base date of 1 April 2021, in November 2021. Since that time, two appeal decisions have examined the Council's supply and concluded that it has 4.25 years' worth of housing land (Land at Scotland Lane, APP/R3650/W/21/3280136) and 4.02 years' worth of housing land supply (Land west of Loxwood Road, APP/R3650/W/21/3278196) respectively. Whilst the conclusions of the Inspectors regarding the delivery of some of these sites is disputed, the Council accepts that some of the sites examined within those appeal decisions should be discounted and that it cannot currently demonstrate a 5 year housing land supply. The Council therefore calculates it has between between 4.47years and 5 years' worth of housing land supply.

10.3. Planning history and differences with previous proposal

The planning history is a material consideration. Prior Approval was previously granted for the change of use of the building from office (Class B1a) to residential (Class C3) to provide 14 dwellings comprising 9x1-bed and 5x2-bed units.

The current application seeks to add a 3-storey extension to the south-western elevation and an additional storey to the existing roof, to provide for an additional 7 residential units. It is a material consideration that the Prior Approval is extant and could be implemented with or without the works proposed by the current application.

10.4. Design and impact on visual amenity

Policy TD1 of the Local Plan (Part 1) 2018 requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2021.

Policy HE3 of the Haslemere Neighbourhood Plan 2013 – 2032 sets out that proposals for the residential development of windfall sites within the settlement boundaries will be supported where they:

- provide an appropriate mix, type and design of housing to the site concerned; and;
- respond positively to the character and appearance of the immediate locality.

Development proposals which meet these requirements, and which contribute towards delivering the housing needs of the local community, downsizers, those who work in the town and affordable housing will be particularly supported.

Officers note the concerns raised by neighbouring occupiers and the Town Council regarding the appearance of the proposed development and whether it is in keeping with the surrounding area. Concerns are raised about the height, scale, bulk and mass as well as the design. Some comments refer to a missed opportunity in terms of improving the appearance of the existing building.

The character of the surrounding area, whilst predominantly residential, features dwellings of varying types, sizes and design. The area also features a range of housing densities with some detached dwellings as well as flatted blocks. Some comments note the lack of 3-storey buildings in the immediate area.

Officers note 3-storey buildings at both Rex Court to the immediate north-west and at Timbermill Court to the south-east. Officers consider that the provision of an additional 7 units would be in keeping with the character of the area and would meet the requirements set out in Policy H 3 which supports developments which respond to the immediate character of the area.

The current building lacks architectural merit, with limited discernible features and limited landscaping. The proposal would seek to add articulation and detail by way of a stepped-in additional storey, improvements to materials and to the facades with a reduction in glazing, plus some modest landscaping to soften the development.

The proposed roof extension and 3-storey extension would add bulk and mass to the building, alterations that would be visible from the public realm, however it would be set back from the most visible north-western elevation such that it would not appear unduly prominent due to this, the orientation within the site and the stepped-in nature of the roof extension.

The proposal would therefore accord with Policy TD1 of the Local Plan Part 1 2018, retained Policies D1 and D4 of the Local Plan 2002 and the Residential Extensions SPD.

10.5. Standard of Accommodation

Policy TD1 of the Local Plan (Part 1) 2018 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site playspace provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing standards – nationally described space standards (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

The application would provide 7 units, in addition to the approved and extant permission for 14 units.

Looking at the submitted floorplans for the current proposal, Officers are satisfied that the proposed dwellings would meet the technical standards in terms of bedroom sizes.

The below table sets out the technical standards in terms of gross internal floor areas and storage and those proposed.

Unit	Technical Standard	Internal floor area proposed size
1 (2 bed, 4 person)	70m ²	70m ²
2 (2 bed, 4 person)	70m ²	72m ²
3 (2 bed, 4 person)	70m ²	74m ²
4 (1 bed, 2 person)	50m ²	48m ²
5 (1 bed, 2 person)	50m ²	41m ²
6 (2 bed, 4 person)	70m ²	74m ²
7 (2 bed, 4 person)	70m ²	74m ²

All 2 bed (4 person) units would meet or exceed the technical guidance, however the 1 bed (2 person) units would fall short of the recommended standards. Notwithstanding this, Officers must have regard to the lack of a Local Plan Policy requiring this and considering that these units would benefit from a modest private outdoor space, a share of a small communal space, Officers consider the proposal acceptable. Furthermore, all of the units would have adequate light and outlook. Given the location of the site in a sustainable location and in close proximity to other public open space and Haslemere Town Centre, Officers consider the provision of amenity space to be acceptable.

In terms of inversibility between the proposed units, Officers would recommend attaching a condition to any approval requiring the submission of a scheme detailing 1.8m high screening between each terrace or balcony, which would be secured in perpetuity to ensure that there would be no harm by way of overlooking or loss of privacy between the proposed units.

The application proposes communal detached bin storage to serve the units. The developer is advised that they should comply with the Council's Guide for Developers which includes the bin requirements for each property as well as details of collections.

In summary, Officers are satisfied that the proposal would provide an adequate standard of accommodation for future occupiers.

10.6. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained Policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2021.

Officers note the concerns raised by neighbouring occupiers. As noted previously, it is a material consideration that prior approval, under the General Permitted Development Order (GDPO) 2015, was granted in 2021 for the conversion of the existing office to 14 residential units. Under the GDPO 2015, Officers were unable to consider the impact of the proposed conversion to residential accommodation in terms of the impact on residential amenity.

The Council's Residential Extensions SPD Guide sets out the recommended distances between proposed built form and neighbouring boundaries, to prevent any overbearing impact from occurring. It sets out that two-storey extensions should be at least 3 meters from the boundary with a neighbouring property to ensure that development is not visually dominant.

The guide also sets out recommended distances between neighbouring amenity space and habitable windows to ensure that the privacy enjoyed by the neighbouring

properties is not significantly reduced. The general rule of thumb is that there should be a distance of at least 21 metres between proposed windows and those of neighbouring properties and 18 metres between proposed windows and neighbouring private amenity space.

Below, is an assessment of the impact of the proposal on neighbouring occupiers.

Oak End and Chandos, Lion Mead

The properties on Lion Mead are located to the north-east of the application site and are the closest residential properties to the building at Chapman House. Officers note the concerns raised regarding the impact that the proposal would have on these properties.

As demonstrated by the submitted plans, Chapman House is, at its closest, 3.2 meters from the closest boundary to 'Chandos' and 5.3 meters to the closest boundary with Oaks End. Further, the existing building at Chapman House (as its closest point) would be 33 meters from the dwelling at Chandos and 23 meters from the dwelling at Oaks End. On this basis, whilst the proposed roof extension may be visible from these properties, given the existing relationship, and the proposed roof extension being set in by a further 1.5m, Officers are satisfied that the proposal would not appear overbearing or result in a loss of light or outlook.

As noted elsewhere in the report, it is a material consideration that Prior Approval was granted in 2021 for the conversion of the existing office building to residential accommodation. In this assessment, Officers were unable to consider the impact on residential amenity as this is not one of the matters for consideration at the time, as set out in the GPDO 2015. This permission is extant, and could be implemented at any time, and does not rely on the current application. Notwithstanding this, whilst the distance between Chapman House and the amenity space for Oaks End and Chandos would not comply with the Residential Extensions SPD, the distances between habitable windows would meet and exceed this guidance.

During the course of the application, Officers negotiated amendments to the proposed scheme which removed proposed windows and roof terraces in the north-eastern elevation of the proposed roof extension. The only window proposed in the north-eastern elevation which would face the properties on Lion Mead is a non-habitable window. Officers have recommended a condition be attached to any approval requiring this window to be obscure glazed and fixed shut about 1.7m to prevent harm by way of overlooking and loss of privacy. On this basis, Officers are satisfied that the current proposal which is under consideration here, would not result in material harm by way of overlooking, intervisibility or loss of privacy, over and above what could be lawfully implemented without this application.

Nos. 1, 2, 3, 4, 5, 6, 7, 10, 12 Timber Mill Court

At its closest, the existing building at Chapman House is approximately 19m from the boundary with these properties on Timber Mill Court, to the south-west. Officers are satisfied that the proposed additional storey, set a further 1.5m away from the shared boundary would not appear overbearing nor would it result in a loss of light or outlook to the neighbouring occupiers, over and above the existing building. In addition, given the separation distance from the proposed windows to the private amenity space and habitable windows of these properties at Timber Mill Court, no concern is raised regarding overlooking or loss of privacy over and above what can be lawfully implemented, which would accord with the above guidance set out in the Residential Extensions SPD.

Nos. 28, 29, 30 Rex Court

Part of the south-western elevation of the existing building at Chapman House faces these properties at Rex Court. Chapman House is, at its closest, 23m from the closest dwelling at Rex Court. On this basis, no concern is raised regarding the proposal appearing overbearing or resulting in a loss of light or outlook to neighbouring occupiers.

Owing to the separation distance, no concern is raised regarding loss of privacy, overlooking or intervisibility between habitable windows at Rex Court and the dwellings at Chapman House. It is noted that Chapman House is approximately 13m from the amenity space at the front of the first row of dwellings at Rex Court. This would fall short of the Council's Residential Extensions SPD however this is an existing relationship, with a road open to traffic and pedestrians in between. As such, the amenity space at Rex Court is considered to not constitute private space.

The remaining properties at Rex Court are well separated from Chapman House.

Matters relating to noise and disturbance are discussed below.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policy TD1 of the Local Plan Part 1 2018, retained Policies D1 and D4 of the Local Plan 2002 and the Residential Extensions SPD.

10.7. Noise and disturbance

Retained Policy D1 of the Local Plan 2002 sets out that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment. This includes loss of general amenity resulting from the emission of noise, light or vibration or the potential pollution of air.

During the course of the Prior Approval application (CR/2021/0004), the Council's Environmental Health Officer considered the proposals in terms of noise and other potential nuisances and no concerns were raised. Whilst it is acknowledged that the current proposal would result in a further 7 residential units over and above the permitted 14, Officers note that the application site is within a reasonably dense residential area close to the town centre where an element of noise and disturbance is to be expected.

Specific concerns have been raised regarding the proposed balconies and terraces. These are modest in size and scale. Any noise disturbance caused by the use of these spaces could be abated by separate Environmental Health legislation and enforcement policies. This is no different to a domestic garden or any other domestic amenity space.

Specific concerns have also been raised regarding light pollution from the residential use of the building. Officers consider that 7 additional units would not result in material harm by way of light pollution over and above the extant Prior Approval application, taking into account the town centre location and separation distances between buildings.

10.8. Highways and Parking

Highways

Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

The site would be accessed via the existing access from Timbermill Court. The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a severe impact on the safety and operation of the adjoining public highway, subject to conditions. These conditions relate to the laying out of the site, access, the submission of a Construction Transport Management Plan, the submission of a Welcome Pack regarding local public transport options and the provision of electric vehicle charging points.

Parking

Officers note the concerns raised by Haslemere Town Council and neighbouring properties regarding the under-provision of off-street parking.

The Council's Parking Guidelines (2013) sets out the minimum number of parking spaces that would normally be expected:

Local Characteristics	Town Centre	Rest of Waverley
1 bed	1 space per unit	1 space per unit
2 bed	1 space per unit	2 spaces per unit

Surrey County Council's Parking Guidelines (2018) sets out the minimum number of parking spaces that would normally be expected:

Local Characteristics	Town Centre	Edge of Centre
1 & 2 bed flats	1 space per unit	1 space per unit

The proposal (including the previously approved prior approval, CR/2021/0004) would provide the following housing mix and parking:

Application	Unit No. / Type	WBC Parking Space Requirement	SCC Parking Space Requirement	Parking Spaces Proposed
CR/2021/0004	9 x 1-bed	9	9	14
	5 x 2-bed	10	5	
Sub total		19	14	14
WA/2021/02448	2 x 1-bed	2	2	
	5 x 2-bed	10	5	
Sub total		31	21	26*

*including 2 designated disabled parking bays

Whilst not directly in the designated 'town centre area', the site is within 150 metres of the designated Haslemere town centre, as well as the shops and facilities of Wey Hill. The Council's Parking Guidelines (2013) suggests that 1-bed units and 2-bed units outside of the town centre should provide 1 space and 2 spaces respectively. Were the site to be in the designated town centre, the suggested requirement would be 1 space per unit. Officers note, that the Surrey County Council Vehicular and Cycle Parking Guidance January 2018 sets out that 1 and 2 bed flats in edge of centre locations should provide 1 space per unit. The current proposal would accord with this guidance.

Furthermore, the County Highway Authority has commented on the application with regard to parking provision and notes that the proposed development is in a sustainable location with transport modes alternative to the private car available for trips to local amenities and the wider public transport network from Haslemere town centre. The County Highway Authority is satisfied that, owing to its location, the site's need for owning a private car is reduced. The County Highway Authority has confirmed that it is satisfied with the level of parking provision. A number of conditions are

recommended including the provision of Electric Vehicle Charging Points to encourage sustainable modes of travel to and from the site.

10.9. Contaminated Land

The proposal is located on potentially contaminated land, being the site of a former builder's yard and timber mill. The Council's Environmental Health Officer has assessed the application and considers that due to the potentially contaminative activities reported in the area, the introduction of residential use to the site and in order to ensure compliance with paragraphs 178 and 190 of the NPPF, a number of conditions are recommended to be attached to any grant of planning permission. Subject to compliance with these conditions, the proposal is considered to be in accordance with Policy D1 of the Waverley Borough Local Plan and paragraphs 170 and 179 of the NPPF.

10.10. Effect on the SPAs

The site is located within the East Hants SPA 5km Buffer Zone and the Wealden Heaths II SPA 5km Buffer Zone. The proposal would result in an increase in people (permanently) on the site. However, due to the availability of alternative recreational opportunities within the area, which could divert residents from use of the SPA, the proposal would not have a likely significant effect upon the integrity of the SPAs in accordance with Policy NE1 of the Local Plan (Part 1) 2018. An appropriate assessment is not therefore required.

10.11. Trees

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Retained Policies D6 and D7 of the Local Plan 2002 are attributed full and significant weight respectively due to their level of consistency with the NPPF 2021.

Whilst there are no trees within the application site, there are two mature oaks trees to the north western boundary which are sited outside of the site. These trees are subject to Tree Preservation Orders. With the exception of the partial demolition of a storage building, no ground disturbance is proposed near those trees as such no concern is raised with regard to the impact on root protection areas.

Officers note the concerns raised by neighbouring occupiers about potential works to these trees. Any works to trees that are subject to a Tree Preservation Order will require permission from the Local Authority prior to commencement which would ensure that the works were appropriate and acceptable. An occupier, whose property is impacted by a tree within a neighbouring property's ownership is within his or her rights to seek permission to carry out appropriate works.

10.12. Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

Officers note the concerns raised by a neighbouring occupier regarding the impact of the development on biodiversity. The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland or water, and is not an agricultural building or barn. Having regard to this, and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance.

However, an informative should be added to remind the applicant that protected species may be present at the property and that works should stop should they be found during the course of the works.

11. Conclusion

The planning balance assessment concludes that the proposal is in accordance with the Development Plan, as such, planning permission is recommended for approval.

Recommendation

That permission be GRANTED subject to the following ns:

1. Condition:

The plan numbers to which this permission relates are:

001 REV 01
002 REV 01
003 REV 01
004 REV 00
006 REV 00
007 REV 00
008 REV 01
009 REV 02
010 REV 01
011 REV 01

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason:

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

2. Condition:

No above ground development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interest of the character and amenity of the area in accordance with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

3. Condition:

Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.

b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property.

The scheme shall include

(i) All works to be undertaken

(ii) Proposed remediation objectives and remediation criteria

(iii) Timetable of works

(iv) Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason:

In the interest of the character and amenity of the area in accordance with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

4. Condition:

Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with condition 3 and shall be submitted to the Local Planning authority for approval prior to occupation of the development.

Reason:

In the interest of the character and amenity of the area in accordance with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

5. Condition:

Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 3, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works:

- a) An investigation and risk assessment, undertaken in the manner set out in Condition 3 of this permission.
- b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 3.
- c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 3.

Reason:

In the interest of the character and amenity of the area in accordance with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

6. Condition:

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 (Drawing No. 009) for vehicles and cycles to be parked and for vehicles within the main parking area 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 purpose.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the NPPF 2021.

7. Condition:

The development hereby approved shall not be first occupied unless and until the redundant portion of the existing access fronting the site from Meadway 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, in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the NPPF 2021.

8. Condition:

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 the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the NPPF 2021.

9. Condition:

The development hereby approved shall not be first occupied unless and until a Welcome Pack providing information to new residents regarding the availability and whereabouts of local public transport, walking and cycling routes and car rental facilities is submitted to and approved in writing by the Local Planning Authority. Thereafter, the Welcome Pack shall be provided and retained to the satisfaction of the Local Planning Authority.

Reason:

In recognition of f Section 9 of the NPPF 2021 'Promoting Sustainable Transport' and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

10. Condition:

The development hereby approved shall not be occupied unless and until each of the proposed residential units have access to a parking space which is 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 recognition of f Section 9 of the NPPF 2021 'Promoting Sustainable Transport' and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

11. Condition:

Prior to the occupation of the dwellings hereby approved a scheme of privacy screening for all patios, balconies and terraces shall be submitted to and be approved in writing by the Local Planning Authority, which features permanent 1.8m high opaque screening between all flats. Thereafter the privacy screening shall be retained and maintained for their designated purpose in perpetuity.

Reason:

Having regard to the relationship with neighbouring properties and to accord with Retained Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

12. Condition:

No part of the roof or roof terrace on the north-western elevation shall be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority. No railing or other means of enclosure shall be erected on the roof.

Reason:

Having regard to the relationship with neighbouring properties and to accord with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018.

13. Condition:

The window proposed at second floor level in the north eastern elevation shall be obscure glazed and fixed shut to a height of 1.7m to the extent that intervisibility is excluded and shall be retained in this form.

Reason:

Having regard to the relationship with neighbouring properties and to accord with Retained Policies D1 and D4 of the Local Plan 2002 and Policy TD1 of the Local Plan (Part 1) 2018

14. Condition:

Prior to the occupation of the dwellings, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan (Part 1) 2018.

15. Condition:

Prior to the first occupation of the dwellings here by permitted the highest available speed broadband infrastructure shall be installed and made available for use unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018).

Informatives:

1. Community Infrastructure Levy (CIL)

The development hereby permitted is CIL liable.

'CIL Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended).

Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges. For further information see our webpages (www.waverley.gov.uk/CIL) or contact CIL@waverley.gov.uk

2. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see: www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
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. 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.
8. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2021.

