

2016/0752

Reg Date 04/10/2016

Bisley

LOCATION: 325 GUILDFORD ROAD, BISLEY, WOKING, GU24 9BD
PROPOSAL: Erection of 12 no. three bedroom dwellings in the form of 3 no. terraced two storey houses with accommodation in the roof with parking, landscaping and access for Foxleigh Grange following the demolition of existing building. (Additional information recv'd 23/6/17)
TYPE: Full Planning Application
APPLICANT: Mr Kirkby
Kirkby Homes Sunningdale Ltd
OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to legal agreement and conditions

1.0 SUMMARY

- 1.1 The proposal relates to the erection of 12 houses on a former commercial site in the settlement of Bisley, with an access from Foxleigh Grange. The proposal would sit alongside and be seen as an extension to the recently completed Foxleigh Grange residential development (under permissions SU/10/0933 and SU/11/0559 on the site of the former Fox Garage, 333 Guildford Road). Planning permission was granted on the same site for alternative proposals (under permissions SU/14/1129 and SU/16/0691) approved in 2014 and 2017, respectively. This proposal has been submitted by a different developer.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character and trees, residential amenity and highway safety. The current proposal is CIL liable and would require a contribution towards SAMM, which has been received. As such, the proposal is considered to be acceptable.

2.0 SITE DESCRIPTION

- 2.1 The application site lies on the north flank of Foxleigh Grange, the recently completed redevelopment of the former Fox Garage located within the settlement of Bisley. The application site relates to the former Affordable Rentals car and van hire site, a single storey building with hardstanding across the remainder of the site. The application site has a typical width of 40 metres and a depth of 115 metres.
- 2.2 The application site includes access through the Foxleigh Grange development, which forms a part of the application site. There is an access road to the immediate north boundary (serving residential properties 321 and 323 Guildford Road and the vacant industrial building (on which a residential redevelopment was recently granted under SU/13/0327) beyond. Part of this boundary is with 323 Guildford Road.

3.0 RELEVANT PLANNING HISTORY

The application site has an extensive planning history of which the following is the most relevant:

- 3.1 BGR 461 Erection of a factory. Approved in August 1951 and implemented.
- 3.2 SU/05/0696 Change of use from general industrial (Class B2) to servicing, repair and MoT testing of motor vehicles (Class B2); and as an operating centre for motor car and van hire; alterations to existing building and provision of additional parking spaces (retrospective). Approved in March 2006.
- 3.3 SU/14/0262 Erection of 13 three bedroom, two storey (with accommodation in the roof) residential dwellings with parking, cycle stores, landscaping, ancillary works and access from Foxleigh Grange following the demolition of existing buildings.
- Refused permission in July 2014 on SPA grounds (lack of SANG capacity for the scale of the development proposal), and affordable housing and local infrastructure (refused without securing mitigation through a legal obligation).*
- 3.4 SU/14/1129 Erection of 9 dwellings (including four 2 storey (with accommodation in the roof) three bedroom, three 2 storey four bedroom and two 2 storey (with accommodation in the roof) five bedroom properties) with garages, parking, cycle stores, ancillary works, landscaping and access from Foxleigh Grange following the demolition of existing buildings. Approved in April 2015.
- 3.5 SU/16/0961 Erection of 6no three bedroom dwellings (in the form of a pair of semi-detached houses and a terrace of two storey houses with accommodation in the roof) and 6 two bedroom and 3 studio flats in the form of a three storey block with parking, landscaping and access from Guildford Road following the demolition of existing building. Approved in May 2017.

4.0 THE PROPOSAL

- 4.1 The current proposal relates to the erection of 12 no. three bedroom houses in the form of 3 no terraced two storey blocks with accommodation in the roof) with parking, landscaping and access from Foxleigh Grange following the demolition of existing buildings. The proposal would provide a total of 24 parking spaces.
- 4.2 The current proposal would provide three blocks of development, lining up roughly with the Foxleigh Grove development to the south east. The frontage block would provide a block of three houses, sited slightly forward of 1-6 Foxleigh Grange, the middle block providing a block of five dwelling in line with 7-8 Foxleigh Grange and the rear block of four terraced houses aligning with 9-14 Foxleigh Grange. The proposed parking would be arranged between these blocks with access to the south east side of the site, adjacent to the existing Foxleigh Grange properties.
- 4.3 Each residential house would have a ridge height of about 9 metres, reducing to 5.1 metres at the eaves. The houses would have a front and a rear dormer each to provide roof level accommodation and, in terms of building height and design would reflect the residential properties in Foxleigh Grange.

4.4 This is the same site as that recently approved applications SU/14/1129 and SU/16/0961 but the applicant is different. All of the approved schemes, in a similar manner to the current scheme, provide three rows of residential development. The significant differences between the current proposal and these approved schemes are as follows:

- The approved 2014 scheme would provide a smaller number of dwellings than current proposed, but would include some larger dwellings.
- The approved 2016 scheme would provide a flatted block to the centre with its own access onto A322 Guildford Road, rather than using the existing access(es) from Foxleigh Grange.

Noting the access road proposed to be provided on site for approved development SU/16/0961, the current proposal more closely matches the approved development under SU/14/1129 (particularly the relationships of the front and middle blocks), which both would use the existing accesses onto Foxleigh Grange.

5.0 CONSULTATION RESPONSES

- | | | |
|-----|--|---|
| 5.1 | County Highway Authority | No objections. |
| 5.2 | Arboricultural Officer | No objections. |
| 5.3 | Environmental Health | No objections. |
| 5.4 | Surrey Police | No objections. |
| 5.4 | Surrey Wildlife Trust | No comments received to date. Any formal comments will be reported to the Planning Applications Committee. |
| 5.5 | The Council's Viability Adviser (DixonSearle) | No objections. |
| 5.6 | Local Lead Flood Authority (Surrey County Council) | Awaiting comments on revised details. Any formal comments will be reported to the Planning Applications Committee. |
| 5.7 | Bisley Parish Council | No objections subject to this Council considering that the development would not have an adverse impact on the SPA or highway safety. |

6.0 REPRESENTATIONS

At the time of the preparation of this report, one representation had been received in support and four representations had been received raising an objection, making the following comments:

- 6.1 **The applicant does not have any control over the land** [*Officer comment: This would not be a reason to refuse this application*]
- 6.2 Reports have been provided without access to the site [*Officer comment: The received reports have been assessed by the consultees*]

- 6.3 There are no marked parking spaces for visitors, leading to conditions of overflow parking on Guildford Road causing a highway safety risk [See *paragraph 7.5*]
- 6.4 Increase risk of accident from cars accessing Foxleigh Grange from A322 Guildford Road – right hand turn may be required [See *paragraph 7.5*]
- 6.5 Foxleigh Grange highway is not able to cope with extra traffic (e.g. lack of pavements) [See *paragraph 7.5*]
- 6.6 Wear and tear of Foxleigh Grange highway [*Officer comment: This would not be a reason to refuse this application*]
- 6.7 Lack of pre-application consultation [*Officer comment: There is no statutory requirement to enter into pre-application consultation with neighbours for the level of development under this application*]
- 6.8 Lack of a mix of dwellings [See *paragraph 7.7*].
- 6.9 Limitations on construction hours should be applied (if approved) [See *Condition x below*]

The support representation includes a number of concerns as follows:

- 6.10 Boundary should be protected [*Officer comment: The boundary is shown on the submitted drawings*]
- 6.11 Third party tree should be protected [*Officer comment: This tree is to be retained*]
- 6.12 Fence needs to be provided at site boundary [*Officer comment: These details would be provided by condition. See Condition 10 below*]
- 6.13 Access required for future maintenance work to side of property [*Officer comment: This is not a material planning consideration*]
- 6.14 Impact on flood risk [See *paragraph 7.9*].

7.0 PLANNING CONSIDERATIONS

- 7.1 The current proposal is to be assessed against Policies CPA, CP2, CP5, CP6, CP8, CP9, CP11, CP14, DM9, DM11 and DM12 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). In addition, advice in the Developer Contributions SPD 2011; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Interim Affordable Housing Procedure Note 2012; and, the Planning Practice Guidance (PPG) are relevant. The main issues in the consideration of this application are:
 - Principle for the development;
 - Impact on local character;
 - Impact on residential amenity;
 - Impact on highway safety;
 - Impact on the Thames Basin Heaths Special Protection Area and CIL;

- Impact on housing mix, affordable housing provision and financial considerations;
- Impact on biodiversity; and
- Impact on flood risk and drainage.

7.2 Principle for the Development

7.2.1 Policy CP8 of the Surrey Heath Core Strategy and Development Management Policies 2012 indicates that the loss of other employment sites, such as the application site, will only be permitted where wider benefits to the community can be shown. The site is now vacant and it has previously been accepted that the site can come forward for redevelopment for non-commercial purposes. In addition, the proposal would remove a non-conforming use being the last in a group of commercial businesses (317-9, 333 and 335 Guildford Road) which have permission for redevelopment for residential purposes. It is therefore considered that the principle for the development is acceptable, complying with Policy CP8 of the CSDMP and the NPPF, subject to the assessment below.

7.3 Impact on local character and trees

- 7.3.1 The application site falls within the settlement of Bisley with part of the north flank boundary and the east (rear) boundary with the Green Belt. The current proposal would result in the loss of an industrial building and associated hardstanding (to the front and around the site) which do not positively contribute to the quality of the local character. The frontage properties within the current proposal would replicate the design and overall height of residential units on the adjoining site and would appear as an extension to that development. This would include adequate spacings to both flank boundaries and soft landscaping to the frontage and northern flank boundary.
- 7.3.2 The proposal would provide a frontage block of residential dwellings which reflect the dwellings to the site frontage, smaller than the existing frontage terrace of 1-6 Foxleigh Grange. The proposed dwellings would be set back about 11 metres from the Guildford Road front boundary of the site which would result in these properties being positioned 3.3 metres in front of 1 Foxleigh Grange, with the flank wall of Plot 3 visible from the south approach on the A322 Guildford Road to the site. However, noting the curve in the public highway, the proportion of the flank wall of Plot 3 visible, and separation provided this relationship is considered to be acceptable, and is a reduction to the approved development under SU/14/1129.
- 7.3.3 The proposed dwellings to the centre would provide five dwellings, a wider block than the front block. However, noting the level of setback and the obscuring of this part of the development by the proposed frontage properties; and, given that this block would provide a traditional form, the appearance and siting of this block is considered to be acceptable.
- 7.3.4 The proposed rear block of four terraced dwelling would be set forward about 2.3 metres of the adjoining terraced block (9-14 Foxleigh Grange), with a gap of 2 metres between these blocks. This relationship is also considered to be acceptable, and is similar to the approved developments under SU/14/1129 and SU/16/0921.

- 7.3.5 There are three significant trees located close to the application site, including a Leyland Cypress to the north boundary, an Ash tree close to the north east corner of the site and a Goat Willow to the close to the south east corner of the site. None of these trees are considered to be of a high enough quality for protection under a Tree Preservation Order. However, these trees (all on third party land) are not likely to be adversely impacted by the proposal and, as confirmed in the submitted tree report, it is proposed that these trees are retained. The Tree Officer has raised no objections and with the opportunity available to provide improved landscaping (including fastigate trees), no objections are raised to the proposal on tree grounds.
- 7.3.6 As such, it is considered that the proposed development would be acceptable in terms of its impact on local character and trees, complying with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.4 Impact on residential amenity

- 7.4.1 The proposed Plot 3, i.e. the southern unit within the block of dwellings proposed to the front of the development, would be located to the flank, and forward, of 1 Foxleigh Grange. This forward projection would have a very limited impact on light to the front rooms of this property, given the orientation with the proposed development to the north and with the level of separation, the loss of light would not be material. The level of separation would also limit any overbearing impact on the front of this property. The rear wall of this proposed block would not project beyond the rear wall of 1 Foxleigh Grange, and with adequate level of separation from the proposed middle block (a distance of over 34.5 metres between the main rear wall of 1 Foxleigh Grange and the front main front wall of the middle block), no adverse impact to the rear is envisaged. This is a similar relationship to that approved under SU/14/1129. No objections are raised to the impact of the proposed development on 1 Foxleigh Grange.
- 7.4.2 The proposed middle block would be located to the flank of 7 Foxleigh Grange. The front and rear walls of this proposed dwelling would be located principally in line with the main front and rear walls of this property and, with a similar relationship to that approved under SU/14/1129, the proposed relationship with this property is considered to be acceptable.
- 7.4.3 The proposed Plot 12, i.e. the southern end unit to the rear terrace, would be located to the flank of 9 Foxleigh Grange. The main front wall of this proposed dwelling property would be located about 2 metres in front of the front main wall of this neighbouring property, but noting the 1 metre set-in from the flank boundary (and 2.3 metre set-in from the flank wall of this dwelling) and with a similar relationship with the approved development under SU/14/1129, this is considered to be acceptable.
- 7.4.4 The ground floor windows to the flank walls of 1, 7 and 8 Foxleigh Grange are secondary windows to serve living/dining rooms with first floor windows serving secondary accommodation (bathrooms) and so any loss of light to these windows would not be a reason to refuse this application. In addition, any increase in noise and disturbance to properties in Foxleigh Grange and any other residential property needs to be considered against the former use of the site and the background noise of the A322 Guildford Road to the front of the site, and an objection on these grounds cannot be sustained.

- 7.4.5 The dwelling proposed for Plot 9, i.e. the northern end unit to the rear terrace, would be positioned close to the mutual flank boundary of no. 323 Guildford Road, which is sited immediately to the north. The main front and rear walls would not extend beyond the main front wall of the dwelling and this neighbour's single storey rear extension. The principal rear elevation of no. 323 is sited further away and so it is considered that the level of impact on this neighbour would not be significant.
- 7.4.6 The impact of the proposal on the approved development at 317-319 Guildford Road also needs to be assessed in terms of its impact on the residential amenity of future occupiers of this development (if built). The flank wall of Plot 1 (within the frontage block) would be set approximately 13 metres from the flank wall of the nearest dwelling on that development which would front Guildford Road. The flank wall of Plot 5 would be set about 14 metres from the flank wall of the nearest residential dwelling. These levels of separation, taking into consideration the height and mass of the proposal, would result in very little impact on the residential amenity of future occupiers of this development (if built).
- 7.4.7 The general level of separation between the new houses and the surrounding properties and size of rear gardens are considered to be acceptable but may be comprised by any future development which could be later provided through permitted development. In addition, there are some flank windows (either secondary or serving bathrooms) in the flank elevations of the blocks, which should be fitted with obscure glass to limit any potential loss of privacy to adjoining properties. As such, in the interests of residential amenities, it is considered prudent to remove such rights for the new dwellings by condition. This approach is also consistent with the previous approvals.
- 7.4.8 The previous use(s) of the site has allowed the contamination of land on the site, which could be harmful to its future residential use, particularly within the rear gardens. The applicant has provided a ground investigation report to support the proposal with regards to contamination that has resulted from the existing use (and former industrial uses) of the ground, for which a mediation strategy is proposed, which has been supported by the Council's Senior Environmental Health Officer who has raised no objections on these grounds.
- 7.4.9 As such, and in the same manner as the previously approved 2014 scheme, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 Highway safety and parking

- 7.5.1 The proposal would provide 21 parking spaces to serve the development, to meet parking standards. The use of the existing access from Foxleigh Grange onto Guildford Road, in a similar manner to the approved scheme SU/14/1129 and not objected to for SU/14/0262 is considered to be acceptable to the County Highway Authority, who raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway and parking capacity grounds, complying with Policies CP11 and DM11 of the CSDMP.

7.6 Impact on the Thames Basin Heaths Special Protection Area and CIL

- 7.6.1 The application site lies approximately 0.8 kilometres from the Thames Basin Heaths Special Protection Area (SPA). In January 2012, the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution

towards SANG delivery/maintenance if there is available capacity (which is available for this proposal). The proposal is CIL liable and this provision would be provided under the CIL charging scheme.

- 7.6.2 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list). These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. CIL is a land charge that is payable at commencement of works. The current proposal is CIL liable and an informative advising of this would be added.
- 7.6.3 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution of £7,896 is required for the proposed development. A legal agreement is proposed to provide this contribution and subject to this agreement being completed, or a payment provided upfront, no objections are raised on this ground.
- 7.6.4 As such, and subject to the above, the proposal complies with Policies CP12 and CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012, and the Infrastructure Delivery SPD 2014.

7.7 Impact on housing mix, affordable housing provision and financial considerations

- 7.7.1 Policy CP6 of the CSDMP requires the provision of a mix of housing delivered across the Borough. For this proposal, the proposal provides three bedroom houses which reflecting the adjoining development, in Foxleigh Grange. This approach, noting the limited number of dwelling proposed, is considered to be acceptable, complying with Policy CP6 of the CSDMP.
- 7.7.2 Policy CP5 of the CSDMP requires the provision of 40% on-site provision for affordable housing at this site (2 units). However, the applicant has provided a viability report and the Council's Viability Adviser has confirmed that, in viability terms, affordable housing (or a contribution in lieu of on-site provision) cannot be provided on this site. As such, it is concluded that affordable housing (or a contribution in lieu of on-site provision) is not required for this development and no objections are raised on these grounds, with the proposal complying with Policy CP5 of the CSDMP.
- 7.7.3 Any development proposal for new residential development attracting New Homes Bonus payments as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) is a local financial consideration which must be taken into account, as far as they are material to an application, in reaching a decision. Whilst the implementation and completion of the development, if it were approved, would result in a local financial benefit, for reasons as already outlined it has been concluded that this proposal does not accord with the Development Plan as it would give rise to significant harm.

7.8 Impact on biodiversity

7.8.1 The current proposal would seek the removal of existing buildings on the site and a Phase 1 and Phase 2 bat survey has been provided to support this application, which indicates that the existing buildings provide limited usage by bats. Mitigation measures are proposed include the provision of tree-mounted bat boxes in the short term with building-mounted bat tubes in the long term. Surrey Wildlife Trust previously raised no objections to the redevelopment of this site (under SU/14/1192) but their comments are awaited for the current proposal. It is therefore considered that, subject to the comments of the Surrey Wildlife Trust, the proposal is acceptable on these grounds, complying with Policy CP14 of the CSDMP and the NPPF.

7.9 Impact on flood risk and drainage

7.9.1 The proposal has been supported by a surface water drainage strategy. The LLFA have raised no objections to the proposal on these grounds, subject to conditions. The application site falls within flood Zone 1 (low risk). As such, there are no objections to the proposal on drainage and flood risk grounds, with the proposal complying with Policy DM10 of the CSDMP.

8.0 CONCLUSION

8.1 The proposed development is considered to be acceptable in relation to its impact on local character, SPA, residential amenity, biodiversity, flood risk, drainage and highway safety, subject to the completion of a legal agreement to provide a SMM contribution. The proposal is CIL liable and an informative to that effect is proposed. As such, the current proposal is considered to be acceptable.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

10.0 RECOMMENDATION

GRANT subject to 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: P16/10/S/101, P16/10/S/110, P16/10/S/111, P16/10/S/112 and P16/10/100, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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

4. The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. Notwithstanding the provisions of Classes A and E of Part 1 of Schedule 2 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, garages or other buildings shall be erected 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.

6. The development hereby approved shall be implemented in accordance with the requirements set out in Part 5 (Recommendations) of the Guildford Road Ecology 2016 Bat Survey Report by Hankinson Duckett Associates Ref. 708.1 dated September 2016 with Bat Mitigation Plan Figure 2 unless the prior written approval has been obtained from the Local Planning Authority.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. The development hereby approved shall not be occupied until the existing access from the site has been permanently closed and any kerbs, verge, footway reinstated with a 3 metre wide footway constructed along the site frontage with A322 Guildford Road provided in accordance with the details to be submitted to and approved by the Local Planning Authority.

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 accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. No development shall take place until a Method of Construction Statement, 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
- (f) hours of construction
- (g) method for keeping the public highway clean during construction
- (h) confirmation that there will be no on-site burning during site clearance, demolition or construction phases

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice residential amenity or highway safety; nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. No development shall take place until a scheme to deal with the suspected contamination of land has been submitted to and approved by the Local Planning Authority. The scheme shall include:

- 1. A remediation action plan based upon the Geo-Environmental report should be established;
- 2. A "validation strategy" identifying measures to validate the planned identified remediation works;

The remediation/validation strategy shall be implemented in accordance with the approved scheme and thereafter a verification report containing substantiating evidence that the agreed remediation has been carried out shall be submitted to and approved by the Local Planning Authority prior to the occupation of the approved development.

Reason: To ensure that satisfactory measures are put in place for addressing contaminated issues before and during the development process and to make the land suitable for the development without resulting in risk to workers on site, future users of the land and occupiers of nearby land and the local environment and to comply with the National Planning Policy Framework.

10. No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved, and implemented prior to first occupation. The submitted details should also include an indication of all level alterations, hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].

All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**.

A landscape management plan including maintenance schedules for all landscape areas other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority before first occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The schedule shall include details of the arrangements for its implementation. The landscape areas shall be managed and maintained thereafter in accordance with the agreed landscape management plan for a minimum period of five years.

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. Before first occupation of the development hereby approved, the first and second floor window(s) in the flank elevations shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations without the prior approval in writing of the Local Planning Authority.

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

12. The approved development shall be implemented in accordance with the Arboricultural Report (Part 1: Tree Survey and Part 2: Arboricultural Implications Assessment) by Ian Keen Ltd. dated 9 April 2013 [Reference IJK/8388-RevA/WDC] and tree protection plan 8388/02 Rev. A received on 10 August 2016 unless the prior written approval has been obtained from the Local Planning Authority.

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.

Informative(s)

1. CIL Liable CIL1
2. Building Regs consent req'd DF5
3. Party Walls (etc) Act 1996 DE3

In the event that a satisfactory legal agreement has not been received by the 26 July 2017 to secure a contribution towards SAMM the Executive Head of Regulatory be authorised to REFUSE the application for the following reasons:-

- 1 In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, or payment of the SAMM payment in advance of the determination of the application, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012; and, Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (Adopted January 2012).