

LOCATION: WINDLEMERE GOLF CLUB, WINDLESHAM ROAD, WEST END, WOKING, GU24 9QL

PROPOSAL: Three detached two storey dwellings with detached double garages, entrance gates and associated accesses and landscaping following demolition of golf club and driving range buildings and use of remainder of land as suitable alternative natural greenspace (SANGS). (Additional info recv'd 25/1/17). (Additional information rec'd 09/02/2017). (Amended/Additional Information - Rec'd 21/03/2017.) (Amended and Additional Information Rec'd 31/03/2017) (Amended plans and information, and additional information recv'd 21/7/17). (Amended plans & information, and additional information recv'd 24/11/17).

TYPE: Full Planning Application

APPLICANT: Mr Smith

OFFICER: Ross Cahalane

RECOMMENDATION: GRANT subject to conditions and completion of a legal agreement and referral to the Secretary of State as a Departure from the Development Plan.

UPDATE

- i This application was heard on the 24 August 2017, where it was resolved by Members that the application 16/1207 be deferred in order to:
 - a) carry out a site visit to inspect the SANG car park access;
 - b) invite the County Highway Authority to attend the site; and
 - c) obtain further information from the Heritage Officer regarding the access to the site.
- ii Following the Member site visit on 20 September 2017, a draft amended site plan has been received to relocate the proposed SANG car park to the eastern side of Blackstroud Lane East away from the Listed Buildings. The existing access to the golf club will now be closed off to create one shared access to the dwellings and SANG car park. The County Highway Authority (CHA) will have to be re-consulted to assess whether the visibility at each side of this access would be sufficient at this location. However, when compared to the original location this amended location is not located as close to a highway bend so in the officer's opinion, this is an improvement. No response has been received at time of preparation of this report and an addendum update will be presented accordingly. The CHA previously recommended pre-occupation conditions requiring the provision of visibility, provision of space within the site for parking and satisfactory manoeuvring and a pre-commencement planning condition requiring the submission of a Construction Management Plan to be approved in writing by the Local Planning Authority. These can be re-imposed should the CHA raise no objection to the amended access location.
- iii An amended SANG Management Plan, highway visibility splay plan and tree protection plan will also be provided in respect of the proposed revised access. An update following statutory re-consultation will be provided in advance of the Committee.

- iv The proposed amended SANG car park and access is now located within the previously developed land and thus reduces the spread of development across the wider site and is an improvement in Green Belt terms. The proposed closure of the existing golf club access to create a shared access would also assist in reducing the spread of hard standing.
- v The SANG car park was initially proposed to be located off Blackstroud Lane East near to the Grade II Listed Buildings of The Barn and Brooklands Farm to the northeast. The amended site plan is a significant distance away from the Listed Buildings to avoid any impact upon their character and setting. However, as originally suggested by the Council's Conservation Officer, it is considered that the use of sympathetic informal surface materials would assist integration with the rural character of the surrounding area, although some transition will be needed towards the highway.
- vi The submitted SANG Management Plan intended to be secured by a Section 106 Agreement requires the proposed access and car park surface areas to be informal, such as rolled or bound gravel. It is considered that the use of gravel with appropriate transition to the main highway without the use of tarmac or formal road markings would be sufficient to ensure that all proposed surface materials are appropriate for the rural character of the surrounding area, in compliance with Policy DM9 of the CSDMP.
- vii The proposed SANG car park access would now be located opposite open land and the nearest existing residential boundary would be that of 'Hookwater' approx. 66m to the southeast. The proposed car park area would be sited up to approx. 20m from the side garden boundary with the proposed Plot 3 to the south and approx. 37m from its side elevation. Although this amended access location is still subject to neighbour consultation, with any responses received to be included in the addendum, Officers consider that these separation distances are sufficient to avoid adverse harm to the residential amenity of current and future occupiers in terms of loss of privacy or general noise and disturbance.
- viii It is still considered necessary and reasonable to impose a planning condition requiring the submission of a gate enclosure scheme for the SANG car park, of an appropriate design and scale to be agreed upon by the Council that could be shut outside of daylight hours. This is considered sufficient to avoid adverse harm to neighbouring dwellings in terms of noise and disturbance.

PREVIOUS COMMITTEE REPORT PRESENTED TO THE PLANNING APPLICATIONS COMMITTEE ON 24 AUGUST 2017

RECOMMENDATION: GRANT subject to conditions and completion of a legal agreement and referral to the Secretary of State as a Departure from the Development Plan.

1.0 SUMMARY

- 1.1 This application seeks planning permission for three detached two storey dwellings with detached double garages, entrance gates and associated accesses and landscaping following demolition of the golf club and driving range buildings, and use of the remainder of the golf club land as Suitable Alternative Natural Greenspace (SANGS).

- 1.2 Subject to a number of planning conditions, no objections are raised on highway, character, tree, flood risk, drainage or ecology grounds and it is considered the proposal would not be harmful to residential amenity.
- 1.3 The application includes the creation of 15ha of SANG utilising the existing golf course and driving range grounds. The proposed SANG land and associated works are considered to not be inappropriate development in the Green Belt as it would not conflict with the openness of the Green Belt and the purposes of including land in the Green Belt. Subject to conditions, the completion of a legal agreement to secure Strategic Access Management and Monitoring (SAMM) and the delivery of the bespoke SANGS solution in accordance with the SANG Management Plan, the proposed dwellings would not impact on the integrity of the Thames Basin Heaths Special Protection Area (SPA).
- 1.4 However, owing to the substantially greater footprint, floor area and height increase arising from the additional presence of buildings at two storey level across the site, the proposed three dwellings would represent inappropriate development in the Green Belt and cause significant harm to the openness of the Green Belt and its purposes. By association, this development would also cause harm to the existing rural, natural and undeveloped character of the area.

As such it is necessary to consider whether there are any very special circumstances to outweigh the identified harm.

- 1.5 Section 7.13 of the report details the case of very special circumstances submitted by the applicant. The NPPF places significant weight on the need to support the supply of housing and associated economic growth, along with any social and environmental benefits that accrue from development. Therefore, it is considered that the combined economic, social and environment benefits arising from the provision of the proposed SANG land, as a public recreation facility and as an SPA avoidance measure to allow for additional housing to meet the needs of Bagshot and its environs, clearly outweigh the identified harm to the Green Belt to justify the additional spread of development above and beyond that of the existing built form on site. As such, this report recommends approval, subject to conditions.
- 1.6 Under the Town and Country Planning (Consultation) (England) Direction 2009 this proposal represents a departure from the Development Plan, because it is major development within the Green Belt. Under this Direction and if Members agree with the recommendation to grant, the application must therefore be referred to the Secretary of State. This gives the SoS the opportunity to either make no comments or use call-in power and make the decision on the application. The Planning Authority cannot grant permission until the expiry of 21 days from the date the SoS confirms receipt of the consultation, in addition to the completion of the legal agreement to secure Strategic Access Management and Monitoring (SAMM) and the delivery of the bespoke SANG solution in accordance with the SANG Management Plan.

2.0 SITE DESCRIPTION

- 2.1 The 16.26ha application site is on the western side of Windlesham Road that extends up to Blackstroud Lane East to the north and consists of a 9-hole pay-per-play golf course, single storey club house, driving range, storage buildings and parking and hard standing areas. The existing vehicular access is off Windlesham Road between the clubhouse and driving range. The driving range includes 7.6m high netting fences at each side and to the rear with illumination from floodlights attached to the roof of the driving range complex. The golf club

grounds have been vacant since late 2016.

- 2.2 The site is within the Green Belt detached from the nearest settlement area of West End and to the east of the settlement area of Lightwater. The surrounding area is rural in character but comprises a number of residential properties of varying age, size and architectural style along Windlesham Road and Blackstroud Lane East, including the Grade II Listed Buildings of The Barn and Brooklands Farm to the north. The sports grounds of Gordons School run along the southern site boundary. The site partially borders the A322 Guildford Road to the west.

3.0 RELEVANT PLANNING HISTORY

- 3.1 75/0835 Construction of golf course.

Decision: Granted (implemented)

- 3.2 04/0924 Erection of single storey equipment shed following the demolition of four buildings.

Decision: Granted (implemented)

4.0 THE PROPOSAL

- 4.1 Planning permission is sought for the erection of three detached two storey dwellings with detached double garages, entrance gates and associated accesses and landscaping following demolition of golf club and driving range buildings and use of the remainder of the golf club land as Suitable Alternative Natural Greenspace (SANG).
- 4.2 The proposed dwellings would each have varying footprints, heights and designs but would have common traditional features such as hipped pitched roofs, varying eaves levels, tile hung front gables, bay windows and decorative brick and finial detailing.
- 4.3 The proposed dwelling 'Plot 1' would have a maximum side elevation depth of approx. 10.8m, maximum width of approx. 16.3m, maximum eaves height of approx. 5.1m and maximum ridge height of approx. 7.7m. The proposed dwelling 'Plot 2' would have a maximum side elevation depth of approx. 12.8m, maximum width of approx. 14.8m, maximum eaves height of approx. 5.5m and maximum height of approx. 8.3m. The proposed dwelling 'Plot 3' would have a maximum elevation depth of approx. 10.1m, maximum width of approx. 17.8m, maximum eaves height of approx. 5.5m and maximum ridge height of approx. 8.5m.
- 4.4 The proposed double garage for each dwelling would have a width of approx. 6.2m, depth of approx. 6.3m, eaves height of approx. 2.7m and maximum height of approx. 4.8m. The existing vehicular access to the golf club will be retained as part of a modified access drive to each dwelling. 1.2m high post and rail fencing is proposed along the front dwelling boundaries, with each dwelling being served by 1.4m high post and rail access gates.
- 4.5 The application also seeks to provide publically accessible SANG land of 15ha utilising the existing golf course and driving range grounds. Amended plans were received to seek to retain the existing storage buildings and adjacent hard standing to the south of the site, to be used for equipment storage for the future maintenance of the proposed SANG land. The following works are to be undertaken to the proposed SANGS land in order that it is of suitable standard:

- The creation of a grassed circular walk measuring at least 2.3km;
 - An additional vehicular access off Blackstroud Lane East to the north to serve a public car park of approx. 16 spaces for the SANG land;
 - Dog-proof fencing around the perimeter of the site, comprising wooden post and wire fencing to a height of approximately 1.2m;
 - Dog waste bins and litter bins; and,
 - The erection of visitor information board and directional signs.
- 4.6 The application is supported by the following documents and regard will be had to these as appropriate in the assessments made in this report.
- Planning, Design, Access and Sustainability Statement
 - SANG Management Plan (amended to include a walkway with minimum distance of 2.3km including direct access from car park and retention of storage buildings)
 - Tree Survey (BS compliant)
 - Phase 1 Ecological Appraisal and subsequent Technical Briefing Note - Clarification of Great Crested Newt Mitigation Strategy
 - Archaeological Desktop Assessment
 - Transport Statement
 - Flood Risk Assessment
 - Affordable Housing Statement.

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highways Authority | No objections or comments to make. |
| 5.2 | Surrey County Council
Lead Local Flood Authority | No objection, subject to conditions. |
| 5.3 | Surrey County Council
Archaeology Officer | No objection, subject to condition. |
| 5.4 | Surrey Wildlife Trust | No objection, subject to compliance with safeguarding measures outlined in the Great Crested Newt Mitigation Strategy. |
| 5.5 | West End Parish Council | No objection to three dwellings. However, the Parish Council objects to the location of the car park due to narrow road width, limited sight lines intrusive effect on neighbouring properties and possible nocturnal anti-social behaviour. |
| 5.6 | Natural England | No objection, subject to confirmation that the Council will manage the SANG land in perpetuity with the capital works and |

management costs and funding route agreed by the Council.

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| 5.7 | Council Heritage and Conservation Officer | No objection, subject to appropriate informal materials used for the proposed SANG access and car park surface. |
| 5.8 | Council Arboricultural Officer | No objection, subject to condition. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report, one letter of support and objections from 19 properties have been received. Additionally, a petition with 52 signatures has been received requesting that the proposed SANG land includes provision of a bridleway.
- 6.2 The following concerns have been raised:

Green Belt

- Green Belt restricts development of new buildings
- Propose volume appears to be approx. 4 times greater than existing
- Discrepancy with footprint figures provided
- Object to loss of local golf and social facilities

[See Sections 7.3 - 7.4]

Character

- Object to location of SANG parking area –opposite two Listed residences and causing nuisance and noise and could attract anti-social behaviour
- Listed Buildings not shown on detailed SANG car park plan
- Unpleasant and unnatural addition to a country road

[See Section 7.5]

Amenity

- Overlooking from car park and walk path into garden and rooms
- Increased noise from vehicles
- Proposed seating areas not on plans
- SANG will bring more people to visit area which is not wanted
- No mention of closing times for SANG land and its car park
- Increase in anti-social behaviour especially at night

[See Section 7.6]

Highway safety

- Windlesham Road and Blackstroud Lane East cannot handle current flow of traffic – it is a small quiet single track country lane – vehicles have become stuck and have

had to be towed

- Car park location is on narrowest part of Blackstroud Lane East and limited vision to enter or exit – should be relocated to Windlesham Road
- Site line calculations within Highway Statement inaccurate
- Slope towards highway would cause difficulty for entry and exit and would increase water run-off onto road
- Safety hazard to other road users
- Trees opposite 'The Barn' would need to be felled

[See Section 7.7]

Ecology

- Impact on local wildlife
- Pond on the club has newts, bats in the trees and other wildlife that needs to be protected

[See Section 7.9]

Drainage/flood risk

- Access to car park will be across a drainage ditch - Blackstroud Lane East is subject to heavy flooding throughout the year
- Pond supplying water to golf course overflows and needs a drainage overflow system

[See Section 7.10]

Proposed SANG land

- SANG land does not meet Natural England guidance
- Proposed SANG is opposite sewage treatment plant where unpleasant smells occur on a regular basis
- Land crossed by electricity cables which are bad for people's health
- How is the safety of dogs going to be secured? Existing fence is inadequate

[See Section 7.12]

Other matters

- Plan of proposed SANG car park is not clear
- Will set precedent for additional building works in the area
- Existing golf club access could be used instead

[Officer comment: Each application must be considered on its own planning merits]

- Council should commit to a covenant to prevent future development

[Officer comment: A planning condition will be imposed removing permitted development rights for the proposed dwellings. Any additional planning application has to be considered on its own planning merits.]

- No public site notice

[Officer comment: All neighbours adjoining the application site have been consulted, in accordance with the statutory requirement. A public site notice was also erected on 07 February.]

7.0 PLANNING CONSIDERATION

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CP1, CP2, CP5, CP6, CP8, CP12, CP13, CP14, DM9, DM10, DM11, DM14 and DM17. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) are also material considerations to the determination of this application.

7.2 The main issues to be considered are:

- Principle of development;
- Green Belt appropriateness and harm;
- Impact on character of the surrounding area;
- Impact on residential amenity;
- Impact on trees;
- Impact on access, parking and highway safety;
- Impact on ecology;
- Impact on flood risk;
- Impact on infrastructure;
- Impact on the Thames Basin Heaths SPA;
- Other matters; and,
- Very Special Circumstances.

7.3

Principle of development

7.3.1 Policy CP3 of the CSDMP promotes housing development within previously developed land. Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

Policy DM15 of the CSDMP states that existing formal recreational facilities will be protected unless it can be demonstrated that such facilities are to be co-located in dual use facilities, are to be provided within appropriate replacement facilities or are surplus to requirements and there is no demand for any other recreational purpose. Policy CP13 of the CSDMP supports the provision of a network of accessible and integrated green infrastructure across the Borough and includes the provision of SANGs. Policy DM16 of the CSDMP also supports the provision of new green infrastructure to provide recreational facilities.

- 7.3.2 The proposed development comprising new housing and SANG provision in the Green Belt following loss of the existing 9-hole golf club is therefore acceptable in principle, subject to an assessment of the additional Green Belt impact in Section 7.4 below and the loss of the golf club facility covered in Section 7.13 below.

7.4 Green Belt appropriateness and harm

Proposed dwellings

- 7.4.1 The Government attaches great importance to Green Belts, stating that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence (Paragraph 79 of the NPPF refers). Paragraph 89 of the NPPF also states that the local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists exceptions to this. Of the exceptions listed, only the redevelopment of previously developed land (PDL) could be said to apply to the development proposal as outlined below:

limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

- 7.4.2 'Previously developed land' is defined in the NPPF as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

In light of the above definition, it is considered that the application site comprising of the golf club, driving range building and its land enclosed by high netted fencing and the surrounding parking and hardstanding areas constitutes PDL.

- 7.4.3 The primary indicator of openness is size of built form and so the following table provides a comparative assessment of the size of the existing and the proposed development, which can be summarised in the table below:

	Floorspace	Footprint	Volume	Hardstanding	Height
Existing	539 sq. m	523 sq. m	2115 cu. m	3194 sq. m	7.7m – 8.4m
Proposed	888 sq. m (+64.7%)	584 sq. m (+11.7%)	3165 cu. m (+49.6%)	2132 sq. m (- 33.2%)	3.2m

- 7.4.4 As demonstrated in the table above, the proposed dwellings would have a significantly greater impact upon the openness of the Green Belt than the existing development in terms of additional floorspace, footprint, volume and height. The above figures take account of the storage buildings and adjacent hardstanding that is now proposed for retention.
- 7.4.5 Although the proposed hardstanding coverage would be reduced, the frontage of overall development envelope parallel to the highway boundary would remain similar. However, in addition to the increases in size and height the proposal would spread buildings to the northwest towards Blackstroud Lane East and so this spread in development would cause further harm to openness. In the officer's opinion the reduction in hardstanding, and the fact that these dwellings would be located where the existing golf netting fences are sited, would not offset the significant harm to openness.

Proposed SANG land

- 7.4.6 The proposed use of the golf club land as a SANG would allow public access to the site for use as a shared recreational facility, with the provision of a 2.3km walkway and parking facilities. The proposed SANG land would not involve any new buildings and would maintain the openness of the Green Belt as well as continuing to offer recreational opportunities for the public. The storage buildings now proposed for retention would be used for maintenance of the proposed SANG land which is considered to not be inappropriate in the Green Belt. The retention of these buildings is considered to be a sustainable solution in this regard, utilising existing buildings and allowing for less transportation of machinery/tools across the Borough.
- 7.4.7 The provision of the proposed SANG land will involve limited management of existing trees and would include planting of new trees of native species, oversowing of grassland with native seed mix to establish wildflower grassland the proposed walkway will be grassed with the requirement for any additional surfacing assessed only if the footpath condition becomes substantially degraded. The proposed loss of the golf club and provision of SANG land would therefore be acceptable in principle, as the loss of the golf club as a public recreational facility would be offset by the provision of the proposed public SANG land and walkway.
- 7.4.8 The proposed operational development to facilitate the SANG land will be limited to the creation of the SANG car park/access (included in the above hardstanding figures and considered further in Section 7.13 below) and the installation of 1.2m high wooden post and wire dog-proof fencing as required by the submitted SANG Management Plan intended to be secured by a Section 106 Agreement. It is therefore considered that the provision of the proposed SANG land would preserve the openness of the Green Belt and would not conflict with its purposes.

Conclusion

- 7.4.9 In light of all the above, it is considered that the proposed dwellings would have a demonstrably greater impact upon the openness of the Green Belt and the purposes of including land within it than the existing development. Very Special Circumstances would therefore be required to outweigh the harm, which are considered under Section 7.13 below. However, it is first necessary to establish whether any other harm, in addition to the identified Green Belt harm exists, and sections 7.5 - 7.12 of this report consider this.

7.5 Impact on character of the surrounding area

- 7.5.1 The NPPF requires development to integrate into its natural, built and historic environments and Policy DM9 (ii) of the CSDMP reiterates this requiring development to respect and enhance the environment, paying particular attention to scale, materials, massing, bulk and density. Whilst the A322 dual carriageway forms part of the western side boundary of the site and the existing site contains buildings and hard standing areas at the southeast corner, the environmental character of the wider site and surrounding area is predominantly rural, open and natural.
- 7.5.2 It is accepted that the proposed dwellings would be of traditional appearance as they each include hipped pitched roofs, varying eaves levels, tile hung front gables, bay windows and decorative brick and finial detailing, which would add interest and reflect the rural character of the surrounding dwellings. The proposed double garages and post and rail boundary enclosures would be modest in scale and also of an appropriate traditional appearance. However, the proposed development would spread buildings further to the northwest and by virtue of its residential nature and scale, would lead to an increased urbanised appearance that, in addition to the Green Belt harm and by association would fail to respect the existing rural, open and natural attributes that the area possesses, contrary to Policy DM9 (ii).
- 7.5.3 However, the dwellings and associated garages and post and rail gates and fencing would be set back from the highway and with significant separation distances between them, with the existing mature shrubbery boundary treatments along the highway boundary to be retained. This would reduce their visibility from the streetscene and would somewhat limit the urbanising effect upon the wider streetscene. The precise external elevation material and landscaping details could be secured by means of planning conditions to be complied with before commencement of the dwellings, to ensure that the external materials and hard and soft landscaping specifications are typical of a traditional rural setting.
- 7.5.4 Policy DM17 of the CSDMP states that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting. The proposed SANG car park would be located off Blackstroud Lane East near to the Grade II Listed Buildings of The Barn and Brooklands Farm to the northeast. The Council's Conservation Officer was therefore consulted and has stated that subject to the use of sympathetic informal surface materials such as a 'hoggin' (compactable groundcover that is composed of a mixture of clay, gravel, and sand) and not tarmac, the proposed access and car park area will not be harmful to the setting of the adjacent Listed buildings or the rural character of the surrounding area. The Conservation Officer has accepted that some transition will be needed between the hoggin and the highway, but has objected to the use of tarmac or road markings as it would lead to an unacceptable urbanisation of the lane and dilution of the setting of the Listed Buildings.

- 7.5.5 The submitted SANG Management Plan intended to be secured by a Section 106 Agreement requires the proposed access and car park surface areas to be informal, such as rolled or bound gravel. It is considered that the use of gravel with appropriate transition to the main highway without the use of tarmac or formal road markings would be sufficient to ensure that all proposed surface materials are appropriate for the setting of the nearby Listed Buildings and the rural character of the surrounding area, in compliance with Policy DM17 of the CSDMP.
- 7.5.6 In summary, it is considered that the proposed dwellings would be contrary to Policy DM9 (ii) as they would lead to an increased urbanised appearance across the site that would fail to respect the existing rural, open and natural attributes that the area possesses.

7.6 Impact on residential amenity

- 7.6.1 Policy DM9 (Design Principles) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 requires that the amenities of the occupiers of the neighbouring properties and uses are respected. The thrust of one of the core planning principles within the NPPF is that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.6.2 The nearest proposed front elevation would be sited approximately 52m from the boundary of the detached dwelling 'Hookwater' to the northeast with the existing mature highway boundary shrubbery in between, which is considered sufficient to avoid adverse harm in terms of loss of light, outlook, privacy or overbearing impact. Given the significant distance to the elevations and primary amenity areas of the other surrounding neighbours, it is considered that the proposal as a whole would not give rise to adverse harm to the amenity of other surrounding neighbours in terms of loss of light, outlook, privacy or overbearing impact.
- 7.6.3 The proposed first floor side elevations of each dwelling would have windows serving bathrooms, save for one window of Plot 2 serving a bedroom sited approximately 22m from the side elevation of Plot 1 which is considered to be sufficient distance to avoid adverse loss of privacy. A planning condition can be imposed to ensure that the proposed first floor side bathroom windows are obscure-glazed with high-level openings to avoid loss of privacy.
- 7.6.4 It is considered that sufficient outlook, natural light and private amenity areas would be provided for future occupiers of the proposed dwellings. No objections are therefore raised on these grounds.
- 7.6.5 Turning to the proposed SANG land, access and car park (with approximately 16 informal car park spaces), concern has been raised in respect of overlooking, increased noise and disturbance from vehicles and land users and possibility of anti-social behaviour, especially at night. The proposed car park access would be opposite the pedestrian side gate entrance to the dwelling of Brooklands Farm. The proposed car park area would be sited between Brooklands Farm and The Barn, approximately 1.7m higher than the grounds of Brooklands Farm sited up to approximately 13m from its nearest garden area. However, this dwelling benefits from a significant amount of shrubbery along the highway boundary. The proposed car park would be up to approximately 2.8m higher than the grounds of The Barn, sited up to approximately 17m from its nearest garden area. However, the nearest side elevation of The Barn contains no side elevation windows and would restrict views to its eastern amenity area, along with dense shrubbery present along all parts of the dwelling's highway boundary. The above built form and boundary relationships are considered sufficient to avoid adverse harm to residential amenity in terms of loss of privacy.

- 7.6.6 It is noted that no access gates or other restrictions are proposed for the car park. However, subject to the Council acquiring the SANG land, as the landowner it would have the power to install gates and vehicle height restrictors in order to restrict night time access or anti-social behaviour when deemed necessary. However, following the Conservation Officer's comments it is considered necessary and reasonable to impose a planning condition requiring the submission of details of the proposed enclosure scheme to ensure that it is of an appropriate design and scale for its rural setting near to the Listed Buildings. On this basis, it is considered that no adverse harm upon neighbouring dwellings would arise in terms of noise and disturbance.
- 7.6.7 The SANG Management Plan refers to an option to provide seating to enhance the largest pond within the west of the golf course providing as a focal point with views over the water. Although no indicative plan details of the proposed seating locations have been provided, this lake would be sited approximately 25m at its nearest part from the nearest residential boundary of No. 3 Outfall Cottages, with mature shrubbery to be retained and Blackstroud Lane West sited in between. This relationship is considered sufficient to avoid adverse harm to current and future occupiers in terms of loss of privacy and general noise and disturbance.
- 7.6.8 It is therefore considered that the proposal as a whole complies with the amenity requirements of Policy DM9 of the CSDMP.

7.7 Impact on access, parking and highway safety

- 7.7.1 Policy DM11 (Traffic Management and Highway Safety) states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented.
- 7.7.2 All proposed dwellings would have a detached double garage and space at the front for additional parking and turning. The application also includes an additional vehicular access off Blackstroud Lane East serving the proposed SANG car park with approx. 16 informal car park spaces. A Transport Statement has been provided to estimate the expected trip rates arising from the dwellings and SANG land against those of the golf club. The Transport Statement concludes that it is estimated that the traffic activity associated with the proposed developments would be significantly lower than that associated with the existing golf club. It also states that although Blackstroud Lane East is subject of the 60mph national speed limit, based on site visits speeds of vehicles along this section are much lower and are generally expected to be between 25-30mph. The proposed SANG car park access seeks to provide visibility splays of at least 2.4m x 60m in each direction in line with the DCLG Manual for Streets (2007).
- 7.7.3 Although the County Highway Authority (CHA) has commented that the proposed access to the SANG car park proposes visibility splays are less than the standard for the speed of the road, it has accepted that Windlesham Road/Blackstroud Lane East is a narrow winding country lane and as a result vehicle speeds tend to be considerably lower than the posted national speed limit of 60 mph. The CHA also states that a check on the accident records for this road shows there have been no personal injury accidents recorded for at least 5 years. Therefore the CHA has raised no objections on safety, capacity or policy grounds.

- 7.7.4 Concerns have been raised in representation regarding the proposed visibility splays requiring removal of third party trees. The Manual for Streets advises that the impact of street trees should be assessed in terms of their impact on the overall envelope of visibility. In general, occasional obstacles to visibility that are not large enough to fully obscure a whole vehicle or a pedestrian, including a child or wheelchair user, will not have a significant impact on road safety. The CHA has recommended a pre-occupation condition requiring the provision of visibility zones to the proposed new vehicular access to Blackstroud Lane East and modified vehicular access to Windlesham Road (as shown on the site plans appended to the Transport Statement), and to be kept permanently clear of any obstruction over 1.05 m high. The LPA considers that although the sight lines of the proposed access would cross the canopies of several trees, they would be at sufficient height from ground level to comply with the purposes of this condition.
- 7.7.5 The CHA also recommends a pre-occupation condition requiring provision of space within the site for parking and satisfactory manoeuvring and a pre-commencement planning condition requiring the submission of a Construction Management Plan to be approved in writing by the Local Planning Authority.
- 7.7.6 It is therefore considered that subject to the above conditions, it is not envisaged that the proposed development would prejudice highway safety or capacity. An advisory informative will be added to remind the applicant/owner to seek separate permission from the County Highway Authority as the landowner of the highway verge to clear the shrubbery required to provide the visibility splays. The proposed developed development is therefore compliant with Policy DM11 of the CSDMP.

7.8 Impact on trees

- 7.8.1 Policy DM9 (iv) of the CSDMP states that development will be acceptable if, inter alia, it would protect trees and other vegetation worthy of retention.
- 7.8.2 Separate arboricultural surveys, impact assessments and tree protection plans have been provided for the proposed demolition of buildings and SANG car park and access. These reports outline that the proposed SANG access would require the removal of one moderate quality (Category B) oak tree and some planted Leyland cypress. The oak to be removed forms part of a belt of trees adjacent to the highway and is approx. 9m into the site. In addition there are three false acacias adjacent to the highway which have been graded in the unsuitable for retention (Code U) category. Due to their location and condition, they are recommended for removal in any event.
- 7.8.3 The proposed demolition of the driving range would involve removal of a small low quality laburnum (Category C) and three trees unsuitable for retention. Tree protection measures are proposed for all mature trees to be retained near the development as a whole and the reports outline that no incursion into the RPA of any retained trees would occur.
- 7.8.4 A SANG Management Plan report has also been provided and states that to provide additional interest within the SANG area and create new habitat opportunities for wildlife, it is proposed to provide some new tree and shrub planting and areas of wildflower grassland, as shown on the on the SANG Management Plan. A line of trees is shown within the proposed development area on the SANG Management Plan forming the side boundary of the driving range. A site visit revealed that most of these have been removed and replaced by netting to protect the main golf course. However, these trees were not subject to any statutory control and it is considered that the proposed planting comprising native species of local provenance and characteristic of the local area would offset the loss of these trees.

- 7.8.5 The Council's Arboricultural Officer has been consulted and has raised no objection to the proposed works as a whole, subject to a condition requiring that the development is carried out wholly in accordance with the submitted Arboricultural Reports and that digital photos provided demonstrating all tree and ground protection measures erected in accordance with the Tree Protection Plan. and are acceptable. On this basis, it is not considered that the proposal would result in harm to surrounding mature trees.

7.9 Impact on ecology

- 7.9.1 The application site itself is not subject to any statutory or non-statutory nature conservation designation. However, most of the proposed SANG land is within the Thames Basin Heaths Special Protection Area (SPA) 400m buffer zone surrounding the Colony Bog and Bagshot Heath Site of Special Scientific Interest (SSSI), a collection of heathland areas designated for internationally significant breeding populations of Dartford Warbler, Nightjar and Woodlark.
- 7.9.2 The SANG Management Plan states that to provide additional interest within the SANG area and create new habitat opportunities for wildlife, it is proposed that some new tree and shrub planting and areas of wildflower grassland. A circular footpath of a minimum distance of 2.3km will be created within the SANG area and will primarily be formed by maintaining a 2m wide strip along the footpath route at a short sward height (less than 5cm) through regular mowing. The requirement for additional surfacing will be assessed only if the footpath condition becomes substantially degraded.
- 7.9.3 A Phase 1 ecology survey has also been provided, which concluded that the short-mown grassland, buildings and hardstanding within the site is of negligible to low ecological value. A number of mitigation and enhancement measures are nonetheless recommended to minimise the risk of harm to protected species. Surrey Wildlife Trust was consulted and raised no objection, subject to compliance with the recommended mitigation and enhancement measures.
- 7.9.4 Following concern raised in respect of potential great crested newts within the site, a technical briefing note outlining a great crested newt mitigation strategy was subsequently provided. Surrey Wildlife Trust has been re-consulted and has raised no objection, subject to compliance with actions recommended within the ecology survey and great crested newt mitigation strategy. On this basis, it is not envisaged that the proposed development would lead to harm or loss of protected species or other features of interest for biodiversity, in compliance with Policy CP14 of the CSDMP.

7.10 Impact on flood risk

- 7.10.1 The application site is not located within Flood Zone 2 or 3. However, parts of the application site are located within areas of medium-high risk from surface water flooding based on Environment Agency data, mainly concentrated upon a ditch network to the northwest of the driving range where the 'Plot 2' dwelling will be located and along an unnamed stream bisecting the golf course towards the northeast. In order for 'Major' planning applications such as this to comply with the Planning Practice Guidance, surface water drainage systems must be designed with sustainability in mind and therefore should consider Sustainable Drainage Systems (SuDS).

7.10.2 A Flood Risk Assessment has been provided, which correctly identifies that some of the site is at risk of surface water flooding. River, sewer, groundwater and reservoir failure flood sources have also been assessed and none of these were found to pose any risk. The report concludes that the flood risk profile of the site is 'Low', with the exception of the surface water flooding in an extreme storm event, and that the proposed residential development will not increase the flood risk, either on this site or to neighbouring properties.

This proposed drainage strategy proposes all external hardstanding areas to be of permeable materials, the use of soakaways or infiltration areas in the residential gardens and the re-grading of Plot 2 so that it becomes a very wide V-shaped channel with a maximum depth of at least 300mm, so that its capacity is more than doubled.

7.10.3 Following the submission of additional information regarding the proposed surface water strategy, Surrey County Council as the Lead Local Flood Authority has raised no objection, subject to a planning condition providing details and finalised plans of the surface water drainage scheme that should evidence effective management of the storm events as detailed in the Flood Risk Assessment and how the proposed SuDS would deal with exceedance or system failure events and would be protected during construction, along with a management and maintenance plan that details maintenance regimes and responsibilities. A second condition is proposed requiring no development to be occupied until a verification report carried out by a qualified drainage engineer demonstrating that the SuDS has been constructed as per the agreed scheme is submitted to and approved in writing by the LPA.

7.10.4 The proposed SANG car park is not located within an area of known surface water flood risk and the proposed provision of the SANG land itself would involve minimal ground disturbance and shrubbery maintenance. Although the proposed access would decline towards Blackstroud Lane East, as required by the SANG Management Plan intended to be secured by S106 Agreement the proposed car park/access hard standing will be of informal porous material which is considered sufficient to avoid surface run-off to the highway.

7.10.5 On the basis of all the above and subject to compliance with the above mitigation measures and proposed conditions, it is considered that the proposed development would be SuDS compliant and would not lead to an increase in flood risk either within or around the site, in compliance with Policy DM10 of the CSDMP.

7.11 Impact on infrastructure

7.11.1 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on 16 July 2014. As the CIL Charging Schedule came into effect on 01 December 2014, an assessment of CIL liability has been undertaken. Surrey Heath charges CIL on residential developments involving one or more new dwellings through new build. As the proposal includes new Class C3 dwellings, the development would be CIL liable. However, CIL is a land charge that is only payable at commencement of works should full permission be granted. An advisory informative would be added accordingly.

7.12 Impact on the Thames Basin Heaths SPA

7.12.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule.

- 7.12.2 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the SHCS states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.12.3 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. A 400m buffer zone crosses the application site. However, proposed rear garden boundaries have been drawn to run alongside this boundary outside the buffer zone.
- 7.12.4 All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development and a financial contribution towards SANG provided, which is now collected as part of CIL. As outlined further in Section 7.13 below, there is currently no SANG capacity available for the proposed dwellings, as it is located within a much larger tract of land surrounding Bagshot and its environs, between the existing SANG catchment areas covering the Camberley and Chobham/West End areas.
- 7.12.5 The application therefore proposes an area of 15ha for SANG provision comprising the existing golf course, as outlined in the SANG Management Plan. Concern has been raised in respect of the unsuitable specification and location of the proposed SANG land. However, following submission of amended plans to confirm the provision of a minimum 2.3km walkway with direct access from the proposed car park, Natural England have raised no objection subject to transfer of the proposed SANG land from the applicant to the Council to implement as SANG and maintain in perpetuity. It is intended that delivery of the SANG will be secured through a Section 106 agreement with the applicant.
- 7.12.6 In addition to the financial contribution towards the mitigation on likely effects of the proposed development on the TBH SPA in terms of SANG, Policy CP14B requires that all new residential development contributes toward SAMM (Strategic Access Management and Monitoring) measures. As this is not included within CIL, a separate financial contribution towards SAMM is required. In this instance a payment of £2,919 would be needed. In order to comply with Policy CP14B and Policy NRM6 and the Thames Basin Heaths SPD, this would have to be paid by the applicant before full planning permission can be granted, if the scheme is considered acceptable regarding all other relevant planning merits. It is intended that this be secured in a Section 106 agreement between the applicant and the Council.

7.13 Other matters

- 7.13.1 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 will result in a local financial benefit this is not a matter that needs to be given significant weight in the determination of this application.

- 7.13.2 An Archaeological desk based assessment has been provided. Surrey County Council's Archaeological Section has been consulted and has raised no objection, subject to a planning condition requiring a programme of archaeological work (including trial trenches and mitigation measures, if necessary) to cover the proposed dwellings and SANG car park/access sites only, as limited ground disturbance is required in relation to the provision of the SANG land in itself.
- 7.13.3 Policy CP5 of the CSDMP states that the Council will negotiate a 20% affordable housing equivalent financial contribution on sites of 3-4 net residential units. However, regard must be given to the Court of Appeal's decision in favour of the Government's Written Ministerial Statement (WMS) and the subsequently amended PPG to advise that contributions should not be sought from developments of 10-units or less. Whilst the approach set out within the WMS/PPG is not a mandatory requirement (as established through the Court of Appeal case), the Council now has a duty under s70(2) of the Town and Country Planning Act 1990 to have regard to the WMS and PPG as a material planning consideration in the decision making process. As a material planning consideration, the Council will need to determine how much weight should be given to the WMS in the determination of each relevant planning application, particularly given that the guidance contained within the WMS/PPG conflicts with that contained within Policy CP5 of the CSDMP.
- 7.13.4 Regard must be given to the fact that if the application is approved, the SANG land will be provided and maintained by the Council as an SPA avoidance measure to allow for a significant amount of housing provision to become available (outlined in further detail in Section 7.13 below). The proposed SANG land would therefore enable future on-site and financial contribution to affordable housing provision. In light of this along with the WMS and PPG, no objections are raised on grounds of lack of affordable housing contribution.

7.14 Very Special Circumstances

- 7.14.1 Paragraph 88 of the NPPF states that:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

- 7.14.2 Therefore, notwithstanding the Green Belt inappropriateness and significant harm to openness identified in Section 7.3 above and other harm to the character of the area identified in Section 7.4, it is still necessary to consider whether this overall harm can be outweighed by other considerations. In support of the application, the applicant has presented the following main arguments in the Planning Design and Access Statement, which will be expanded upon and assessed in turn below.

- i) The proposed SANG land will be accessible to the general public and significantly improve the recreational opportunities and enjoyment for a large number of people and will be a positive asset to the area;
- ii) There is a limited availability of Council-provided SANGs in the Borough which has major implications for the delivery of housing;
- iii) The existing golf club site is surplus to requirements and there is no demand for any other recreation purpose;

iv) The proposal would be Previously Developed Land and would be no more harmful to the Green Belt;

v) The proposal is an opportunity to enhance the biodiversity and landscape of the area;

vi) The proposal forms a sustainable design of dwellings.

i) Provision of accessible SANG land

- 7.14.3 There would be clear social environmental benefits supported under the NPPF, arising from the proposed provision of the SANG land as a public recreation facility as already outlined in Section 7.3 above. Significant weight can be attached to this in favour of the proposal.

ii) Delivery of housing through SANG land

- 7.14.4 The LPA estimates that the proposed SANG land would provide sufficient SPA avoidance measures for approx. 800 dwellings, with this capacity expected to be used within a period of 3-5 years. A SANG of this size would have a catchment area of 4km. This would provide avoidance measures to provide mitigation for the impact of residential development on the TBHSPA in an area of the Borough previously without SANG coverage. This includes Bagshot and part of Windlesham.

- 7.14.5 Although the catchment would cover other areas outside of the 400m buffer zone currently covered under existing SANG catchment areas (West End, areas of east Camberley and Chobham), over 50% of all these SANG catchment areas have already been used, with the remaining capacity estimated to be 308 dwellings for the Chobham/West End area and 221 dwellings for the Camberley/western urban area. For example, the Chobham Meadows SANG is expected to reach capacity in April 2019 if the identified and approved sites are delivered. This is of particular importance as the current proposed SANG could also provide capacity for smaller developments of less than 10 dwellings anywhere in the Borough, which means it may be used for these smaller schemes if the existing SANG areas run out of capacity.

- 7.14.6 It also must be noted that as determined by the Inspector in the recent Heathpark Wood appeal (15/0590), Surrey Heath currently only has a housing land supply of 3.4 years. The proposed SANG land would therefore clearly form a significant enabler for the delivery of housing.

There would be clear social and economic benefits arising from this as supported under the NPPF, including the provision of affordable housing, and significant weight can be attached to this in favour of the proposal.

iii) Lack of demand for existing or alternative uses

- 7.14.7 The golf club grounds have been vacant since late 2016. Windlemere Golf Club operated as a pay-per-play nine-hole golf course. The planning statement advises that since Windlemere Golf Course was first opened in 1978, trading has been satisfactory until 1992 when the Pine Ridge public golf course was opened (approx. four miles away, near Deepcut), with very refined facilities for the modern family wishing to participate in golf. Gradually from this date, Windlemere has been under pressure to maintain its satisfactory commercial viability. The national recession which commenced in 2007/8 coincided with the decline in golf participation since this date. This reduction in the popularity of golf has been experienced throughout the country with a majority of golf clubs experiencing financial difficulties. In addition, there has been a disproportionate demise of 9 hole 'pay as you play' facilities. Windlemere has been no exception in this respect with the playing numbers declining considerably since 2012. This has meant that

annual financial injections have had to be made as the course declined into a loss making operation. In order to attempt to reverse this decline, significant further investment has been made since 2012. Attempts have been made to encourage newer golfers as well as to improve facilities. However, the worst trading period in the history of the course was experienced in Summer 2016 and resulted in the conclusion that the losses of revenue were unsustainable.

- 7.14.8 The applicant contends that there is no demand for any other recreation purposes for this site, but has not provided any evidence to support this. In any event, moderate weight can still be attached to the failure of the 9-hole pay-per-play model at this site and its replacement with an open Council-maintained SANG land and its associated social and ecological benefits.

iv) Use of Previously Developed Land with no greater impact on Green Belt openness

- 7.14.9 Only limited weight can be attached to the removal of the high netted fences and driving range floodlights covering the enclosed area where the proposed Plot 3 and most of Plot 2 would be located, as the proposed dwellings would lead to a clearly more significant floorspace and overall height and bulk increase across the site (as already outlined in Section 7.4). Similarly, only limited weight can only also be attached to the proposed overall reduction in hard standing coverage of approx. 33.2%.

v) Enhancement of biodiversity and landscape

- 7.14.10 Policy CP14A of the CSDMP requires development to conserve and enhance biodiversity within Surrey Heath and therefore, the ecological benefits as outlined in Section 7.8 above are also prerequisite requirements for development to be policy-compliant and thus cannot reasonably amount to VSC.

vi) Sustainable design of dwellings

- 7.14.11 The relevant provisions of the CSDMP and the NPPF require new development to be sustainable in order to be acceptable and therefore, the design merits of the proposal cannot be considered to amount to VSC.

Conclusion of consideration of (i) – (vi)

- 7.14.12 It is considered that the combined economic, social and environment benefits arising from the provision of the proposed SANG land, as a public recreation facility and as an SPA avoidance measure to allow for additional housing to meet the needs of Bagshot and its environs, amount to VSC to outweigh the identified harm to the Green Belt. The removal of permitted development rights for extensions and outbuildings to each dwelling would ensure control of further development within the Green Belt.

8.0 CONCLUSION

- 8.1 The proposed dwellings, by reason of the substantially greater footprint, floor area and height increase arising from the additional presence of buildings at two storey level across the site, would be more harmful to the openness of the Green Belt and the purpose of including land within it than the existing development. The proposal would therefore be inappropriate development in the Green Belt and cause significant harm to the openness of the Green Belt and conflict with its purposes. By association, the increase presence and spread of development would also cause harm to the existing rural, natural and undeveloped character of the area. The development would therefore conflict with policies CPA, CP2 and DM9 of the CSDMP. However, it is considered that

the social benefits arising from the provision of the proposed SANG land, as a public recreation facility and as an SPA avoidance measure, to allow for additional housing to meet the needs of Bagshot and its environs in particular, outweigh the harm to justify this development. The proposal is therefore recommended for approval.

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

- 9.1 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:
- 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 negotiated and accepted 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

The Executive Head of Regulatory to be authorised to GRANT permission subject to referral to the Secretary of State and a legal agreement to secure the following:

- The transfer of the freehold of the SANGS Land from the Applicant to the Council with full title guarantee and vacant possession;
- Payment by the Applicant to the Council of the SAMM Contribution on or before Commencement of Development;
- The Council to undertake the works on the SANG land as set out in the SANG Management Plan within 18 months of the grant of planning permission,

and 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:

Proposed floor plans, elevations and streetscene (Drawing Nos. 13 - P933 - 103; 13 - P933 - 104; 13 - P933 - 105; 13 - P933 - 106; 13 - P933 - 106) - all received on 23 December 2016;

Proposed SANG car park plan (Drawing No. 13 - P933 - 112 Rev A) - received on 31 March 2017;

Proposed site layouts (Drawing Nos. 13 - P933 - 101 Rev B; 13 - P933 - 102 Rev B); Proposed SANG Management Plan (Aspect Ecology - dated July 2017); - all received on 21 July 2017,

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 of the dwellings and associated works outside of the SANG land hereby approved shall take place until details and samples of the external elevation materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile and fenestration. 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. No development of the SANG car park and access hereby approved shall take place until details of an access gate and vehicle height restrictor are submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenities of the area and the setting of the nearby Listed Buildings to accord with Policy DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. Before first occupation of the dwellings hereby approved the bathroom windows in each first floor side elevation of each dwelling 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 in accordance with details to be submitted to and approved by the Local Planning Authority in writing. No additional openings shall be created in this elevation 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.

6. The dwellings hereby approved shall not be first occupied unless and until the proposed modified vehicular access to Windlesham Road has been constructed

and provided with visibility zones in accordance with Drawing No. 64033-TS-001 (within the Transport Statement dated October 2016 and received on 09 February 2017) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 m high.

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.

7. The SANG land hereby approved shall not be first used unless and until the proposed vehicular access to Blackstroud Lane East has been constructed and provided with visibility zones in accordance with Drawing No. 64033-TS-002 (within the Transport Statement dated October 2016 and received on 09 February 2017) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05 m high.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.

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

Reason: in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.

9. No development of the dwellings and associated works outside of the SANG land hereby approved 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 and accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework.

10. The development of the dwellings and associated works outside of the SANG land hereby approved shall be carried out wholly in accordance with the submitted

arboricultural details that have been approved in writing by the local planning authority. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer; these should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted, unless otherwise agreed in writing with the LPA.

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.

12. No development of the dwellings and associated works outside of the SANG land hereby approved 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 Tree Report. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to BS3936:1992: 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.

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.

13. The proposed development as a whole shall be undertaken in accordance with the recommended actions in Section 6 of the Ecological Appraisal Report undertaken by Ascot Ecology dated November 2016 and received on 23 December 2016, and the safeguarding measures detailed in Section 3.4 of the Technical Briefing Note 2: Clarification of Great Crested Newt Mitigation Strategy document undertaken by Ascot Ecology dated 11 April 2017 and received on 25 April 2017.

Reason: To ensure the protection of protected species in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. The dwellings and associated works outside of the SANG land hereby approved shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

- a) A design that satisfies the SuDS Hierarchy
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
- c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (Pre, Post and during) as detailed in "Flood Risk Assessment Windlemere Golf Course, Windlesham Road West End GU24 9QL"
- d) Details of how the Sustainable Drainage System will cater for system failure or

exceedance events, both on and offsite,

e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, to include details on how the existing soakaways will be protected

f) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels and long and cross sections of each SuDS Element including soakaway volume details

e) A management and maintenance plan that details maintenance regimes and responsibilities

Reason: To ensure that the drainage design meets the technical standards and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to the first occupation of the dwellings and associated works outside of the SANG land hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure the drainage design meets the technical standards and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. i) No development of the SANG car park and access hereby approved shall take place until implementation has been secured for a programme of archaeological work in accordance with a Written Scheme of Investigation to be submitted and approved in writing by the Local Planning Authority.

ii) No development of the dwellings and associated works outside of the SANG land hereby approved shall take place until implementation has been secured for a programme of archaeological work in accordance with a Written Scheme of Investigation to be submitted and approved in writing by the Local Planning Authority.

Reason: To comply with the archaeological requirements of Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwellings and garages hereby approved or additions to their roofs shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; 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 preserve the openness of the Green Belt, to accord with Policies CPA, DM1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. CIL Liab CIL1
2. 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 to install dropped kerbs.

www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs
3. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
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. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

In the event that a satisfactory legal agreement has not been completed by 21 September 2017, the Executive Head of Regulatory be authorised to REFUSE for the following reasons:

1. The proposal fails to provide a satisfactory legal agreement to secure the bespoke SANGS (Suitable Alternative Natural Green Space) solution. The proposed dwellings, by reason of their substantially greater footprint, floor area and height increase arising from the additional presence of buildings at two storey level across the site, would represent an inappropriate form of development within the Green Belt, as it would result in larger buildings and an additional spread of development across the site, leading to a materially greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. There are no known very special circumstances, outlined by the applicant or otherwise, which either alone, or in combination, clearly outweigh the harm to the openness of the Green Belt which would arise. The application is therefore recommended

for refusal.

2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, 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 and in addition, failing to provide a bespoke SANGS (Suitable Alternative Natural Green Space) solution, 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).