

LOCATION: THE WATERS EDGE, 220 MYTCHETT ROAD, MYTCHETT, CAMBERLEY, GU16 6AG

PROPOSAL: Outline Application for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). Full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking, following demolition of existing buildings and structures on the site. (Amended plans recv'd 15/6/18 & 18/6/18). (Amended info rec'd 19/06/2018 & 21/06/2018.) (Additional info rec'd 27/06/2018 & 19/07/2018.) (Amended plan and additional plans and information rec'd 18/07/2018.) (Additional information & plan recv'd 2/8/18). (Amended information rec'd 01/08/2018.) (Amended plan rec'd 10.08.2018). (Amended plans recv'd 13/8/18). (Amended plans rec'd 14.08.2018) (Amended description 21.08.2018)

TYPE: Outline

APPLICANT: Nicholas King Homes PLC

OFFICER: Emma Pearman

RECOMMENDATION: GRANT subject to a legal agreement and conditions

1.0 SUMMARY

- 1.1 This proposal seeks outline permission for 248 homes with matters of access and layout to be determined (scale, appearance and landscaping would be reserved matters). Full permission is also sought for a SANG in the south western corner of the site. The site is designated as Countryside beyond the Green Belt, although it adjoins the Mytchett settlement area. The 21.20 ha site is currently private with no public access, and contains a small number of buildings which have not been in use in many years, some hardstanding and large nets from the former golf driving range. The remainder of the site comprises two large lakes and a smaller pond, and open land and woodland, which is part of a wider Site of Nature Conservation Importance (SNCI). The majority of the site is within Flood Zone 1 (low risk) but also partly within Flood Zones 2 and 3.
- 1.2 The development would be served by a single existing vehicular access at the southern end of the site. Pedestrian links are also proposed to Blackwater Valley to the south west and via the Mytchett Centre to the north east. The residential layout would be designed around the existing lakes comprising two distinct north and south parcels, all served by a central spine road (Lake Avenue). The site would be separated into ten different character areas with landscaping interwoven and integral to the layout. The site is well screened from outside the site and the existing woodland buffer separating the site from Mytchett Road dwellings would be retained. The density of the developable area (i.e. excluding the lakes and SANG) would be 37 dwellings per hectare (dph). There would be a mix of dwelling types with the highest numbers being 2 and 3 bedroom dwellings and 40% would be affordable housing. Whilst scale and appearance would be reserved matters the

dwellings would be mostly two-storey in height and there would also be 2.5 storey buildings and 3 storey buildings in the southern parcel, particular closest to the lakeside. The SANG would comprise just over 6ha, with the lakes an additional 5ha approximately.

- 1.3 The development would result in the loss of open countryside which, in principle would be resisted. However, in the officer's opinion given this land's site attributes being a wedge of land that would not result in coalescence of settlements and given the benefits that would arise from the scheme including meeting an identified housing need, the sustainability credentials and the environmental enhancements it is considered that on balance this in principle objection is outweighed.
- 1.4 The proposal was subject to a Design Review at pre-application stage, and many of the suggestions have been taken into account in designing the final layout. It is considered that given the size of the proposal this site would form its own character and the layout would contribute to local distinctiveness. Given the limited visibility of the site, the separation distances and woodland buffer the development would also cause no adverse harm to existing residential amenities. Subject to conditions, the County Highways Authority raises no objections on highway safety, capacity or parking grounds.
- 1.5 The Environment Agency supports the proposal subject to conditions including an ecological buffer zone to the Blackwater River. Natural England raises no objection on ecological grounds but Surrey Wildlife Trust raise concerns over the impacts of the development upon the wider SNCI. Natural England have also not objected to the SANG, subject to conditions and a legal agreement to secure its management and SAMM. The remediation of the site, which is known to be contaminated, will be beneficial in environmental terms and will be secured through conditions and the legal agreement. The legal agreement would also secure a financial contribution to education and further updates on this matter will be provided at the Committee Meeting.
- 1.6 It is therefore recommended that the application be approved subject to a legal agreement and conditions.

2.0 SITE DESCRIPTION

- 2.1 The application site is a 21.20 ha area of land located to the western side of Mytchett Road, with a single access point onto this road. The site lies within the Countryside Beyond the Green Belt, and much of the site is covered by a Site of Nature Conservation Importance designation (Mytchett Mere), and woodland Tree Preservation Order 7/92. Most of the site also lies within Flood Zones 1 and 2 and some of the area in the south-west corner in Zone 3. To the north-east, the site abuts land adjacent to the Mytchett Centre, and on the north-western side Linsford Business Park and the rear of properties in Hazlewood Drive. To the western side lies the A331. To the south lies the Grove Farm mobile home park and open land, and to the east, the site is adjacent to the Mytchett Farm mobile home park and the rear of dwellings along Mytchett Road.
- 2.2 The site currently comprises three lakes, with the remainder of the site mainly grassland and woodland. The trees are concentrated around the edges of the site, with smaller groups of trees throughout. From the entrance, there is a tarmac road which leads to a car park and the buildings on the site, which include a clubhouse and restaurant, driving range building, security lodge and maintenance store, which are single storey brick buildings. There are also large nets of significant height extending some distance across the site, which are associated with the former golf driving range. The site is not currently publicly accessible.

3.0 RELEVANT PLANNING HISTORY

Application site

- 3.1 The site is a former gravel extraction site, with a lake created as remediation. In the 1970s outline permission was granted (ref. 74/0736) for the change of the use of the land to a leisure and water sports centre. In 1980 permission was granted (ref. 80/1094) for the erection of a squash club and the use of the lake for fishing. These uses were never implemented.
- 3.2 Outline consent was granted in 1996 (ref. 93/0313) for the formation of a leisure park to provide visitors centre/clubhouse, golf driving range and various outdoor recreational facilities. This contained a number of pre-start conditions. The details pursuant to these pre-start conditions were not submitted and as a consequence the permission lapsed. However, the clubhouse and driving range buildings were still built, albeit that the owner never utilised the land for its intended use. Whilst the current buildings on the land are lawful, given their period of time in existence, these buildings and the site have no authorised use in planning terms. This is because the pre-start conditions were not discharged.
- 3.3 14/0107 – Erection of 2 no. two storey three bedroom dwelling houses, garages access and landscaping (at land east of 220 Mytchett Road, Mytchett) *Granted 15/4/14*
- 3.4 18/0036 – Variation of conditions 2, 3, 5 and 9 of 14/0107 to allowed details to be agreed after commencement of the approved development *Granted 20/3/18*

Adjoining site

- 3.5 17/0166 – Outline planning application for the erection of 6 no .semi-detached houses with garages and car parking and associated development following the demolition of the existing dwelling and garage block at 230 Mytchett Road.

Refused due to the quantum and spread of development across the site including the number of proposed dwellings and its cramped appearance in its setting having an adverse impact on the countryside and adjoining settlement character. Appeal dismissed 10/5/18.

4.0 THE PROPOSAL

- 4.1 The proposal is a hybrid application. The outline application seeks permission for the erection of 248 dwellings with associated access roads, footpaths, play areas, parking, open space and landscaping, with matters of access and layout to be determined (scale, appearance and landscaping to be reserved matters). The application also seeks full planning permission for the use of land and associated works to provide suitable alternative natural green space (SANG) and associated parking. To facilitate the development the existing buildings on site (totalling 1421m²) and structures associated with the golf driving range would be demolished.
- 4.2 The residential development proposed is essentially in two connecting parcels, to the north and south of the Mytchett Farm caravan park, on the eastern side of the site. The existing two larger lakes on the western side, and open space to the south-west corner form the proposed SANG area. The majority of the residential development would lie to the south of Mytchett Farm caravan park, with the proposed development here denser

than to the north. This part of the site would comprise mostly two-storey terraced and semi-detached properties, with some detached properties and some two and a half to three storey flats. The northern parcel would provide mostly two-storey detached dwellings, at a lower density, with one three storey building for flats. The precise form and scale of the buildings would be a reserved matter. For this reason the proposed housing type and mix is indicative only but would comprise 1, 2, 3 and 4+ bed with 40% proposed to be affordable.

- 4.3 The single vehicular access point to the site would remain in the same place as existing. Footpaths are proposed to the north-east and south-west corners linking the development to Mytchett via the Mytchett Centre open space and the Blackwater Valley, respectively. The dwellings would have on-plot parking with parking to the front of the flats. Again the final parking numbers would be dependent on the final housing mix but the applicant intends to comply with the County Highways standards. The roads through the development would have a hierarchy, and the different areas have been given different names and character areas, with the main route/spine road through the southern section being known as Lake Avenue.
- 4.4 There would be 10 Landscape Character Areas and according to the applicant each character area has been developed to be reflective of its location within the site and to link to its adjacent character areas. For example the most northern character area would be called Village Pond designed around a central pond. Whilst appearance would be a reserved matter it is proposed that each character area would be reflected by its architectural arrangement, materials and landscaping. Landscaping is proposed to be enhanced in the layout, with the SUDS scheme integral to it, and with the 20 - 30 m thick woodland buffers to the northern and eastern boundaries retained. A Local Equipped Area for Play (LEAP) is proposed in a linear form in the centre of the site between the two developable areas. Three smaller Local Areas for Play (LAP) would be provided throughout the site. All dwellings are proposed to have private garden areas with the apartments having balconies and communal areas.
- 4.5 The SANG area would be 6ha in size with the lakes an additional 5ha approximately. The SANG would have a 2.3km footpath around the outside of the lakes and within the open space area to the south-west. The car park for the SANG would be close to the site entrance on Mytchett Road and would provide four spaces. The SANG area would be supplemented with native planting and wildlife enhanced areas, and would have a low fence separating it from the residential development to allow dogs to roam free, with several gates into the SANG.
- 4.6 In support of the application, the applicant has provided the following information, and relevant extracts from these documents will be relied upon in Section 7 of this report:
- Affordable Housing Statement
 - Ecological Impact Assessment
 - Design and Access Statement
 - Foul Drainage and Utilities Assessment
 - Archaeological Desk-based Assessment
 - Geo-Environmental Site Assessment
 - Energy and Water Efficiency Statement
 - Landscape Design Strategy

- Noise Impact Assessment
- Statement of Community Involvement
- Transport Assessment
- Tree Report, Arboricultural Impact Assessment and Method Statement
- Landscape and Visual Impact Assessment
- Flood Risk Assessment and Surface Water Drainage
- Residential Soft Landscape Management and Maintenance Plan
- SANGS Management Plan

4.7 The applicant's Statement of Community Involvement sets out the details of the public consultation prior to the submission of the application, which included the following:

- Public exhibition at Mytchett Centre on 26th February 2018 attended by over 300 people. This included the ability to make written comments.
- A website was set up in February 2018 for full details and comments.
- A leaflet drop of 750 to neighbouring residential and commercial properties, with local Councillors and the press also notified.

The responses from these consultation exercises have been taken into account in designing the proposal.

4.8 Prior to the application submission, the applicant submitted a request for a screening opinion to establish whether the proposal constituted Environmental Impact Assessment development. The Council issued a response confirming that the development was not EIA development.

5.0 CONSULTATION RESPONSES

5.1	Surrey County Highway Authority	No objection, subject to conditions.
5.2	Natural England	No objection, subject to conditions/legal agreement.
5.3	Environment Agency	No objection, subject to conditions for no landraising within the 1 in 100 year climate change flood extent, and for finished floor levels in the development, and a scheme for the provision and management of an ecological buffer to the Blackwater main river.
5.4	Surrey Wildlife Trust	Insufficient information provided in which to assess the current ecological value of the site and as such cannot demonstrate any net loss of biodiversity. Conditions required in terms of biodiversity enhancements, badger monitoring, reptiles and lighting.
5.5	Local Lead Flood Authority	No objection, subject to conditions.

5.6	Thames Water	No objection.
5.7	South East Water	No response received.
5.8	West Surrey Badger Group	Satisfied with badger mitigation. Accept that main sett will close. Need post-development sett monitoring, by condition.
5.9	Surrey Local Sites Partnership	Comments awaited.
5.10	Surrey County Council Education	Requests a contribution for early years provision.
5.11	Council's Scientific Officer	No objection, subject to condition regarding land contamination and post-remedial monitoring included in the legal agreement.
5.12	Council's Environmental Health Officer	No objection, subject to condition for noise.
5.13	Surrey Heath Housing Services Manager	Supports the delivery of affordable housing and the tenure and locations.
5.14	Surrey Heath Clinical Commissioning Group	No response received.
5.15	Guildford Borough Council	No response received.
5.16	Rushmoor Borough Council	No objection.
5.17	Blackwater Valley Countryside Partnership	Supports the creation of a footpath link to the Blackwater Valley route.
5.18	Surrey County Council Archaeology	No objection, subject to condition.
5.19	Council's Arboricultural Officer	No objection in terms of trees, landscaping plan or landscape management scheme, subject to condition for further landscaping details and tree protection.
5.20	Surrey Police	No response received.

6.0 REPRESENTATION

- 6.1 The application was advertised in the local press and a total of 407 notification letters were sent out to local residents. Six site notices were also displayed in the vicinity of the site to notify local residents of the application. At the time of preparation of this report 44 letters of objection (including one from Mytchett, Frimley Green and Deepcut Society) (some of these from the second round of consultation) and 6 letters in support of the application have been received.

The support letters raise the following issues:

- Design is not too dense and retains many key environmental features.
- There is a shortage of housing and affordable housing for residents is non-existent – this would provide over 100 affordable houses to the area.
- SANGS area could have been put forward for housing but will remain undeveloped and maintain ability for wildlife.
- Concerns about traffic could be alleviated by making additional entrances/exits *[Officer comment: see section 7.5]*.
- Land raising and drainage for the golf course were never subject to any plans regarding SuDS or flood risk and currently impact neighbouring properties *[Officer comment: see section 7.8]*.
- S106 agreement could show where local contributions are being used by the local council, in order that residents can see that developments contribute to the local community. Need audit trail of where funds are used for doctors and schools etc.
- In support but would it be possible to preserve the trees around the buffer so we do not lose the natural habitat and this would be of benefit to new residents also *[Officer comment: see section 7.4]*.
- Impressed with the amount of affordable housing for the local community.
- Broadly in favour of the development as Waters Edge has been blight on landscape for a long time.
- Full support for lake to be landscaped for all to enjoy.

6.2 The objection letters raise the following issues:

Principle of the development *[Officer comment: see section 7.3]*

- Number of dwellings is more than the original assessment of 150 by SHBC to meet local need and more than 234 originally proposed which concerned residents.
- What is the impact on the Countryside beyond the Green Belt designation?

Character *[Officer comment: see section 7.4]*

- Development is overcrowded in places, density should be more in keeping with surroundings.
- Two to three storey block of flats is out of keeping with surrounding bungalows.
- Same developer did not provide high quality development for Hazelwood Drive nearby.
- Should put a TPO on the oak trees.

- Homes should be built far enough from trees to prevent damage.

Highways *[Officer comment: see section 7.5]*

- Will increase the amount of traffic on local roads, and even more so when Deepcut is completed; villages will be at breaking point with all the new homes.
- No new housing ever provides sufficient parking resulting in parking on local roads; lack of parking especially for the flats.
- Proposal to replace the two mini roundabouts with traffic lights is only going to add to traffic congestion; Mytchett Road and Coleford Bridge Road is already often at a standstill and especially if there is a problem on the A331 *[Officer comment: Traffic lights are not proposed]*.
- Entrance/exit is inadequate for the amount of dwellings – should be another entrance; what else has been considered; should be a roundabout here.
- Already takes a long time for one car to pull out onto Mytchett Road in the morning, with so many cars using one entrance/exit it would take them a really long time; should be a roundabout here as a Give Way sign will not work, and roundabout would slow traffic also.
- Will make it impossible to get out from the roads opposite, such as Glenmount Road when it is busy.
- Will put more strain on bus services, already on Thursdays and Saturdays can't get on them.
- Excess cars could park on entrance roads and spill out onto main road; will the internal roads be wide enough for people to park on them?
- Traffic lights should not be put in until after the housing is in and only if there is a problem; temporary traffic lights have caused congestion so permanent ones would be worse *[Officer comment: Traffic lights are not proposed]*.
- What will entrance to Mytchett Road look like and will it involve loss of bus stop, narrowing of pavements and verges, introduction of island in road.
- Traffic mitigation should consider areas further afield.
- Same developer did not provide enough parking for nearby development at Hazelwood Drive, the road looks like a parking lot.
- Do not think it is realistic for developers to assume that people will work at home.
- Conclusions of the Traffic Impact Assessment should be reviewed by consultants *[Officer comment: It is reviewed by the County Highway Authority]*.
- Critical that all roads should be adopted by Surrey County Council *[Officer comment: They have not been offered for adoption by the developer and will be managed by the management company, however will be designed to adopted standards]*.

- There is another application in the corner of the site; could this area not be used to provide a wider entrance.
- Traffic will worsen air quality.
- Concern about the measurements of the entrance plan *[Officer comment: They have been checked again by County Highways in light of this comment who has confirmed that they are wholly achievable within the public highway.]*

SANG provision and impact on Thames Basin Heaths SPA *[Officer comment: see section 7.6]*

- 4 parking spaces proposed for the SANG is very inadequate, should be in the region of 20 spaces for the community to feel included.
- Public safety should be ensured around the lakes; particularly vulnerable groups.

Ecology *[Officer comment: see section 7.7]*

- Habitats will be destroyed including established trees, so will be detrimental to wildlife, including deer and frogs currently seen.
- Proposal will reduce already dwindling wildlife areas; small compensation for this is not enough.
- Have Surrey Wildlife Trust been consulted and how will the long term conservation of the site be preserved.
- Where would wildlife go?
- Deer will be able to escape onto Mytchett Road.
- What is the impact on the Site of Nature Conservation Importance (SNCI) designation?

Flooding/Drainage *[Officer comment: see section 7.8]*

- Concern about how building in an area prone to flooding will impact on neighbouring properties.
- Neighbouring properties already have a high water table and gardens flood, building on this area will increase the water levels in the gardens.
- No provision for the drain from the existing ditch on north-west edge;
- Existing drainage has been poorly maintained and do not believe that a private company will do any better.
- A large area of the SANG has been excluded from surface water drainage considerations.

- Swales in the plan are 0.3m deep, however this will rapidly fill with water; a more sustainable plan is needed to improve the drainage rather than aggravate it.
- With heavy rainfall, gardens in Mytchett Road are underwater.
- Not enough information about the land drainage that will be implemented.
- Drainage proposals based on theory, will they look at the actual conditions and undertake a survey to see if it will work in practice?
- Drains already overflow and may need upgrading, have Thames Water been consulted.
- Existing drainage ditch will need to be maintained.
- Application does not include sufficient data on flooding issues.
- Concerned about capacity of sewers, how has this been assessed?

Residential amenity *[Officer comment: see section 7.9]*

- Negative visual impact to houses on Mytchett Road as our back garden will look at three storey houses/flats instead of previously natural area.
- Flats will overlook existing houses, should be reduced to two storey.
- What will the lighting be, it is already bright enough outside our houses and will affect sleep.
- Flats will block the light to already wet garden of nearby properties.
- Two to three storey block should not be so close to houses along Mytchett Road, will be able to see them in winter.
- Concerned about security for Mytchett Farm Park and people being able to walk through the woods to back gardens.
- Concern about noise, should be planting and fences to stop noise and cut throughs.
- Sewage pumping station is next to a residential property *[Officer comment: This is existing not proposed and is outside the red line area]*.
- Noise of additional traffic would be detrimental.
- Noise and disruption during construction; programme of traffic works would take a long time and cause disruption to residents.

Infrastructure *[Officer comment: see section 7.11]*

- Will be increased pressure on schools, dentists, hospital and doctors; already not enough school places or doctors' appointments.
- Should build a new school.

- There is a lack of local amenities to serve the residents, only a small number of shops and residents might use their cars to go further afield.
- Mytchett is a small village and a large estate will make it overpopulated for services.
- Developer should contribute financially to local services such as the Mytchett Centre or Canal Centre, especially given inconvenience to residents.

Other

- A raised playground would be unsafe *[Officer comment: Applicants have stated that the playground will not be raised]*.
- Lack of notice letters about the development *[Officer comment: See paragraph 6.1]*.
- Should be more smaller houses and less larger ones, Surrey Heath already has more than average large detached houses. Smaller houses are needed for older people as well as first time buyers. *[Officer comment: See section 7.10]*.
- Are SHBC confident that the management scheme would work *[Officer comment: SANG management will be tied into the S106, with step-in rights if it fails. The management for the residential land is set out in the Management Plan and will be conditioned]*.
- Site was used for waste, will surveys be undertaken of the ground quality and health risks? *[Officer comment: see section 7.12]*.
- Boundary line behind 216 Mytchett Road and adjacent properties is wrong as it includes part of rear garden *[Officer comment: This was resolved with amended location plan]*.
- May require more gas works to be done to cope *[Officer comment: Not anticipated at this stage and not something for planning to consider]*.
- Environmental Survey was based on 232 homes not 248 and doesn't mention waste *[Officer comment: see section 7.12 – the Council's Scientific Officer has thoroughly reviewed the proposals and has not objected subject to conditions. The proposed number of houses does not impact the review of existing ground.]*.
- There is no mention of a community liaison officer from the developer's team to handle problems during construction *[Officer comment: This should be set out in the Construction Management Plan, required by condition]*.
- Site should be environmentally sustainable through provision of solar panels, water butts and charging points for vehicles *[Officer comment: Final design details will be set out at reserved matters stage]*.

7.0 PLANNING CONSIDERATIONS

- 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 Policy CP1, CP2, CP5, CP6, CP11, CP12, CP14A, CP14B, DM9, DM10, DM11, DM16 and DM17. It will also be considered against the Surrey Heath

Residential Design Guide 2017 (RDG), and the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are as follows:

- Principle of the development.
- Impacts upon the character of the area.
- Means of access and highway impacts.
- SANG provision and impact on the Thames Basin Heath SPA.
- Biodiversity impacts.
- Flooding and drainage.
- Impacts on residential amenity.
- Affordable Housing and Housing Mix.
- Other matters (including land contamination and archaeology).

7.3 Principle of the development

7.3.1 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes and to boost significantly the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development and also requires Local Planning Authorities to have a 5-year supply of housing land. At present Surrey Heath does not have a five year housing land supply, with the latest figure being 3.95 years' supply against the annual figure of 382 dwellings. By providing 248 dwellings, this application would result in a significant contribution to the borough's housing numbers. Given the lack of 5 year housing land supply, Policy CP3 which sets out the scale and distribution of housing is considered to be out of date, as confirmed by various recent appeal decisions in the borough. The NPPF advises in paragraph 11 that where policies are out of date, permission should be granted unless it is in a protected area or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

7.3.2 Paragraph 170 of the NPPF states that the intrinsic character and beauty of the countryside should be recognised, however the NPPF gives the greatest protection to designated landscapes and the Green Belt. Policy CP1 of the CSDMP directs new development to previously developed land in settlement areas in the western part of the borough, though accepts that there may be exceptions, and states that development in the Countryside beyond the Green Belt which results in the coalescence of settlements will not be permitted. This site is not within a settlement area, being in the Countryside, and only a small part can be considered to be previously developed. However, it is not considered that it would result in the coalescence of settlements. The site would be separated from Farnborough to the west by the A331 and by the proposed SANG, and from Ash Vale to the south by the SANG also. As such, these significant barriers between the site and surrounding settlements are also likely to prevent coalescence of settlements through incremental development in the future. The site would likely remain as Countryside beyond the Green Belt unless a future local plan decided to change the boundary in light of the development.

- 7.3.3 In terms of whether the location is sustainable, Policy CP2 of the CSDMP requires land to be used efficiently within the context of its surroundings, and to create sustainable communities with a strong sense of place, that are safe and have easy access to a range of services. The site would abut the existing settlement area of Mytchett and as such could be regarded as an extension to the settlement area. It would be in close proximity to the existing shops and services of Mytchett which are mainly concentrated along Mytchett Road in a linear form, and as such would provide economic benefits to the existing shops and services. It would also be within reasonable distance of public transport connections with bus stops approximately 400-800m from the site boundary, with Ash Vale station 1.2km away. As such, despite the countryside location it is considered that the location would be broadly compliant with the sustainability requirements of the NPPF, Policies CP1 and CP2.
- 7.3.4 The Surrey Heath Draft Local Plan Issues and Options document 2018 was recently subject to public consultation. It is noted that this document identifies Waters Edge as one of 12 sites that could be allocated for housing development in the new Plan, and identifies it as available and achievable, for 150 dwellings. This is an approximate number however, and does not mean that the site is limited to this figure. The developer has shown that more can be accommodated on this site. This document does not yet have the status of policy and as such limited weight can be attached to it at this stage.
- 7.3.5 It is considered therefore that the proposed location for the housing does not accord with Policy CP1 in terms of being previously developed land, and would result in the loss of open countryside whose intrinsic character and beauty should be recognised. However, the location is broadly considered to be sustainable, it would not result in the coalescence of settlements, and it would contribute significantly to Surrey Heath's housing supply, as currently there are insufficient previously developed sites to meet Surrey Heath's housing needs. The economic and social benefits from the proposal would be significant, including the provision of housing and publicly accessible SANG, on an area which is currently not accessible. The SANG part of the proposal is not considered to be unacceptable in this location, given that it would be retained as open countryside, and enhanced in terms of its accessibility, landscape value and wildlife benefits. It is therefore considered that the benefits provided by the development outweigh the harm in terms of the loss of countryside in this location and as such the principle of the development is acceptable.

7.4 Impact on the character of the area

- 7.4.1 Paragraph 170 of the NPPF states that the intrinsic character and beauty of the countryside should be recognised, and paragraph 127 states that developments should be visually attractive as a result of good architecture, layout, and appropriate and effective landscaping, and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing change such as increased densities. Paragraph 128 states the importance of early engagement with the LPA and the community in terms of the design.
- 7.4.2 Policy CP2 of the CSDMP states that land should be used efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM9 states that development should achieve high quality design that respects and enhances the local character, paying regard to scale, materials, massing, bulk and density. Trees and other vegetation worthy of retention should be protected and high quality hard and soft landscaping provided.

- 7.4.3 The Western Urban Area Character SPD does not cover the site, given that there is currently no residential development in this area. The nearest character area is the Historic Routes along the Mytchett Road. However, given the significant differences in the age and type of development, it is not considered that it would be appropriate to apply this designation to the site. The site is considered large enough to have its own character and not seek to conform in layout and appearance to the older development along Mytchett Road.
- 7.4.4 Principle 6.2 of the RDG states that residential developments should create a legible hierarchy of streets based on character and form, use layouts that make walking and cycling more attractive, design strongly active frontages, use vegetation to create a strong, soft green character, and include small amenity spaces. Principle 6.4 states the highest density possible should be achieved without adversely impacting on the amenity of neighbours or compromising local character.

Proposed layout, landscape and density

- 7.4.5 The proposals were subject to scrutiny by Design South East at pre-application stage, and many of their suggestions have been incorporated into the scheme, as follows:

Design South East recommendations	How they have been incorporated
Making landscape integral and fundamental to the layout as this is the site's greatest asset and unique selling point. It should not be left to reserved matter stage.	The applicant has included a Landscape Masterplan and Design Strategy. The site will be separated into ten different character areas with different landscape design in each. The more structured, ornamental planting will be close to the main access road with native species on the remainder of the site (Nb. The full details of 'landscaping' under the definition of the TCP Development Management Procedure Order will still need to be a reserved matter but there is now sufficient level of detail with this submission for the landscape to not be an afterthought)
Making water a key part of the design at plot and street level; SuDS could influence layout	As well as the two large lakes in the SANG, the village pond will be a feature of the northern parcel, with ditches, streams and ponds throughout the site, as shown on plans OPA004 and OPA005
Having a clear and sequential experience for residents and visitors moving through the site	The different character areas will add to the sequences and hierarchy of streets, which will be defined through use of different materials for roads and buildings, and through landscaping
Having a long-term management and maintenance strategy	The SANG management and maintenance strategy is secured through the legal agreement. There will be a residential management and maintenance strategy also; an indicative strategy has been sent but a more complete strategy is required by condition.
Make the design less suburban	This related to the indicative street scenes provided to Design South East, though

	appearance will be a reserved matter. The layout has been loosened with more space between buildings in the southern parcel than previously proposed. Some dwellings have been replaced with water features instead.
Large courtyard of apartments in the north-east corner is poorly designed	This area has been enhanced with landscaping and one of the buildings removed.
Crescent of apartments parking court behind back gardens will provide poor outlook	The houses in front of the crescent have been replaced with a water feature.
Area near the entrance should be part of this application and not separate	This area is now incorporated into the site.
Pedestrian links are very important given that there is only one vehicular access	Pedestrian links will be provided to the site boundaries. The applicant is in discussions with the Blackwater Valley Countryside Partnership to secure the link on the southern boundary. To the north the site is owned by Surrey Heath and there may be potential for a link in the future.
Retail and community uses unlikely to be viable	These are not proposed on the site. This will ensure that the existing shops in Mytchett also benefit from increased trade.

- 7.4.6 The layout includes an avenue from the main entrance, with feature squares and a crescent in the southern residential parcel. The northern parcel comprises a curved route with several cul-de-sacs leading from it, arranged around the existing pond. The plans have been amended following officer concerns to loosen some of the development in the southern parcel, and some units have been replaced by water features. The layout provides for gardens for all the properties and communal garden areas for the flats and is considered to be acceptable. The Council's Tree Officer has stated that the landscaping scheme and management scheme are acceptable at this stage, subject to further detail, but the scheme should avoid ornamental planting.
- 7.4.7 The NPPF has a strong emphasis on appropriate densities and paragraph 123 states that where there is a shortage of land for housing, low density housing should be avoided with a strong emphasis on efficient use of land. The density of just the net developable area of the site (excluding the SANG area) is 37 dwellings per hectare (dph) overall, with 46dph in the southern parcel and 23 dph in the northern parcel. Comparing this to examples of surrounding development in Mytchett, the western side of Mytchett Road has an approximate density of 16dph, however other nearby sites in Mytchett have considerably higher densities such as The Glade at 32dph and Grayswood Drive at 42dph. Given the size of the development and the separate character it would have from the surrounding development, as well as the need to make efficient use of land, it is considered that the density is appropriate in this case.

- 7.4.8 Policy DM16 of the CSDMP requires new residential development to provide open space and equipped playspaces, with Local Areas of Play (LAP) being at least 100m² and Local Equipped Areas of Play (LEAP) being at least 400m² in size. The proposed layout provides for three LAP areas and one LEAP in the site. The LAP areas would be at least 100m² with a 5m buffer to residential properties. They would provide seating and be located on an area of reasonably flat and well drained ground. Two of these are located in the southern residential parcel and one adjacent to the lake. The LEAP area would be on the connecting road between the northern and southern parcels and would include wooden play equipment. Further detail of these areas can be secured through condition and the management and maintenance of the facilities included in the legal agreement. It is considered, however, that they accord with Policy DM16.

Impact on existing character and trees

- 7.4.9 The existing site only has very limited visibility from the wider area, being not publicly accessible and screened from the main route through Mytchett by the existing dwellings and woodland buffer beyond. Along the A331 the site is mostly screened by mature trees with very limited viewpoints into the site, other than from the adjacent Blackwater Valley footpath. As such, given that these elements would not change, once the development is complete, it would be also well screened from outside the site with only limited views of the development from the public viewpoint. The applicant has submitted a Landscape and Visual Impact Assessment with the application. This has selected a variety of viewpoints in the local area, nearly all of which would have no change in the existing view, with only very minor changes to some viewpoints including the main access. The report recommends that building heights are limited to three storeys, as is proposed.
- 7.4.10 In terms of the impact on existing trees, the applicant has provided an Arboricultural Report which has been reviewed by the Council's Arboricultural Officer. The report identifies areas of woodland, groups of trees and 201 significant individual trees, of which 49 would be removed to facilitate the proposals, as well as some within groups and others will require facilitation pruning works. The Arboricultural Officer has not objected, but has stated that replacement planting is required to mitigate tree loss which should reflect the landscape character of the area and avoid ornamental species. This can be secured by condition for detailed landscaping. Tree protection is also required by condition.

Conclusion

- 7.4.11 It is therefore considered that, given the proposal's size, it will adopt its own character and would be of a different character and density to surrounding dwellings. The development will also include landscaping and water features to make the most of the natural features of the site which will assist in making it a high quality and unique character. While a number of trees will be lost, these can be mitigated for with the detailed landscaping secured under the reserved matters and by condition. The layout is therefore considered to be acceptable in its context. Whilst the scale and appearance of dwellings would be reserved matters the indicative information with this submission demonstrates that the intended quantum of built form would not be harmful to character.

7.5 Means of access and highways impacts

- 7.5.1 Paragraph 108 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all users. Policy DM11 of the CSDMP 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 such impacts to acceptable levels can be

implemented. Policy CP11 of the CSDMP states that new development that generates a

high number of trips should be in sustainable locations or be required to demonstrate that it can be made sustainable, and that it should be appropriately located in relation to public transport and the highway network.

- 7.5.2 The County Highways Authority has been consulted and raises no objection to the scheme, subject to a number of conditions. The access to the site will be in the same place as the existing Waters Edge access, with the gates removed. While concern has been raised about a single access, there is no other place where an access from the development to the highway could be created, and the County Highway Authority considers it acceptable for this number of dwellings. The access arrangement, carriageway width and visibility splays already confirm with highway standards, although additional pedestrian paving will be added into the site, and a crossing point to the south of the site on Mytchett Road, as required by the County Highway Authority's conditions.
- 7.5.3 Concern has been raised about the additional traffic generation. The applicant has carried out a number of manual traffic surveys in September 2017 and March 2018, and modelled the worst case scenarios in terms of numbers of cars entering and leaving the site at peak times. However, these are considered to be acceptable without any severe impacts in terms of queue lengths or the safety of highway users. While traffic lights were originally considered at pre-application stage, these are no longer part of the proposal, as they were unpopular with residents at the public consultation and appeared to be an excessive solution to minor queuing impacts during peak times only.
- 7.5.4 The site layout plan proposes a central spine road (called Lake Avenue at the southern part) with looped access roads within the development. Some access roads will have shared surfaces where pedestrians will have priority. The roads will not be adopted by County Highways, and will be maintained by the maintenance company. They are wide enough for emergency services. The layout shows that there will be on plot parking and/or garages for most of the dwellings, with parking areas to the front of most of the flatted buildings. The properties on Lake Avenue will have parking courts to the rear. The County Highway Authority has requested a condition for a minimum of 370 parking spaces, which would accord with their parking standards. The applicant will also have to include provision for cycle parking, which will be a further condition.
- 7.5.5 The nearest bus stops to the site are immediately to the north and south of the access and have a 30 minute frequency. The bus stop to the north will be upgraded to improve accessibility and provide a replacement bus shelter. Concern has been raised about overcrowding on buses, however the County Highway Authority state that most buses in Surrey are running well under capacity and as such no additional capacity is currently proposed. The nearest train stations are North Camp and Ash Vale which are around 1-1.2km from the site. It is considered that the site is sustainable in terms of its accessibility to public transport. In terms of pedestrian links, footpath links are proposed to the north and south of the site. In the north-east corner, the applicant will construct a footpath to the boundary of the site, to the adjoining land behind the Mytchett Centre, which is owned by Surrey Heath. Discussions are ongoing with regard to extending this footpath across this land and any updates will be reported to the meeting. To the south, the applicant is also willing to construct a link from the SANG path to the boundary of the site, where it could join up with the Blackwater Valley path by way of a small footbridge over the ditch, and discussions are ongoing with the BVCP and Hampshire County Council in this respect. The applicant has indicated a willingness to contribute to the costs of the link outside the boundary of the site.

- 7.5.6 The remaining conditions required by the County Highway Authority relate to charging sockets for some of the parking spaces, a Construction Transport Management Plan and a Travel Plan. It is therefore considered that the proposal is acceptable in terms of its impact on highways, parking and access, subject to the proposed conditions.

7.6 SANG proposals and impact on the Thames Basin Heaths SPA

- 7.6.1 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 CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.6.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 700m from the SPA at its nearest point. 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. For larger proposals i.e. 100+ dwellings all new development is required to provide SANG on site. This development proposes an on-site SANG of just over 6ha, with an additional 5.7ha of waterbodies, which will provide SANG capacity for all the proposed dwellings, and there is likely to be some spare capacity which may be able to be utilised for other developments in the borough in the future.
- 7.6.3 The SANG area will include both the larger lakes and the area around these and to the south-west corner of the site, and will provide a 2.3km walk. Native screening is proposed along the boundary with the housing, to improve the visual amenity from the SANGS site. There would be a low post and rail fence around the SANGS site with a gate into the development, and a further post and rail fence around the waterbodies. There will be small bird hide areas for wildlife and dog dip areas in less sensitive wildlife areas. The areas to the south will have an artificial badger sett with earth mounding surrounding it to reduce access, grassland areas for reptiles and native fruiting species for badgers and to increase biodiversity. Trees will be planted along the southern boundary to improve visual amenity and minimise visual urban intrusion from the development outside the boundary.
- 7.6.4 The applicants are yet to finalise who would manage the SANG, however this will be covered in the S106 agreement and is likely to be the Land Trust or a similar organisation, with a separate organisation having step-in rights. Natural England have been consulted on the proposals and have not objected, subject to conditions or legal agreement to secure several measures, including the SANG being delivered before occupation of any of the dwellings on site, leaflets publicising the SANG and securing the necessary contributions. The development will also be liable for SAMM contributions at reserved matters stage, as with all new dwellings, when the final housing mix is known.
- 7.6.5 Four parking spaces are proposed for the SANG, close to the site entrance. Concern has been raised that this would be insufficient. However, no concern in this regard has been raised by Natural England or the County Highway Authority. It is noted that Appendix 2 of the Thames Basin Heaths SPA SPD states that for all sites larger than 4 ha, there must be adequate parking for visitors, unless the site is intended for local use, and within easy walking distance (400m) of the developments linked to it. In this case, the site is clearly within this distance of the new development that it is intended to serve. The 4 spaces are

likely to be used by those further afield, however many homes outside the development are also within 400m of the entrance and as such it is anticipated that many SANG users living outside the site are also likely to walk to it. It is noted also that other on-site SANG in the borough have not provided any parking. By foot, the SANG could also be accessed through the development or from the Blackwater Valley route, once these footpath links are complete.

- 7.6.5 The proposal is therefore considered to be acceptable in terms of its impact on the Thames Basin Heaths SPA, subject to conditions and finalising the legal agreement.

7.7 Biodiversity impacts

- 7.7.1 Paragraph 170 of the NPPF seeks to protect and enhance valued landscapes and sites of biodiversity value and states that decisions should minimise impacts on, and provide net gains for biodiversity. Paragraph 175 states that when determining planning applications, if significant harm to biodiversity cannot be avoided, adequately mitigated or compensated for, then planning permission should be refused. Development resulting in the loss or deterioration of irreplaceable habitats should be refused except where there are exceptional reasons and compensation. It also states that opportunities to incorporate biodiversity improvements in and around developments should be encouraged. Policy CP14A states that the Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.7.2 Part of the application site is covered by the non-statutory designation of a Site of Nature Conservation Importance (SNCI), known as Mytchett Mere. It was selected for its habitats including the lakes, emergent vegetation, alder woodland, unimproved grassland, scrub and odonata. The applicant has submitted an Ecological Impact Assessment and several documents and emails comprising further information on ecology. The Assessment states while 31% of the SNCI will be lost, that the development has been designed to retain the majority of SNCI designated features with areas of SNCI grassland re-created and managed. Surrey Wildlife Trust have commented in this regard that insufficient assessment of the existing site has been undertaken as no botanical survey has been carried out. The Trust advises that this would establish a baseline so that it could be fully demonstrated that there would be no net loss of biodiversity. The applicant responded, however SWT have still stated that insufficient information has been provided maintaining that this ought to be provided prior to determination. Comments are also awaited from the Surrey Local Sites Partnership.
- 7.7.3 In the applicant's response the explanation given was that whilst this site has SNCI status historically this site has not been managed and as a result damage to the SNCI is apparent. The site has had a private management regime for over 20 years and been subject to damage most recently by the construction of a golf driving range and entertainment centre. The applicant argues that this development, with an appropriate ecological management scheme in place, would protect and enhance the SNCI designation. Moreover, whilst the EA also originally raised an objection that there was insufficient information to assess the impacts upon nature conservation including the SNCI and Blackwater Valley, this objection has now been withdrawn. This is on the proviso that a 10 metre ecological buffer to watercourses and waterbodies is provided, secured by condition. In the officer's opinion the applicant makes credible arguments and the EA support should be afforded material weight. There is also no objection from the NE on this matter. Given that landscaping is a reserved matter this will also ensure further review of ecology. As such and, on balance, it is considered that there is sufficient information with this application. Any further updates will be provided at the meeting.

- 7.7.3 The site also contains badgers and the development proposes the closure of a main sett and the recreation of an artificial sett in the SANG area. Surrey Wildlife Trust also initially raised concerns about this, as did West Surrey Badger Group. The EA also originally commented that the assessment of protected species was inadequate. However, following additional information submitted by the applicant, the EA have removed their objection, and instead asked for a condition for an ecological corridor along the Blackwater River. WSBG and SWT are now satisfied with the information provided in this regard, subject to conditions and post-development sett monitoring.
- 7.7.4 There are also bats and reptiles on site and SWT have commented that the mitigation and enhancement measures as set out in the Ecological Impact Assessment must be adhered to. The Trust has also recommended conditions for a Construction and Environmental Management Plan and Landscape and Ecology Management Plan, which could be secured by condition. Concern has been raised about deer escaping onto Mytchett Road, however, deer are not a protected species and should not prevent development. It is noted that there is only one access point in the development onto Mytchett Road and as such the chances of them using it are small. This has not been raised as a concern by external consultees.

7.8 Flooding and Drainage

- 7.8.1 Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Paragraph 163 states that when determining planning applications, LPAs should ensure that flood risk is not increased elsewhere, and that development should only be allowed in areas at risk of flooding where it is appropriately flood resistant and resilient, incorporates sustainable drainage systems, residual risk can be safely managed and safe access and escape routes are included.
- 7.8.2 Policy DM10 of the CSDMP states that development within zones 2 and 3 will not be supported unless in fluvial flood risk areas, the sequential and exception tests have been passed and the development is compatible with the level of risk, where risks have been identified, appropriate mitigation can be implemented and SuDS should reduce the volume and rate of surface water run-off.
- 7.8.3 The Environment Agency's mapping identifies much of the site to be in Zone 2, including the SANG area and most of the northern residential parcel. Most of the southern residential parcel is in Zone 1, and a small part of the SANG is Zone 3. However, the applicant has undertaken more detailed analysis of the data and has concluded that all the residential development and site access would be in areas not at risk of fluvial flooding, and outside the 1 in 100 plus climate change zone, and as such effectively in Zone 1. This has been agreed by the Environment Agency in their response. It is not considered therefore that the Sequential and Exception Tests need to be applied for the residential development. Amenity open space, such as the SANG, is considered to be water compatible development (the least vulnerable) under the EA's guidelines and as such there is no need for it to be located elsewhere. The existing sluice gates to the lakes will be retained to ensure lake levels can be managed to prevent flooding. The EA originally commented that the FRA fails to demonstrate if there is any loss of flood plain storage, however following the submission of further information they have now removed their objection. Instead they have asked for conditions to prevent land raising for finished floor levels.

- 7.8.4 The Local Planning Authority also has to consider that the development is sufficiently flood resilient and that safe access and egress can be achieved. The finished floor levels of the site are proposed to be 300mm above the flood level, at 66.33AOD, which the EA have accepted as appropriate. The access and egress is considered safe as the developed area is effectively in Flood Zone 1, as is the existing Mytchett settlement to the east, and as such no additional flood resistant or resilience measures are required.
- 7.8.5 The site proposes to use Sustainable Drainage Systems (SuDS) for surface water drainage. This will include permeable paving, swales and basins and water will flow into the lakes on site. The Local Lead Flood Authority has not objected, subject to conditions for the detailed drainage design to be agreed prior to development commencing. While a number of specific concerns have been raised regarding drainage, the final SuDS have not yet been designed and will be subject to scrutiny by the LLFA prior to implementation. Thames Water has also not objected. The proposal is therefore considered to be acceptable in terms of its impact on flooding, subject to the proposed conditions.

7.9 Impacts on residential amenity

- 7.9.1 Whilst scale and appearance would be reserved matters, nevertheless the proposed layout and indicative parameters provide sufficient information for an initial assessment on residential amenity to be made at this stage. Policy DM9 (iii) of the CSDMP and guiding principles 7.6, 8.1 and 8.3 of the RDG are relevant.

Impact on surrounding properties

- 7.9.2 On the eastern side, the site is close to properties to the rear of Mytchett Road, however the existing buffer of trees will be retained and strengthened in this location. As such, the three storey buildings on this side will be over 60m from the rear of properties in Mytchett Road, with a dense tree buffer in between. While some concern has been raised about the three storey buildings and overlooking, the separation distance is significantly in excess of the usual 20m between the rear elevations of buildings (although this would be slightly increased for three storey buildings.) Due to the separation distances therefore and intervening tree buffer, there is not considered to be any significant adverse impacts on numbers 176-208 Mytchett Road.
- 7.9.3 Numbers 210-216 Mytchett Road will be closer to the rear elevations of the two-storey dwellings along Lake Avenue (the main proposed road) where the tree screen is less dense, however there will be between 50-70m between the rear elevations of the properties which are set at an angle, with car parking and trees in between. Given the height of the new dwellings here and the significant separation distances, it is not considered that any significant adverse impacts on amenity would occur.
- 7.9.4 The rear of 218 Mytchett Road would be approximately 50m from the rear of the two-storey dwellings along Lake Avenue. The rear of the 2.5 storey building at the entrance would be approximately 20m at its closest point to the rear of 218. The RDG advises that 15m may be acceptable between the rear and side of two storey properties. As this is a 2.5 storey property, the 20m distance and intervening tree screen is considered to be acceptable. The landscaping details required by condition will include further detail of the screening in this location which will be increased. As such, on balance, the impact on number 218 is considered to be acceptable.
- 7.9.5 The proposed 2.5 storey building, by the entrance to the development, will be approximately 20m from the front boundary of 230 Mytchett Road, which is set back from the road. However, it will have views of the driveway and front of the house only, and not of

their rear garden which will be obstructed by the house itself. The two-storey properties on Lake Avenue will be over 30m from the boundary of number 230 and as such the impacts on this property, on balance, are considered to be acceptable. This building will be approximately 26m from the side/rear boundary of number 232 and given this distance and the intervening boundary treatments the amenity impact is considered to be acceptable.

- 7.9.6 The Mytchett Farm Caravan Park will have a dense tree buffer around all sides between the park boundary and the proposed development. The two-storey buildings will be at least 30m from the nearest plots in the Caravan Park, with the three storey buildings over 50m from the boundary. Given the separation distances and intervening buffer therefore, it is not considered that there would be any significant impacts on amenity for the occupiers of the Caravan Park. Concern has been raised about security, however having open space and/or other residential properties to the rear of dwellings is a normal situation and there is nothing to suggest that there would be any adverse impacts on security. Much of the open space around the boundaries of the caravan park will be overlooked by the new dwellings providing surveillance, unlike the existing situation.
- 7.9.7 In the north-western corner, the new properties will abut the Linsford Business Park and the rear of properties in Hazelwood Drive. However, the new buildings which will be two-storey with single storey garages in this location, will be over 50m from properties in Hazlewood Drive and over 25m from the business park, with a dense tree buffer in between. As such, it is not considered that there would be any unacceptable adverse impacts for these properties.
- 7.9.8 The SANG will be adjacent to properties to the south in Grove Farm caravan park and Grove Farm itself. There will be no development here other than some landscaping and it is not considered that the use of this area for public space would give rise to any significant impacts on amenity for these occupiers in terms of noise.
- 7.9.9 There will be some noise and disruption for local residents during the construction period. The County Highway Authority have asked for a Construction Transport Management Plan for the construction period, and it is considered that details of noise and dust measures could also be supplied with the management plan. Construction hours are controlled by Environmental Health legislation and an informative can be added in this regard. It is not considered that once the development is built that the additional noise would cause any significant adverse impact on surrounding residents. A condition will also be added to prevent any external lighting without details having first been approved by the EHO.

Amenity standards for the new dwellings

- 7.9.10 While the sizes of each dwelling are not known at this stage, the applicant has confirmed that they will comply with the national minimum space standards, which will be assessed when the floorplans and elevations of each property are determined at reserved matters stage. The applicant also asserts that the amenity space will meet the standards as set out in the RDG, and measuring the proposed gardens on the layout plan confirms that they appear to be in excess of the minimum standards. The flats areas have some communal space around them and the Council would expect to see private amenity space in addition to this, such as balconies, at reserved matters stage. The applicant has indicated that all flats will have balconies and the ground floor flats will have a small private amenity area, and as such this is in line with the requirements of the RDG.
- 7.9.11 The site layout has been slightly adjusted since the application submission, to allow for some dwellings to be removed and extra space between them, to prevent any privacy issues between dwellings. Concern was raised about some of the corner dwellings in Lake Avenue in the centre. However, the applicant has provided a plan showing how the bathrooms will be at the rear at first floor for these properties, with obscure glazed windows

and as such will not overlook the neighbouring gardens.

- 7.9.12 The site does suffer from some noise pollution, particularly from the A331, which can be heard across the site. The applicant has submitted a noise assessment which states that the new properties will need acoustic glazing and trickle vents to achieve the internal standards. The EHO has reviewed this and has recommended that a condition is imposed to secure this.

7.10 Housing Mix and Affordable Housing

- 7.10.1 Policy CP5 requires 40% on site provision of affordable housing, for sites in excess of 15 units. Policy CP6 sets out the need for housing sizes in the borough, which is different for market and affordable housing, however indicates a strong need for 2 and 3-bed properties for both sectors. For social rented housing there is a stronger need for 1-bed properties. The Issues and Options Consultation Draft of the new Local Plan indicates that for market housing, there is still a strong need for 2-bed and 3-bed properties, and for affordable housing the need for 1, 2 and 3 beds is similar. While this should be given little weight at this stage, it is an indicator as to how housing built more recently has affected the need for certain housing sizes.

- 7.10.2 The indicative mix of housing is shown in the table below. This is considered to comply with Policy CP6 given that 2 and 3-bedroom units would be the vast majority of the site, followed by 4-bed and then 1-bed units:

No of beds	Market	% Mix	Affordable	% Mix	Totals
1			30	30	30
2	49	32	49	49	98
3	60	40	18	18	78
4+	40	28	2	2	42
Totals	149	100	99	100	248

- 7.10.3 The applicant intends to provide 40% on site affordable provision, in line with Policy CP5, with a vacant building credit for the existing buildings on site which will slightly reduce the provision from 99 units and will be calculated at reserved matters stage. The affordable housing provision will be secured in the legal agreement. The mix for the affordable dwellings will be approximately 30% 1-bed, 48% 2-bed, 18% 3-bed and 3% 4+ bed, which is considered to sufficiently comply with the housing mix policy. The affordable provision will be located throughout the site, with affordable housing in the northern and southern parcels, and will be split between intermediate and social rented units. The Council's Housing Services Manager has been consulted and has not raised objection to the proposal. It is therefore considered that the proposal is acceptable in terms of the affordable provision and housing mix, subject to satisfactory completion of the legal agreement.

7.11 Impact on Infrastructure

- 7.11.1 Policy CP12 states that the 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. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery. The Council's Infrastructure Delivery SPD was adopted in 2014 and sets out the likely infrastructure required to deliver development and the Council's approach to

Infrastructure Delivery.

- 7.11.2 The CIL Charging Schedule came into force on 1 December 2014 and details of infrastructure projects that are to be funded through CIL are outlined in the Regulation 123 list, which includes open space, transport projects, pedestrian safety improvements among others. This development would be CIL liable and the final figure would need to be agreed following the submission of the necessary forms at reserved matters stage, when the floorspace is known. As the applicant is providing their own SANG, the lower rate of CIL at £55 per m² for the new floorspace is applicable. An informative will be added to the decision notice in this regard.
- 7.11.3 Education and health is not covered by the Council's CIL Charging Schedule. Therefore, in order for the applicant to make contribute any such planning obligation must meet all of the following tests as set out in paragraph 56 of the NPPF: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and, c) fairly and reasonably related in scale and kind to the development. Hence, without robust evidence from necessary consultees it is not normally possible for the Planning Authority to request contributions. In terms of the impact on existing doctor surgeries, the local Clinical Commissioning Group was consulted. However, no response was received in this regard. It would be an NHS decision as to whether a new practice should be opened in the future to accommodate the development. It is noted that the applicant's SCI states that their contact with local surgeries indicates that there is sufficient capacity to accommodate the development. With regard to the impact on schools, Surrey County Council Education was consulted and initially requested a contribution of over £1m for all stages of education. However, they could not supply sufficient information to justify the provision other than for early years, and as such the Council is seeking a smaller contribution for early years provision only, of approximately £166,000. This will be included in the legal agreement.
- 7.11.4 In addition to CIL the development proposed will attract New Homes Bonus payments and as set out in Section 70 of the Town and Country Planning Act (as amended by Section 143 of the Localism Act) these are local financial considerations which must be taken into account, as far as they are material to the application, in reaching a decision. If it has been concluded that the proposal accords with the Development Plan, 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.

7.12 Other matters

- 7.12.1 The site was formerly worked for minerals and subsequently backfilled. The applicant has submitted a Geo-Technical Risk Assessment and has undertaken some site investigations, which have identified the presence of some contamination in the fill material. They therefore propose 6m in depth of clean soil across the site and gas monitoring is likely to be required. Additional investigation works will be required. The Council's Scientific Officer has not objected, subject to a condition and post-remedial monitoring and reporting being included in the legal agreement. A phased approach to development has been agreed with the applicant with a Remediation Action Plan being agreed for each area prior to remediation commencing. It is therefore considered acceptable in this regard consistent with paragraphs 118 and 178 of the NPPF.
- 7.12.2 Policy DM17 requires major development on areas in excess of 0.4ha to provide a Desk Top Study to identify the archaeological potential of the site. The applicant has submitted the study which has been reviewed by the Surrey County Council's Archaeological Officer. They have not objected, subject to a condition to secure further archaeological works prior to commencement of development. It is therefore considered that the development would comply with Policy DM17.

8.0 CONCLUSION

- 8.1 The site would provide housing which is in need in Surrey Heath and contribute significantly to the housing land supply. It would also provide significant benefits in terms of the provision of SANG for public access for local residents and a supply of affordable housing. Whilst the location is in the countryside beyond the Green Belt the location is considered to be sustainable given its proximity to Mytchett settlement and the housing would not be built in the areas at highest risk of flooding.
- 8.2 The proposed layout is considered appropriate with the landscape being a fundamental part of it. The layout would respect the existing landscape context and satisfactorily integrate into the established character of the area. The layout would maintain important woodland buffers and provide opportunities for ecological enhancements with the landscaping and SuDS an integral part of the scheme. The means of access is also acceptable with there being no highway safety or highway capacity issues on the wider network. Whilst scale, appearance and landscaping would be reserved matters the detail provided give sufficient certainty that the development would not be harmful to residential amenity or cause any other harm. The proposed SANG is also considered to be acceptable. The application is therefore recommended for approval subject to conditions and the legal agreement being signed.

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 38-41 of the NPPF. This included 1 or more of 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 a signed legal agreement (to secure affordable housing provision, SANG management, SAMM contributions, education contribution of £166,000, open space provision and monitoring of contaminated land) and subject to the following conditions:-

- a. Approval of the details of scale, appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

The application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

- b. The development hereby permitted for the full planning application 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.

- c. The proposed development shall be built in accordance with the following approved plans:

- Amended Location Plan OPA001 Rev A received 15.6.18
- Amended Site Plan OPA002 Rev C received 13.8.18
- Amended Storey Heights Plan OPA003 Rev A received 10.8.18
- Site Layout South OPA004 received 18.7.18
- Site Layout North OPA005 received 18.7.18
- Proposed Development Access Plan 17.09-001 Rev A received 18.4.18
- Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18
- Landscape Masterplan NKH21037 10F received 14.8.18

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

- d. No development allowed by the outline permission shall take place until details and samples of the external materials to be used for the new dwellings shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering 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.

- e. No development shall take place until details of the surface materials for the roads, car parking areas and driveways have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- f. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation, which has first been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: In order that the development does not harm any archaeological remains and they can be suitably preserved, in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

- g. No development shall commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a) A contaminated land desk study and suggested site assessment methodology;
 - b) A site investigation report based on a)
 - c) A remediation action plan based on a) and b)
 - d) A discovery strategy dealing with unforeseen contamination discovered during construction
 - e) A validation strategy identifying measures to validate the works undertaken as a result of c) and d)
 - f) A verification report appended with substantiating evidence demonstrating the agreed remediation has been carried out.

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

Reason: To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

8. No dwellings hereby approved shall be occupied unless and until all windows serving habitable rooms shall be glazed to achieve a sound reduction of 39Rw (-1:-4) (C:Ctr) dB together with acoustic trickle ventilation providing 35-36 D,n,e,w.

Reason: To ensure that internal noise standards can be met and a good standard of amenity achieved for the future occupiers of the development, in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. Prior to commencement of the full planning permission for the SANG area, full details of hard and soft landscaping works and ecological enhancements for the SANG area (as shown in red on Location Plan SPA001) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include an indication of all level alterations, hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new

planting to be carried out, seeding and planting plans, ecological enhancements and measures to control human and pet movement to avoid disturbing ecologically sensitive areas, and shall be in accordance with the Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18, and the Arboricultural Impact Assessment and Method Statement received 18.4.18. All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and shrubs. The species shall be native species of local provenance from seed collected, raised and grown only in UK and suitable for site conditions and complimentary to surrounding natural habitat. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. Planting shall include nectar-rich flowers and berries. The details shall be implemented as approved in full.

Reason: To preserve and enhance the visual amenities and biodiversity, in accordance with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

10. No dwellings hereby approved shall be occupied unless and until the Local Planning Authority have agreed in writing that the SANG has been completed in line the approved landscaping details as agreed by Condition 8 above, and with the Amended SANG Proposals Plan NKH21037 20 Rev L received 14.8.18 and is operational and accessible.

Reason: To ensure that the SANG is appropriately managed in perpetuity to prevent harm to the Thames Basin Heaths Special Protection Area in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, saved Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

11. The SANG area as set out on Location Plan SPA001 received 18.4.18 shall be managed in accordance with the details and timescales as set out in the Amended SANGS Management Plan Revision E received 15.8.18.

Reason: To ensure that the SANG is appropriately managed in perpetuity to prevent harm to the Thames Basin Heaths Special Protection Area in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012, saved Policy NRM6 of the South East Plan 2009 and the National Planning Policy Framework.

12. Prior to commencement of the outline planning permission for the development hereby approved, full details of hard and soft landscaping works for the residential part of the site (outside the red line on Location Plan SPA001 but within the red line on Location Plan OPA001 Rev A) shall be submitted to and approved in writing by the Local Planning Authority. The submitted details should include an indication of all level alterations, roads and hard surfaces, walls, fences, access features, any existing trees and hedges to be retained, together with the new planting to be carried out, and shall be in accordance with the approved Landscape Masterplan NKH21037 10F received 14.8.18, and the Arboricultural Impact Assessment and Method Statement received 18.4.18, and broadly in accordance with the Landscape Design Strategy received 18.4.18 (other than the indicative species shown). All plant material shall conform to BS3936 Part 1: Nursery stock specification for trees and

shrubs. The species shall be native species of local provenance from seed collected, raised and grown only in UK and suitable for site conditions and complimentary to surrounding natural habitat. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. Planting shall include nectar-rich flowers and berries. The details shall be implemented as approved in full and no part of the site shall be occupied unless and until the Local Planning Authority have agreed in writing that the landscaping has been completed in line the approved landscaping details.

Reason: To preserve and enhance the visual amenities of the locality and biodiversity in accordance with Policies CP14B and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

13. No dwellings hereby approved shall be occupied unless and until a Residential Landscaping and Ecology Management and Maintenance Plan for the residential part of the site, which sets out long term management and maintenance details for the landscaping approved under Condition 12 above, and biodiversity enhancements as set out in Condition 14 below, and the LEAP and LAP areas, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the appropriate long term management of the site in order to preserve and enhance the visual amenities of the locality and biodiversity, and maintain the recreation areas in accordance with Policies CP14B, DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

14. No dwellings hereby approved shall be occupied unless and until all of the proposed biodiversity enhancements, as set out in paragraph 6.118 of the ACD Environmental Amended Ecological Assessment NKH21037 Rev C received 15.8.18, have been installed as shown on the approved Landscape Masterplan NKH21037 10 Rev F received 14.8.18. Thereafter these shall be retained and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: In order to prevent loss of, and to enhance, biodiversity in accordance with Policy CP14B of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to commencement of development, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall set out measures to prevent the construction of the development adversely affecting habitat of biodiversity importance and the species it supports. The construction of the development shall be carried out fully in accordance with the approved Plan.

Reason: In order to prevent harm to biodiversity and the local environment during the construction of the development in accordance with Policies CP14B and CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. The proposed development shall be carried out in wholly accordance with the submitted Arboricultural Impact Assessment and Method Statement by ACD

Environmental [R Anderson] dated 29.3.18 and received 18.4.18. The construction of the dwellings, SANG and roads within the site hereby approved shall not commence unless and until tree protection has been erected in accordance with the Tree Protection Plans NKH21037 03 Rev B Sheets 1, 2 and 3 all received 18.4.18, and the Tree Officer has visited the site and agreed in writing that the tree protection is acceptable and in accordance with the above plans. A minimum of 7 days' notice shall be given in writing of the proposed meeting date. The tree protection measures shall be retained until completion of the development hereby permitted.

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 and the National Planning Policy Framework.

17. The dwellings hereby approved shall not be occupied unless and until the existing vehicular access to Mytchett Road has been modified, to include a 3m wide section of footway on the southern side of the access extending into the site. The access shall be constructed in accordance with the Proposed Development Access Plan 17.09-001 Rev A received 18.4.18.

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

18. The dwellings hereby approved shall not be occupied unless and until an informal crossing with pram crossing points and tactile paving on both sides of Mytchett Road is constructed to the south side of the development access, in order with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

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

19. The dwellings hereby approved shall not be occupied unless and until a raised access platform has been constructed and a replacement bus shelter provided at the existing bus stop, between the development access and 218 Mytchett Road, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

20. The dwellings hereby approved shall not be occupied unless and until space has been laid out within the site, in accordance with a scheme to be first submitted to and approved in writing with the Local Planning Authority, for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. The number of parking spaces shall not be fewer than as set out in Figure 1 - Recommended Guidance for Residential Parking of the Surrey County Council Vehicular and Cycle Parking Guidance January 2018. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

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

21. The dwellings hereby approved shall not be occupied unless and until each 1 and 2 bedroom unit has been provided with a minimum of 1 secure cycle space, and each unit with 3 or more bedrooms has been provided with a minimum of 2 cycle spaces, in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking spaces shall be retained and maintained in perpetuity to the satisfaction of the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

22. The dwellings hereby approved shall not be occupied unless and until at least 26 of the available parking spaces for the flats, and each individual house, is provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector – 230v AC32 amp single phase dedicated supply) in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to promote sustainable methods of transport in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

23. No development shall commence until a Construction Transport Management Plan, to include details of:
- a. Parking for vehicles of site personnel, operatives and visitors
 - b. Loading and unloading of plant and materials
 - c. Storage of plant and materials
 - d. Programme of works (including methods for traffic management)
 - e. Measures to prevent the deposit of materials on the highway
 - f. On-site turning for construction vehicles
 - g. Noise and dust suppression measures during construction
 - h. Hours of construction
 - i. Details of a contact for the public for concerns/queries during the construction period

has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full during the construction of the development.

Reason: In order that the construction of the development hereby permitted does not prejudice highway safety nor cause inconvenience to other highway users, and to minimise impacts on amenity, in accordance with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. Prior to commencement of the development approved by the outline permission, a residential Travel Plan shall be submitted for the written approval of the Local Planning Authority, in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plan Good Practice Guide" and in general accordance with the "Heads of Travel Plan" document. The approved Travel Plan shall be implemented prior to the first occupation of the development and for each and every subsequent occupation of that development. Thereafter the Travel Plan shall be maintained and developed to the satisfaction of the Local Planning Authority.

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

25. The residential development hereby approved (on the area outside the red line shown on Location Plan SPA001 received 18.4.18) shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the National Non-Statutory Technical Standards for SuDS, the NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a. Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+40%) allowance for climate change storm events and 10% allowance for urban creep, during all stages of the development (pre post and during), associated discharge rates and storage volumes shall be provided using a maximum Greenfield discharge rate of 9 litres/sec (Parcel A) and 20.3 litres/sec (Parcel B) (as per the SuDS pro-forma or otherwise as agreed by the LPA).
- b. Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc)
- c. Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- d. Details of drainage management responsibilities and maintenance regimes for the drainage system, confirming that the existing lakes and outfalls are managed by the wider management company responsible for the SANGS/SuDS aspects.
- e. A plan showing exceedance flows, (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- f. A plan showing how the existing surface water drainage routes/connections across the site have been retained, diverted or incorporated as part of the scheme.

Reason: To ensure that the design meets the non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

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

Reason: To ensure that the design meets the non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

27. No more than 50 dwellings hereby approved shall be occupied until the LEAP area has been constructed in accordance with the LEAP Proposals Plan NKH21037 15 received 18.4.18; and the LAP areas have been constructed in accordance with the Fields in Trust principles to include an area of 100m² with 5m buffer on all sides to nearest residential properties and seating for parents/carers, a litter bin and child seating. The LEAP and LAP areas shall be in the locations as shown on the approved Amended Site Plan OPA002 Rev B received 18.7.18.

Reason: In order to provide sufficient provision of recreation facilities, in line with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

28. Development shall not commence until details of the proposed levels of the site including the SANG and all roads and driveways, in relation to the existing ground levels of the site and adjoining land (measured from a recognised datum point) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The finished ground floor levels of the dwellings hereby approved shall be no lower than 66.33 Ordnance Datum (AOD).

Reason: In the interests of the visual amenities of the area, residential amenity and flood resilience, in accordance with Policies DM9 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

29. Prior to commencement of the development hereby approved, full details of the management and maintenance of the lakes and existing sluice gate to prevent rising of lake levels and flooding shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the management and maintenance of the gates shall continue in perpetuity in accordance with the approved plan.

Reason: In order to ensure the lakes do not cause flooding, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

30. No dwellings shall be occupied unless and until the proposed footpaths to the north towards the Mytchett Centre, and to the south towards the Blackwater Valley Path, have been constructed to the site boundary with a gate installed at the boundary, in the locations as shown on the Amended Site Plan OPA002 Rev C received 13.8.18.

Reason: In order to improve the permeability and accessibility of the site and

encourage sustainable methods of transport, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

31. No dwellings shall be occupied unless and until the external lighting on the site has been constructed in accordance with details first submitted to and approved in writing by the Local Planning Authority. The details shall include full details of the lighting supports, posts, columns, a plan showing the location of the lights and a full technical specification. They shall include details of how the impact of the proposed lighting on wildlife (particularly bats) has been taken into account. The lighting shall be constructed fully in accordance with the approved details.

Reason: In the interests of residential amenity and preventing harm to biodiversity, in accordance with Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

32. Prior to commencement of the development approved by the outline permission, details of the refuse storage areas and access thereto shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure adequate locations for refuse storage are provided and that they are accessible by refuse vehicles, in accordance with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

33. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) 132983/R1 (5)-FRA dated 17 April 2018 and the FRA Addendum dated 18 July 2018 undertaken by RSK and the following mitigation measures detailed within the FRA:

- There shall be no land raising within the 1 in 100 year climate change flood extent as shown in Appendix J.
- Finished floor levels of the dwellings hereby approved shall be no lower than 66.33 Ordnance Datum (AOD).

Reason: To prevent flooding elsewhere by ensuring flood storage is retained and protected and to reduce the risk of flooding to the proposed development and future occupants in accordance with paragraph 163 of the National Planning Policy Framework (NPPF).

34. The development permitted by this planning permission shall not commence until a scheme for the provision and management of an ecological buffer for any parts of the application site lying within 10 metres of the River Blackwater main river has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local

Planning Authority. The buffer zone scheme shall be free from built development including lighting and formal landscaping. The scheme shall include:

- Plans showing the extent and layout of the buffer zone including hard landscaping.
- Details of any proposed planting scheme using locally native species of UK genetic provenance.
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the long term including adequate financial provision and named body responsible for management plus production of a detailed management plan.
- A working method statement detailing how the buffer zone will be protected during construction.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

35. For the avoidance of doubt the number of stories of the development hereby permitted shall not exceed 3 storey and be in accordance with drawing no. OPA003 A.

Reason: To ensure that the height and scale of the development safeguards residential amenities and is reflective of the established character of the area in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012.

Informative(s)

1. Thames Water advises that based on the pump rate of 5 L/S foul flows from the site are acceptable. Please ensure an adequate section of gravity pipe work is installed prior to connection to the Thames foul Network.
2. For the avoidance of doubt, the following definitions apply to the condition regarding contaminated land:
Desk study should include:
 - i) a detailed assessment of the history of the site and its uses based upon all available information including the historic Ordnance Survey and any ownership records associated with the deeds.
 - ii) a detailed methodology for assessing and investigating the site for the existence of any form of contamination which is considered likely to be present on or under the land based upon the desk study.Site investigation report should include:
 - i) a relevant site investigation including the results of all sub-surface soil, gas and groundwater sampling taken at such points and to such depth as the Local Planning Authority may stipulate.
 - ii) a risk assessment based upon any contamination discovered and any receptors

Remediation action plan shall include details of:

- i) all contamination on the site which might impact on construction workers, future occupiers and the surrounding environment
- ii) appropriate works to neutralise and make harmless any risk from contamination identified in i)

Discovery strategy - Care shall be taken during excavation or working the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include details of:

- i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details
- ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
- iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination

Please also refer to the Council's Scientific Officer's email of 5th July 2018 with regard to phasing and remediation.

3. New external lighting should comply with the recommendations of the Bat Conservation Trust's document "Bats and Lighting in the UK - Bats and the Built Environment Series".
4. Condition 22 - It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to <http://www.beama.org.uk/resourcelibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially a Section 278 Agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. 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.

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or cause damage to 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).
9. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on Surrey County Council's website.
10. This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt.

In the event that a satisfactory legal agreement has not been signed by the 28 September 2018 to secure affordable housing provision, SANG management, SAMM contributions, education contribution, open space provision and monitoring of contaminated land 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, for SANG management 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).
2. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure affordable housing provision, the applicant has failed to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.
3. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure an education contribution to early years provision the applicant has failed to comply with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and paragraph 56 of the National Planning Policy Framework.
4. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990 to secure the management and maintenance of the open space provision (including the Local Equipped Area of Play and the Local Areas for Play) the applicant has failed to comply with Policy DM16 of the Surrey Heath Core Strategy and Development Management Policy Document 2012 and the National Planning Policy Framework.
5. In the absence of a completed legal agreement under section 106 of the Town and Country Planning Act 1990, to secure a Post Remedial Monitoring and Reporting Scheme the

Planning Authority cannot be satisfied that the risks arising from contamination have been fully remediated so failing to comply with paragraphs 118 and 178 of the National Planning Policy Framework.