

## Updated Conditions Agreed as Part of Original Application Decision

(Originally published in Planning Update Sheet 1<sup>st</sup> June 2023)

Item No.	Site address	Report Recommendation
4	22/1182/FFU Lawrence Lodge, Old Dean Road, Camberley GU15 4JY	GRANT, subject to conditions and a legal agreement
<p><b>Further comments:</b></p> <p>Surrey Wildlife Trust has raised no objection, subject to conditions.</p> <p>The applicant, in response to the proposed conditions, has requested that the required details for the modified access to the site [Proposed Condition 13] is provided prior to occupation. The requested amendments have been agreed by the County Highway Authority. The Condition has now been split into two separate conditions [revised Condition 13 and new Condition 21].</p> <p>The proposed boundary treatment for the east and south boundaries (with the allotments) is a 1.8 metre high close boarded fence with trellis.</p> <p><b>Amended Conditions (changes in bold):</b></p> <p>4. No <b>demolition works or</b> construction of the development hereby approved shall commence until a Demolition and Construction Environment Management Plan (DCEMP), to include details of:</p> <ul style="list-style-type: none"> <li>(a) <b>map showing the location of all ecological features</b></li> <li>(b) <b>risk assessment of any potentially damaging construction activities</b></li> <li>(c) <b>practical measures to avoid and reduce impacts on biodiversity during construction</b></li> <li>(c) hours of construction and working</li> <li>(d) <b>location and timing of works to avoid harm to biodiversity features</b></li> <li>(e) light impact mitigation</li> <li>(f) material and waste management</li> <li>(g) details of proposed means of dust suppression and emission control</li> <li>(h) details of proposed noise mitigation</li> <li>(i) procedure for implementing the DCEMP, <b>responsible persons and lines of communication</b>, and complaints procedure</li> <li>(j) <b>use of protective fencing, exclusion barriers and warning signs</b></li> </ul> <p>has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.</p>		

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

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

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

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

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

13. No part of the development shall be **occupied** unless and until the proposed modified vehicular and pedestrian accesses to Lawrence Lodge have been constructed in general accordance with Drawing No. 20005wd2.01 Rev A and subject to Surrey County Council's full technical and road safety auditing requirements. The development hereby approved shall not be occupied unless and until the existing access to 21-32 Lawrence Lodge has been permanently closed and any kerbs, verge, footway, fully reinstated.

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

**Additional conditions:**

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

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

**(b) location plan of all ecological enhancement features being provided;**

**(c) ecological trends and constraints on the site that might influence management;**

**(d) prescriptions for management actions; and**

**(e) ongoing monitoring and remedial measures**

**has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the demolition works and construction of the development.**

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

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

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

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

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

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

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

**SECOND RECOMMENDATION:**

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

**1. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.**

**2. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework, and advice within the Surrey Heath First Homes Policy Guidance Note 2021 and Written Ministerial Statement (24.05.21).**