

<b>LOCATION:</b>	Cedars Garden Nursery , Church Road, Windlesham, Surrey, GU20 6BL
<b>PROPOSAL:</b>	Erection of a dwelling, following demolition of existing glasshouse, office and ancillary buildings associated with the commercial plant nursery.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr Tony O'Connor
<b>OFFICER:</b>	Melissa Turney

**This application would normally be determined under the Council's Scheme of Delegation but it is being reported to the Planning Applications Committee on the request of Councillor Wheeler due to concerns that the proposal is inappropriate development in the Green Belt.**

**RECOMMENDATION: GRANT, subject to conditions**

## **1.0 SUMMARY**

- 1.1 This application relates to the erection of a dwelling, following demolition of the existing glasshouse, office and ancillary buildings associated with the commercial plant nursery. The commercial plant nursery is not in operation however, the greenhouse, a polytunnel and a shed remain on the site.
- 1.2 In 2021 an application was refused for the erection of two storey 4-bed detached dwelling and associated access, hardstanding and landscaping, following demolition of existing shed, canopy and greenhouses (ref. 20/1213/FFU). This was refused on Green Belt grounds and Thames Basin Heath Special Protection Area (TBHSPA) grounds. This was subsequently dismissed on appeal in 2022 and is a material planning consideration. A copy of the Inspector's Decision is appended as Annex A.
- 1.3 The principle for this development is acceptable, as the loss of the employment site was accepted under 20/1213/FFU. This previous application also established that the site is previously developed land and, therefore, for Green Belt purposes NPPF paragraph 149(g) applies whereby any redevelopment must not have a greater impact upon the openness of the Green Belt than the existing development. Unlike the previous refusal this proposal, both spatial and visually, would result in a quantum of built form that when compared with the existing development would comply with NPPF 149(g). The proposal is considered not to have a greater impact on the openness of the Green Belt than the existing development. Hence, this proposal would not be inappropriate development in the Green Belt. As the proposal is considered to comply with paragraph 149(g) of the NPPF, there is not a requirement to consider a case for very special circumstances.

- 1.4 The introduction of the residential dwelling would improve and enhance the appearance of the Windlesham Conservation Area and would not result in harm to the setting of the Locally Listed buildings. The application proposal is also considered to be acceptable in terms of its impact on residential amenity, highway safety, ecology and the Thames Basin Heath SPA.
- 1.5 The application is therefore recommended for approval subject to conditions.

## **2.0 SITE DESCRIPTION**

- 2.1 Cedars Garden Nursery comprises 0.4 hectares and is located on the north side of Church Road. The site is located in the Green Belt and the Church Road, Windlesham Conservation Area. The buildings immediately to the west and south-west of the site are Grade II Listed and the land falls within an Area of High Archaeological Potential. The site is on higher ground than the adjoining highway and has a hedge demarking the boundary. The site includes a greenhouse, a polytunnel, a shed and large areas of hardstanding. There is an open-air sales area on the site's western area and another one on the site's central area.

## **3.0 RELEVANT HISTORY**

- 3.1 06/1114 Erection of a new timber shed for office use. Approved, 2007. Implemented.
- 3.2 13/0865 Erection of 1 polytunnel following the demolition of existing greenhouse. Approved, 2014. Implemented.
- 3.3 19/0759/CES Certificate of lawful development to confirm the sale of imported items throughout the application site and that this can continue and that the whole site is previously developed land in a mixed use as a horticultural nursery and retail use. Agreed, 2020.
- 3.4 20/1213/FFU Erection of two storey 4-bed detached dwelling and associated access, hardstanding and landscaping, following demolition of existing shed, canopy and greenhouses. Refused, 3 December 2021 for the following reasons:

### Reason 1:

By reason of the quantum of built form, scale and height, and visually the proposal would have a greater impact on the openness of the Green Belt than the existing development. As such, the proposal constitutes inappropriate and harmful development in the Green Belt not meeting any of the exceptions under paragraph 149 (g) of the National Planning Policy Framework. There are no very special circumstances that would amount to outweigh the identified harm. The proposal is therefore contrary to the National Planning Policy Framework.

### Reason 2:

Failure to comply with the Thames Basin Heath Special Protection Area mitigation due to no payment or legal agreement towards strategic access management and monitoring (SAMM) measures

The application was subsequently dismissed at appeal on 16 December 2022 on Green Belt grounds. The appeal was dismissed as the proposal was considered inappropriate development within the Green Belt as the dwelling would result in loss of spatial openness due to the two storey nature of the dwelling. A copy of this appeal decision is attached as Annex A. Reference will be made to this decision in section 7 of this report.

#### **4.0 THE PROPOSAL**

- 4.1 Planning permission is sought for erection of a dwelling, following demolition of the existing glasshouse, office and ancillary buildings associated with the commercial plant nursery.
- 4.2 The proposed dwelling would be a bungalow. The dwelling would have a height of 4.4m, an eaves height 2.6m, a maximum width of 18.8m and maximum depth of 19.1m. The dwelling would be finished in light colour render, brick and natural slate tiles.
- 4.3 The proposed internal layout would comprise of 3 bedrooms, bathroom, kitchen/dining/lounge.
- 4.4 The proposal would make use of the existing vehicular access to the site via Church Road. Three off street parking spaces are proposed, as well as an area for cycle store, and a bin store would be provided next to the parking spaces. The proposal would have formal and informal garden area.
- 4.5 This proposal would be similar to the 2021 refusal (20/1213/FFU) in respect of the application seeking permission for a dwelling on the site and retaining the existing access. The main differences between this proposal and the refusal are listed below (see also the table at paragraph 7.3.2 that compares the size of this proposal to the refusal and the existing development):
- The design of the dwelling is a bungalow style – reducing the overall height of the building compared to the refused dwelling (Refused application maximum height 7.5m, current proposal maximum height 4.3m).
  - Altered the location of the dwelling within the plot moved closer to the northern boundary.
  - Reduced the hardstanding from refused proposal (1214m<sub>2</sub>) to current proposal (906m<sub>2</sub>).
- 4.6 The following documents have been submitted in support of this application. Relevant extracts from these documents will be referred to in section 7 of this report: Highways letter, Arboricultural Survey Impact Assessment and Arboricultural Method Statement, Sustainability and Energy Statement, Protected Species Walkover Survey, Design and Access Statement, Heritage Statement, Environmental Desk Study and Archaeological desk-based assessment.

#### **5.0 CONSULTATION RESPONSES**

- 5.1 The following external consultees were consulted and their comments are summarised in the table below:

<b>External Consultation</b>	<b>Comments Received</b>
County Highways Authority	No objections are raised regarding highway safety and capacity or on parking grounds. Conditions are recommended for electric charging points and a construction management plan.  (See Annex B for a copy of their response).
Surrey Wildlife Trust	Requested clarification on which tree group is designated for removal, prior to determination. The applicant has confirmed this was a typo within the report and no trees are to be removed. Surrey Wildlife Trust raised no objection subject to conditions.
Lead Local Flood Authority (LLFA)	No drainage information has been provided. However, the LLFA notes that there appears to be an opportunity to accommodate sustainable drainage systems (SuDS) within the site. Therefore a condition is recommended.
Archaeological Officer	No objection subject to a condition securing a written scheme of investigation.
Windlesham Parish Council	Objection: inappropriate development in the Green Belt; and, reservations if the building will preserve the character and appearance of the conservation area.

5.2 The following internal consultees were consulted and their comments are summarised in the table below:

<b>Internal Consultation</b>	<b>Comments Received</b>
Arboricultural Officer	No objection subject to conditions.
Heritage Consultant	No objection following the submission of amended plans which altered the roof light proposed and removed buttress elements from the building.
Environmental Services	No object subject to conditions

## 6.0 REPRESENTATION

6.1 A total of 6 individual letters of notification were sent out on 8 September 2023. A site notice was displayed on the 28 September 2023 and a press notice published on 22 September 2023 (Surrey Advertiser) and 20 September 2023 (Camberley News). To date 1 letter of representation has been received.

6.2 The table below summarises the material planning reasons for objection:

Material Reason for Objection	Officer Response
<u>Character and Design</u>	
Concern that the proposal does not create a precedent for further development within the conservation area that would be outside the volume constraints of the existing historic development.	The proposal is considered to preserve the appearance of the conservation area. The Heritage Officer has been consulted and has raised no objection to the proposal's impact on the conservation area or the setting of nearby Grade II listed buildings and locally listed buildings. Any future development proposals will be considered on their own merits.
Ensure that the existing height and extent of the hedging is retained in order to the hide the new building from the historic setting.	If planning permission is granted a condition securing landscaping scheme is recommended. It would be unreasonable to condition the retention of a hedge for the life time of the development.

## 7.0 PLANNING CONSIDERATION

7.1 This application is considered against advice contained with the National Planning Policy Framework (NPPF) where there is a presumption in favour of sustainable development. Regard will be given to Policies CP1, CP2, CP3, CP6, CP8, CP12, CP14B, DM9, DM11 and DM17 of the adopted Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). In addition, regard will be given to the adopted Supplementary Planning Documents (SPD) including the Residential Design Guide 2017 (RDG), Windlesham Neighbourhood Plan (WNP) 2019, and the Church Road Conservation Area Character Appraisal (CAA).

7.2 The principle of residential development has been established under application 20/1213/FFU, including the loss of the employment site. Therefore, the main issues to be considered within this application are listed below:

- Green Belt appropriateness and harm
- Impact on the character and appearance of the area, including heritage and trees
- Residential amenity
- Highway impacts
- Ecology and Thames Basin Heath SPA
- Other matters (archaeology, flooding and drainage, energy efficiency credentials)

### 7.3 Green Belt appropriateness and harm

7.3.1 Paragraph 149 of the NPPF lists exceptions to inappropriate development in the Green Belt. This includes the first bullet point of exception (g) that permits the complete redevelopment of previously developed land provided it does not have a greater impact on openness than the existing development.

7.3.2 The application site is occupied by a garden nursery and includes a glasshouse, two polytunnels and a shed. There is an open-air sales area on the site's western area and another within the centre of the site. The site has a mixed horticultural nursery and retail use. This was confirmed under application 20/1213/FFU where the Inspector agreed the site is to be considered previously developed land. Consequently, its re-development would benefit from support under paragraph 149 (g) of the NPPF, provided that it would not

have a greater impact on the openness of the Green Belt than the existing development. The following tables indicate these differences in floor space, footprint, volume, height and hardstanding, in comparison with the existing situation and the previous refusal:

	Existing	Previous application	Proposed	Proportional change from existing.
<b>Floorspace (GIA)</b>	128m <sup>2</sup> (large polytunnel) 22m <sup>2</sup> (shop) 104m <sup>2</sup> (glasshouse) 25m <sup>2</sup> (small polytunnel)  Total: 279m <sup>2</sup>	291m <sup>2</sup>	208.6m <sup>2</sup>	25.2% reduction
<b>Footprint (GEA)</b>	279m <sup>2</sup>	165m <sup>2</sup>	243.4m <sup>2</sup>	12.8% reduction
<b>Volume</b>	482m <sup>3</sup> (large polytunnel) 59m <sup>3</sup> (shop) 285 m <sup>3</sup> (glasshouse) 58m <sup>3</sup> (small polytunnel) Total: 884m <sup>3</sup>	867m <sup>3</sup>	873m <sup>3</sup>	1.2% reduction
<b>Hardstanding</b>	1,946m <sup>2</sup>	1,214m <sup>2</sup>	906m <sup>2</sup>	53.4% reduction
<b>Height</b>	3.7m (large polytunnel) 3.1m (shop) 3.9m (glasshouse) 2.1m (small polytunnel)	7.5m	4.3m	16% increase

7.3.3 The above table sets out a comparison between the existing situation on the site, the previous refused application and the current proposal. Compared to the existing situation on site there would be a significant reduction in floorspace (70.4m<sup>2</sup>) footprint (35.6m<sup>2</sup>) and hardstanding (1040m<sup>2</sup>) compared with the existing development. There would be a small reduction in volume (11m<sup>3</sup>) compared to the existing situation. There would be an increase in height by 0.6m taken from the tallest building on site. The dwelling would be located in a similar position to the existing built form on the site. However, when this application is compared to the previously dismissed appeal, the main difference is the proposed dwelling has been altered from a two storey dwelling to a bungalow. However, due to the reduction in height this has increased the footprint of the dwelling, when compared to the refused proposal. However, the current proposal still results in 12.8% reduction in footprint and therefore results in overall reduction of spread of development on the site.

7.3.4 In dismissing the previous two-storey dwelling the Inspector acknowledged the significant reductions in footprint and hardstanding across the site and the small reduction in volume. However, due to the proposal's height, the single mass of the building and the materials used compared to the existing lightweight materials, the Inspector deemed that there would be a loss in spatial openness. Additionally, due to the building's increased prominence above the established hedges that bound the site, the Inspector concluded that there would be a loss of visual openness (see paragraph 7 of Annex A).

7.3.5 Taking into account the Inspector's concerns, the proposed dwelling has been significantly reduced in height compared to the previously refused scheme (reduced by 3.2 metres). The bungalow would still result in a small increase in height compared to the existing built form, but only by 0.4 metres higher than the glasshouse or 0.6 metres higher than the large polytunnel. Consequently, part of the roof would be visible above the established hedges of

the boundaries, however this cannot be said to result in a prominent building or result in a loss of visual openness.

- 7.3.6 Whilst the footprint of this proposal has increased compared to the previously refused application, and the bungalow would still be brick built and have a more solid appearance than the lightweight glasshouse and polytunnels materials, these matters would be offset by the overall reductions in existing hardstanding, floorspace, height (compared to the refused application) and the reduction in volume. Moreover, given that the built form would be located in a similar position to the existing structures on site, there would not be a further spread of development onto land that is currently open in nature, nor would there be countryside encroachment. For this reason, there would not be a loss of spatial openness compared to the existing situation.
- 7.3.7 Taking all of the above into account, the proposal would not have a greater impact upon the openness of the Green Belt than the existing development, either spatially or visually, and so would not be inappropriate development in the Green Belt. As the proposal is considered to comply with paragraph 149(g) of the NPPF, there is not a requirement to consider a case for very special circumstances. Any future further extensions or erection of outbuildings under householder permitted development rights could, however, have a harmful impact on Green Belt openness. In order to retain control of this it is therefore considered reasonable and necessary to attach a condition removing permitted development rights.

#### **7.4 Impact on the character and appearance of the area, including heritage assets and trees**

- 7.4.1 Policies DM9 (Design Principles) and DM17 (Heritage) of the CSDMP are relevant. The RDG provides supplementary guidance relating to the design of residential developments of which Principles 6.6, 7.1, 7.3 and 7.4 are of most relevance to this proposal. Policy WNP2.1 of the Windlesham Neighbourhood Plan is also relevant as this states that proposals for new housing developments should respond positively and protect the built and natural character features of their setting.
- 7.4.2 The Church Road Conservation Area Character Appraisal (CAA) states that the purpose of the conservation area is to help retain the existing character and prevent unsympathetic alterations to the area which would harm its setting. It describes the conservation area as predominantly residential in its uses, with some local shops outside the designated area in Updown Hill and Chertsey Road. The overall characteristic of the conservation area is rural, being largely surrounded by fields on three sides and the properties set within an attractive wooded landscape. It is noted that the CAA does not specifically reference the application site.
- 7.4.3 The application site is located within an area which is rural in character and generally comprises low density residential development set within spacious and irregularly sized plots, some of which are generous in size. The proposal would retain the plot as existing, with a low lying building retaining the spaciousness of the plot. Given the layout, design and mixture uses within the surrounding area, it is considered that using this plot for residential purposes would not give rise to a development out of keeping with its surroundings. There is no prevailing building line along Church Road in this location, with the dwellings' having different setbacks from the road. As such, the proposed dwelling's setback would not be considered to erode the local character. Although its front elevation would be orientated towards the centre of the site (south east elevation), the proposed side elevation facing towards Church Road would have fenestration and projections which would be visually interesting and would positively address the road.

- 7.4.4 The Council's Heritage Consultant supports the amended proposal. During the course of the application the buttress were removed and the rooflights altered to a conservation style flush with the roof slope. The removal of the 20th century glasshouse would better reveal the historic boundary wall that has historic associations with The Cedars. Overall, the design, proportions, and materials of the proposed dwelling would be of a more modern style, however, due to the low profile of the dwelling this would be similar in scale to the outbuildings at Cedars Coach House to the west. The low profile would also preserve the sense of openness of the site and would not harm the setting of the Listed Buildings or Conservation Area. The introduction of the proposed dwelling in terms of the character and appearance of the conservation area in general, which comprises informal groups of predominantly good quality buildings set within an open, rural landscape is considered appropriate. The proposal is therefore considered to preserve the appearance of the Conservation Area and would not result in harm to the setting of the Locally Listed Buildings.
- 7.4.5 The Arboricultural Officer has been consulted on the proposal and raises no objection to the proposal, subject to a planning condition requiring the tree protection measures to be put in place prior to commencement of works and the submission of a landscape scheme. This would assist the proposal in integrating to the soft, green character of the road.
- 7.4.6 No objections were raised to the previous refusal on character, heritage and tree grounds. Similarly, this proposal would not result in adverse harm and would be in accordance with Policies DM9 and DM17 of the CSDMP, the RDG and the WNP.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 (iii) of the CSDMP 2012 is relevant and principles 7.6, 8.1, 8.3 and 8.4 of the RDG also apply.
- 7.5.2 Cedars Coach House, adjacent to the site's western boundary, is a commercial building. The proposed dwelling would retain a separation distance of approximately 15m to the common boundary with Cedar Court also to the west. The neighbouring dwelling at Cedar Court is sited at approximately 50m from the common boundary with the application site. Immediately to the north of the application site is a tennis court, whereas to the east there is a field containing an agricultural storage building. In light of this context, it is considered that the proposal would not give rise to an adverse impact on the amenity of neighbouring properties in terms of the overlooking, overbearing or loss of light.
- 7.5.3 In considering the proposed residential amenities of the future occupiers of the new dwelling, the internal floor space would comply with the floor space standards recommended in the Nationally Described Space Standards. The new dwelling would retain a large rear garden. The formal garden shown on proposed site plan would be approximately 1,545m<sup>2</sup> and would be well in excess of the private amenity space recommended under principle 8.4 of the RDG (i.e. 55 m<sup>2</sup> for a south facing garden).
- 7.5.4 There was no objection to the previous refusal for a two-storey dwelling on residential amenity grounds. Given that this proposal is for a bungalow it would have even less of an impact. As such, the proposal is considered not to adversely affect the residential amenities of the neighbouring properties and would provide a good level of amenity for future occupiers in accordance with Policy DM9 of the CSDMP and the RDG.

## **7.6 Highways impacts**

- 7.6.1 Policy DM11 of the CSDMP is relevant. Policy WNP4.2 of the Windlesham Neighbourhood Plan states that new residential development should provide, where space permits, on plot parking for 3 no vehicles for a 3+bed dwelling. Policy WNP4.1 sets out the size of the parking spaces at 2.9m by 5.5m.



- 7.6.2 The proposed dwelling would make use of the existing vehicular access off Church Road and be provided with 3 parking spaces. The proposed dwelling would have 3 bedrooms and the parking provision would therefore be in accordance with the requirements of the WNP. It is noted that the proposed parking spaces would fall short of the size recommended by the WNP and would be 2.5m x 5m. Typically, a car parking space is 2.8 m by 4.8 m and for this reason and , given the amount of hardstanding proposed on site, it is not considered that this proposal would conflict with the intent of the WNP.
- 7.6.3 County Highways Authority have assessed the application on safety, capacity and policy grounds, recommends a number of conditions including parking spaces, electric charging points and cycle storage to be imposed in the event planning permission is granted.
- 7.6.4 No objection was raised to the previous proposal on highway grounds and this proposal complies with DM11 and the WNP, subject to conditions.

## **7.7 Impacts on ecology and the Thames Basin Heath SPA**

- 7.7.1 Policy CP14 of the CSDMP is relevant. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2019) is also relevant.
- 7.7.2 Surrey Wildlife Trust (SWT) requested confirmation on which tree group is designated for removal, prior to determination. The applicant has confirmed that no trees are to be removed as part of the proposal and the submitted tree report has been amended to confirm this. It is considered that the protected species have been given due regard subject to conditions for badger survey and Construction Environmental Management Plan (CEMP). SWT raises no objection.
- 7.7.3 The proposed development lies within the 5km buffer of the SPA. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development. Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).
- 7.7.4 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £875.81 which has been paid by the applicant.
- 7.7.5 As such the proposal complies with Policy CP14 of the CSDMP.

## **7.8 Other Matters**

- 7.8.1 The Archaeological Officer has been consulted on the archaeological desk-based assessment report (MOLA, August 2023) submitted in support of this application. The Officer advises that the report provides a reasonable assessment of the archaeological implications of this proposal for a new dwelling. There would be archaeological implications from this proposal, however these can be mitigated by a programme of archaeological work secured by an appropriately worded condition.
- 7.8.2 The application site is situated within Flood Zone 1 where residential use is considered to be appropriate. The Lead Local Flood Authority have reviewed the application and consider there appears to be opportunity to accommodate sustainable drainage systems (SuDS) within the site. As such it is considered that these details can be secured via a condition and the proposal complies with DM10 of the CSDMP.

- 7.8.3 Policy CP2 states sustainable design for new developments within the Borough. As part of the application an energy statement has been submitted. The proposal would include passive solar gain due to the design and location of the habitable rooms and the insulation. An air source heat pump is proposed and a centralised mechanical extract system with heating controls and lighting. Due to the installation of an air source heat pump solar panels are not proposed. Preference will be given to the use of local materials & suppliers where viable to reduce the transport distances and to support the local economy. These details can be secure via a condition to secure these details to ensure the requirements of Policy CP2 and DM7 of the CSDMP are met.
- 7.8.4 The application was submitted with an Environmental Desk Study and Preliminary Risk Assessment. This assessment has been reviewed by the Environmental Health Officer. The report identified potential linkages between contamination source and receptors, and recommended further site investigation. Therefore a condition is recommend should planning permission be granted to secure further site investigation.

## **8.0 PUBLIC SECTOR EQUALITY DUTY**

- 8.1 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered to be an exception under paragraph 149 (g) of the NPPF and therefore would not be inappropriate development within the Green Belt. The proposal would not cause any harm in respect of character, heritage assets, residential amenity, highways, parking, or to trees and ecology, flooding, or the Thames Basin Heaths SPA, subject to the proposed conditions. Conditions removing permitted development rights are considered necessary to ensure that the proposal does not have a greater impact on openness than the existing development. Therefore, the proposal would comply with Policies CP1, CP2, CP3, CP6, CP11, CP14, DM7, DM9, DM10, DM11 and DM17 of the CSDMP, RDG SPD and WNP.

## **10.0 RECOMMENDATION**

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within one year of the date of this permission.

Reason: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

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

OV/DB/TOC/01A Received 18.10.2023  
OV/DB/TOC/02A Received 18.10.2023  
OV/DB/TOC/03A Received 18.10.2023  
OV/DB/TOC/04A Received 18.10.2023  
Location Plan Received 06.09.2023  
CWLD-TOC-CGN-LA-2332-01 Received 06.09.2023

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

3. No external facing materials shall be used on or in the development hereby approved until samples and details of them have been submitted to and approved in writing by the Local Planning Authority. Once approved, the development shall be carried out using only the agreed materials.

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

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

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

5. The development hereby approved shall not be occupied unless and until the proposed dwelling is provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure 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 the National Planning Policy Framework and Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

6. The development hereby approved shall not be first occupied unless and until the proposed dwelling is provided with parking for a minimum of two bicycles in a robust, secure enclosure in accordance with the approved plans and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority. Within the proposed cycle storage, facilities for the charging of e-bikes are to be provided, consisting of a standard three-point plug socket.

Reason: To ensure 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 the National Planning Policy Framework and Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall commence until a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Prehistoric and Roman remains. The potential impacts of the development can be mitigated through a programme of archaeological work. This is in accordance with NPPF.

8. (1) The development hereby approved shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include :
- (a) a site investigation report to address the potential significant risks as described in Desk Study
  - (b) if required, a 'remediation action plan' based upon (b);
  - (c) a 'discovery strategy' dealing with unforeseen contamination discovered during construction;
  - (d) a 'validation strategy' identifying measures to validate the works undertaken as a result of (b) and (c);
- (2) Prior to occupation, a verification report appended with substantiating evidence to demonstrate the agreed remediation has been carried out in accordance with part (1) (d) above.
- (3) 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 generally in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

9. No development shall commence until a Construction Environmental Management Plan, to include details of:
- Site working hours (including delivery, loading & unloading)
  - Details of proposed means of dust suppression and emission control
  - Details of proposed means of noise mitigation (including working hours)
  - Lighting impact mitigation
  - Material and waste management
  - Procedure for implementing the Construction Environmental Management Plan

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

Reason: To ensure that the proposed development does not have a significant adverse impact on the amenities of nearby residential properties in accordance with policies DM9 of the Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. The development hereby permitted shall not commence until full details 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, NPPF and Ministerial Statement on SuDS.

The required drainage details shall include:

a) Detailed design drawings indicating the location of all new or affected drainage systems. Drawings to include annotations for all drainage assets, pipe diameters, surface and invert levels. Representative cross-sections required to show profile along access road and across porous construction areas.

b) Details of how drainage systems will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

c) Details of the drainage management responsibilities and maintenance regimes for all drainage systems. Details to outline responsibility for ongoing costs associated with pumped drainage systems (electricity supply, preventative maintenance and mechanical/electrical servicing). Location details of pump controls required. Pump system to maintain an external visual indicator of pump or power failure. All future responsibilities to be clearly detailed for any associated surface water assets and drainage systems, including the retention of any porous surfaces or sub-base construction.

d) 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.

Reason: To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site and to accord with Policy DM10 of the Core Strategy and Development Management Policies 2012 and the NPPF.

11. Notwithstanding the provisions of Class A, Class B and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no further extensions, roof alterations, outbuildings shall be erected or undertaken without the prior approval in writing of the Local Planning Authority.

Any development under the Classes stated above undertaken or implemented between the date of this decision and the commencement of the development hereby approved shall be demolished and all material debris resulting permanently removed from the land within one month of the development hereby approved coming into first use.

Reason: In order not to prejudice the openness of the Green Belt and to be in accordance with the National Planning Policy Framework.

12. The proposed development shall be carried out in accordance with Sustainability and Energy Statement (Maven Sustainability dated 21st September 2023).

Reason: To ensure that the final design of the proposed construction would support sustainability to comply with Policy CP2 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

### **Informative(s)**

1. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

2. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
3. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, ([www.ccscheme.org.uk](http://www.ccscheme.org.uk)) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
4. 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. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022.
5. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact Building Control with regard to the necessary consents applicable under the Building Regulations and the effects of legislation under the Building Act 1984.
6. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
7. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the Council will issue a Liability Notice in respect of chargeable development referred to in this decision as soon as practicable after the day on which this decision first permits development. The Liability Notice will confirm the chargeable amount calculated by the Council in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Surrey Heath Charging Schedule. Please note that the chargeable amount is a local land charge.

Failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this decision may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Council's website.