

LOCATION:	Land South Of Beach House, Woodlands Lane, Windlesham, Surrey, GU20 6AP.
PROPOSAL:	Outline application for the demolition of 1 Broadley Green to facilitate the erection of 20 residential (Use Class C3) dwellings for age restricted (55+ years) accommodation with new means of access off Broadley Green with access to be determined and all other matters reserved.
TYPE:	Outline
APPLICANT:	Lavignac Securities
OFFICER:	Navil Rahman

This application has been reported to the Planning Applications Committee because it is a major development (a development of ten dwellings or over).

RECOMMENDATION: GRANT subject to conditions and a legal agreement

1.0 SUMMARY

- 1.1 The application relates to outline planning permission for the demolition of 1 Broadley Green and the construction of twenty residential units (net nineteen), age restricted for occupiers of 55 years or older (C3 Use Class). The application in addition to the principle of the development seeks to establish the means of access off Broadley Green with all other matters (appearance, layout, landscaping, and scale) reserved.
- 1.2 The application site relates to a rural exception site and seeks to provide 75% affordable housing provision (fifteen units), four of which would be provided to the Windlesham Community Trust. There would be five market housing units.
- 1.3 The application has demonstrated a local need for affordable housing for people with a local connection to the area, which cannot be met within the settlement boundary; will provide affordable housing for local people in perpetuity; and adjoins an existing settlement and is accessible to support the daily needs of the new residents. The principle of the development is therefore considered acceptable, and the proposal would not represent inappropriate development in the Green Belt.
- 1.4 The provision of market housing is considered necessary to support the viability of the scheme and the provision of affordable housing is therefore considered acceptable.
- 1.5 The proposed density of the development is considered acceptable, as is the indicative layout and siting of the development and the access to the site would be similar to that granted under previous planning applications (ref.18/0734 and 17/0526). No objections are raised in respect to neighbouring amenity, highway, flood risk, ecological or any other grounds.
- 1.6 The application is therefore recommended for approval subject to conditions and a legal agreement to secure the affordable housing provision and restricting occupancy to +55 residents.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to a parcel of open, undeveloped land situated to the south of Woodlands Lane towards the junction with Broadley Green outside of the settlement boundaries although sited to the edge of Windlesham. The site lies within the Green Belt and Flood Zone 1 (low risk).
- 2.2 The site is currently occupied by a field shelter used for the keeping of one horse with part of the site forming the rear garden of Anfield House, Woodlands Lane. The site has an even gradient and falls 1m from north to south and is virtually level from west to east. It is enclosed by wooden access gates with close board fencing at either side using an existing dropped kerb off Broadley Green, and post and rail fencing along the other site boundaries.
- 2.3 The surrounding area within the settlement to the north of the site is characterised by a mix of semi-detached and detached, single-family dwellings standing at single-storey and two-storey level of a varying age and architectural style. To the south, east and western boundaries are open fields with trees and hedges found to the site boundaries including trees protected by tree protection orders (TPO) on the eastern boundary outside of the red line curtilage of the site.

3.0 RELEVANT PLANNING HISTORY

- 3.1 17/0526 Outline Application for the erection of fifteen affordable dwellings (all social rented) with access off Broadley Green. Access only with all other matters reserved. Granted 16 February 2018 (not implemented).
- 3.2 17/0533 Outline application for the erection of fifteen affordable dwellings (six managed by the Windlesham Community Homes Trust and nine intermediate affordable dwellings) with access off Broadley Green. Access only with all other matters reserved.
- Refused for the following reasons:
1. Failure to demonstrate a proven local need within the Parish of Windlesham for the proposed intermediate housing, for sale below market levels but above social rent costs, to people with a local connection to the area. As such the proposal represents inappropriate and harmful development in the Green Belt. By association, the proposal would cause significant harm to the openness of the Green Belt and the purposes for including land within it.
 2. The absence of a payment or a completed legal agreement for a SAMM payment.
- 3.3 18/0734 Outline application for the erection of fifteen affordable dwellings (six for affordable rent and nine for affordable shared ownership) with access off Broadley Green. Access only with all other matters reserved.
- Reported to the Planning Applications Committee on 15 August 2020 with an officer recommendation to approve. Granted 30 September 2020 with a legal agreement securing the affordable housing and SAMM (not implemented and has expired).
- See Annex A for a copy of this committee report and the legal agreement.

4.0 PROPOSAL

- 4.1 Outline planning permission together with means of access is sought for the construction of twenty age restricted retirement accommodation (Use Class C3) comprising of 5x2 bedroom units and 15x3 bed units, with eight units for affordable rent, seven for shared ownership and five market units. The proposal initially included a community building which was removed to allow for additional parking to be provided on site.
- 4.2 The dwellings would be predominantly a mix of detached and semi-detached units with a single terrace of three units, having their own private rear gardens and short front gardens with parking provided to the front of the units. They would comprise a mix of single-storey bungalows and two-storey dwellings, with each dwelling benefiting from a sheltered cycle store situated to their rear gardens. A total of fifty-five car parking spaces are provided for the development. The indicative layout shows the dwellings would be situated around a central communal amenity area and attenuation pond. Soft landscaping is shown to the boundaries, to the front of the properties and interspersed between the parking spaces.
- 4.3 Access to the site would be off Broadley Green between No.1 Broadley Green (which is to be demolished and rebuilt to make way for the access) and the rear of Anfield House, where an existing field gate leads to the application site. The layout slightly differs from that previously consented under application ref.18/0734 and 17/0526 by being sited approximately 3m further south to ensure that the rear garden of Anfield House is largely maintained.
- 4.4 Matters of appearance, layout, scale, and landscaping would be subject to reserved matters.
- 4.5 The applicant sets out that the proposal would support the delivery of accommodation for persons aged 55 and above, an identified need in the borough and Windlesham, based on trends shown within the Surrey Heath Local Housing Needs Assessment (LHNA) which estimates a significant growth of this demographic within the borough. The proposal would also contribute towards the affordable housing need whilst the applicant states four units would be provided at discount to the Windlesham Community Home Trust, a registered charity, to help meet the local affordable need. The submitted viability assessment demonstrates that there would be only a 6% profit on gross development value (GDV) for these five units). Due to the age restricted use of the site, the quantum of dwellings proposed (an increase of five units relative to the previous now expired permission ref.18/0734) was required to ensure the scheme would be viable.
- 4.6 The application has been supported by the following documents:
 - Planning Statement
 - Design and Access Statement
 - Drainage Assessment
 - Transport Statement
 - Preliminary Ecological Appraisal (include surveys)
 - Viability Assessment
 - Retirement Living Report
 - Sustainability and Energy Statement

5.0 CONSULTATION RESPONSES

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

External Consultation	Comments received
County Highways Authority	Raise no objection subject to conditions relating to visibility splay installations, pedestrian crossing installation, EV charging points, cycle storage and construction transport management plan together with compliance of parking layout. See Annex B for full comments.
Local Lead Flood Authority	Raise no objection subject to a condition securing a detailed SuDS scheme.
Windlesham Parish Council	Raise objection on the following grounds: - Demolition of one half of a semi-detached property may have harmful implications on the neighbouring property and insufficient detail provided on the risk to the party wall. Officer response: Building Control would consider the structural integrity of the neighbouring property. Any works would need to be subject to a party wall agreement conducted by an independent surveyor ensuring works are carried out without prejudice to either party.
Surrey Wildlife Trust	Raise no objection, however clarification is sought on the extent of hedgerow loss, protection, and mitigation measures, whilst biodiversity should be secured. Recommend conditions in respect of sensitive lighting management plan, detailed reptile mitigation strategy, ecological England and management plan, landscape and ecological management plan and construction environmental management plan (CEMP).

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

Internal Consultation	Comments received
Arboricultural Officer	Raise no objection to the proposal however recommend that matters of tree protection and management are secured by condition.
Planning Policy	Raise no objection to the proposal and consider the development to have identified a local need.
Council's Viability consultants	Raised no objection to the proposal following a reduction to the number of market houses to 5 (down from 7).

6.0 REPRESENTATION

6.1 A total of twenty-nine letters of consultation were sent on the 21 September 2022 and to neighbouring residents together with site notices date 21 September 2022 displayed at the site, and press notices issued on the 5th and 10th October 2022. Following the amendment to the plans for the removal of the community building additional consultation was sent out on the 28 March 2024. A total of sixty-nine letters of support and six letters of objection were received together as part of the public notification exercise. The comments are summarised and responded to below.

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

Material Reason for Objection	Officer Response
<u>Principle of Development</u>	
Not required, planning requests for around 170 new dwellings in the surrounding area.	The site previously benefitted from planning permission under application 18/0734 for fifteen dwellings which remains a material consideration. The proposal, for an additional five dwellings, has demonstrated a need for affordable housing, and retirement housing in the local area. This is considered further in section 7.3 of the report.
No clear need for the development to meet Rural Exception tests.	The application is considered to meet the rural exception test and is considered acceptable in principle. This is considered further in section 7.3 of the report.
No very special (exceptional) circumstances	No very special circumstances are required to demonstrate the acceptability of the proposal as it meets the test of a rural exception site and is therefore considered appropriate development within the Green Belt. This is considered further in section 7.3 of the report.
Insufficient information on the need for over 55 housings.	The applicant has provided a retirement living report which outlines the age distribution of residents in the village against the lack of supply and lack of pipeline development of this type of housing. The local need is discussed further in section 7.3 of the report.
Proposal keeps increasing in density.	The proposed density of the development (21 dwellings per hectare) is no greater than the density of dwellings found in the surrounding (34 dwellings per hectare on Broadley Green), whilst the scheme is considered acceptable in respect of its indicative layout, spacing and storey heights. Paragraphs 123 and 128 of the NPPF set out that development that makes the efficient use of the land should be supported which is considered the case here.
<u>Amenity</u>	
Impact on neighbouring occupiers in respect of noise, construction activities and privacy.	A construction management plan is recommended to be secured by condition to assist in minimising the impacts of the construction activities. Noise and traffic impact is expected during any construction activities

	and given the scale of development, and the imposition of the condition recommended above, it is considered that any harm arising from construction activities would not warrant a reason for refusal.
Impact to structural integrity of No.3 Broadley Green as well as health and enjoyment of occupiers during the construction period and potential for construction to take a long time resulting in disruption to neighbouring occupiers.	Any demolition works would require Building Regulations and the integrity of the neighbouring property would be considered at this stage.
<u>Highways and Parking</u>	
Fails to respect Broadley Green, with the new access creating a highway safety concern for neighbouring users.	The proposed access is similar to the previously approved applications ref.18/0734 and 17/0526 with the only amendment being sited approximately 3m further south to ensure that the rear garden of Anfield House is maintained. SCC Highways have assessed the access and consider it acceptable.
Impact on existing blue badge parking spaces close to the entrance whilst no consideration given to existing parking demand nor impact of construction traffic and pollution.	The proposed access has been amended relative to that agreed on previous applications. County Highways has assessed the access in terms of safety and has raised no highway safety concerns. Any impact arising from construction traffic would be temporary in nature and expected with any new development.
Windlesham suffers from inadequate facilities and the development will increase traffic and burden on services supplied by neighbouring villages.	The proposal relates to the net gain of 19 dwellings. Whilst there would be an increase to the population, it is considered that it would not be sufficient to adversely impact on local services and facilities.
Insufficient parking provided not considering visitor parking whilst no regular viable bus service provided in Windlesham.	The proposed parking ratio is considered acceptable in line with Windlesham Neighbourhood Plan parking standards which requires an increased parking provision relative to SCC standards.
<u>Other Issues</u>	
Public notification narrowly drawn for an application that is of wider interest of the village.	The public notification exercise meets statutory requirements.
Contrary to the Windlesham Neighbourhood Plan (WNP).	This comment has not been elaborated any further, however, the proposal would accord with the requirements set out in the WNP.

6.3 The table below summarises the non-material planning reasons for objection:

Non-Material Reason for Objection	Officer Response
Impact on heating bills.	This is not a relevant material consideration.
Proposal is for developer gain.	This is not a relevant material consideration.
No statement and business plan for the purchase arrangements by the	This is not a relevant material consideration. The affordable housing provision would be secured by s106.

Windlesham Community Home Trust (WCHT)	
Description does not make clearly that this is a new application.	The application description does not reference any previous application and would therefore be considered a new application.

7.0 PLANNING CONSIDERATIONS

7.1 In considering this development regard is given to Policies CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14A, CP14B, DM5, DM9, DM10, and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the Southeast Plan 2009 (as saved) (SEP); the Residential Design Guide (RDG) SPD 2017, the Windlesham Neighbourhood Plan 2018-2028, the National Design Guide and the National Planning Policy Framework (NPPF); as well as advice within the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS).

7.2 The key issues to be considered are:

- Principle of development including impact on the Green Belt
- Impact on the character, appearance, and trees of the surrounding area.
- Impact on residential amenity.
- Impact on access, highway safety and parking capacity.
- Impact on flood risk and drainage
- Impact on biodiversity and ecology
- Impact on the Thames Basin Heaths Special Protection Area

7.3 Principle of development including impact on the Green Belt

7.3.1 The application site is situated within the Green Belt. Paragraphs 152 and 153 of the NPPF state inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

7.3.2 The construction of new buildings is to be regarded as inappropriate subject to a limited number of specific exceptions. Relevant in this instance is paragraph 154 f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites).

7.3.3 Paragraph 82 of the NPPF states that Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

7.3.4 Policy DM5 of the CSDMP sets out the Council's approach to Rural Exception Sites, stating development consisting of 100% affordable housing within the countryside or Green Belt will be permitted where:

- i) There is a proven local need for affordable housing for people with a local connection to the area; and
- ii) The need cannot be met within the settlement boundary; and
- iii) The development will provide affordable housing for local people in perpetuity; and
- iv) The development site immediately adjoins an existing settlement and is accessible to public transport, walking or cycling and services sufficient to support the daily needs of new residents.

- 7.3.5 Policy DM5 is to be read alongside Paragraph 82 of the NPPF, and where market housing is provided, it is necessary to demonstrate whether this is required to support the viability of the development. The applicant has submitted a viability assessment which has been appraised by the Council's appointed viability consultants. Following the review, the applicant has agreed to a maximum of five market units to support the proposal (down from seven originally proposed) in line with the recommendation from the viability consultants.
- 7.3.6 The site was previously granted under in 2017 and 2018 (ref.17/0526 and 18/0734) for 100% affordable housing of net 15 dwellings. However, the previous schemes were not age restricted and the proposal represents a materially different scheme as a result. The increase in the net number of dwellings by four in this application, as evidenced by the viability assessment is considered necessary to provide for this scheme. The viability appraisal considered the previous applications as a potential alternative use value of the site however, it was considered that the residual value of those schemes would be negative and therefore it would not represent a viable scheme.
- 7.3.7 As such, given the conclusion of the appraisal, the proposal is considered to meet the starting point necessary to be considered acceptable as a rural exception site.
- i) There is a proven local need for affordable housing for people with a local connection to the area and ii) and (ii) Whether this need can be met within the settlement boundary.
- 7.3.8 Policy DM5 recognises that there are limited opportunities to provide housing within the smaller settlements such as Windlesham at a scale which will deliver significant levels of affordable housing.
- 7.3.9 The application is supported by justification taken from the Council's Housing Needs Assessment together with a Retirement Living Report. In the national context, there is a 'critical' need for housing for older people, based on the significant growth in the elderly demographic, with housing with care becoming an increasingly preferred option for older people to enable them to remain independent for as long as possible. The PPG advises that where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address the need.
- 7.3.10 The SH Housing Needs Assessment (2020) sets out that Surrey Heath trends in having a predicted 33% increase in +55-year-olds in the borough. Given the ageing population and higher levels of disability and health problems amongst older people, there is an increased requirement for retirement housing options in the future. The demand for retirement housing generally largely comes from older persons who live locally and are looking to downsize however at present there is a lack of high-quality homes, and this type of housing is generally made of flatted development which is a less attractive prospect. The proposal would provide a more attractive proposition for those looking to downsize, freeing up homes within the village for young families.
- 7.3.11 Policy DM5 does not provide any detail as to what qualifies "people with a local connection to the area". However, Page 21 of the Windlesham Neighbourhood Plan (WNP) identifies priority housing as 2/3-bedroom dwellings for older persons, with a need for retirement and assisted living units as well as homes for young persons.
- 7.3.12 The SH Housing Needs Assessment (2020) also sets out a net annual need of thirty shared ownership units and seventy-two affordable rented units in the rest of borough sub-area. The level of net housing need in the borough is considerable and the Council should seek the maximum affordable housing provision from development as viably possible. The previous application ref.18/0734 established the need for affordable housing specifically in Windlesham which remains the case. Evidence from the SH

Strategic Housing Market Assessment 2016 (SHMA) sets out that there was an annual need for thirty low-cost dwellings in Windlesham Parish. The Council's Five-Year Housing Land Supply (2023-2028) identifies one other site (Land East of St Margaret, Woodlands Lane ref.23/0080) which could be deliverable to meet this need however this application remains under consideration. This application proposes twenty shared ownership units and, in any case, would not be able to meet the annual target in Windlesham Parish alone.

7.3.13 The proposed form of housing and affordable housing provision would be secured by legal agreement with a local lettings policy agreed which would ensure that the qualifying residents have a local connection to the area i.e. have lived or worked in the area for at least 18 months. This type of agreement was considered acceptable as part of the previous application ref.2018/0734 (see Annex A for a copy of the legal agreement) and would ensure the development is provided for local residents. Subject to this agreement, the proposal has demonstrated an identified local housing need to which it would contribute towards and therefore would accord with parts i) and ii) of the policy.

iii) Whether the development will provide affordable housing for local people in perpetuity.

7.3.14 The legal agreement would be worded to ensure that the affordable housing is provided for local people. The agreed s106 agreement with the previous application ref.2018/0734 defined "local connection" as the following criteria (in a descending priority order). The definition would be applied to any s106 agreement attached to this application, ensuring that the affordable housing provision is provided for local people in perpetuity.

- i) Been ordinarily resident in the parish (for a minimum of 12 months); or,
- ii) Previously lived in the parish and continues to have a strong family connection to the parish (father, mother, brother, sister, or adult children who have lived in the parish for 5 years); or,
- iii) A demonstrable need by virtue of their employment to live in the parish; or,
- iv) A demonstrable need to live within the parish either to care and support or be cared for and supported by a family member; or,
- v) A demonstrable special requirement or need to live in the parish evidenced to and accepted by Surrey Heath Borough Council's Housing Services Manager; or,
- vi) Is and has been a resident in Surrey Heath District Council's administrative area for the preceding 12 (twelve) months; or,
- vii) has been resident in Surrey Heath District Council's administrative area for 3 (three) years out of the preceding 5 (five) years; or,
- viii) has been resident in Surrey Heath District Council's administrative area for 5 (five) years out of the preceding 10 (ten) years; or,
- ix) is permanently employed or has an offer of permanent employment in Surrey Heath District Council's administrative area; or,
- x) is temporarily employed or has an offer for temporary employment in a contract of not less than 12 months in Surrey Heath District Council's administrative area; or,
- xi) has a close relative currently resident in Surrey Heath District Council's administrative area; or,
- xii) is and has been a resident in any parish in Surrey for the preceding 12 (twelve) months; or,
- xiii) has been a resident in respect of any parish in Surrey for 3 (three) years out of the preceding 5 (five) years; or,
- xiv) has been a resident in respect of any parish in Surrey for 5 (five) years out of the preceding 10 (ten) years; or,
- xv) is permanently employed or has an offer of permanent employment in respect of any parish in Surrey; or,
- xvi) is temporarily employed or has an offer for temporary employment, in a contract of not less than 12 months in respect of any parish in Surrey; or,

xvii) has a close relative currently resident in any parish in Surrey; or,
xviii) any other person.

7.3.15 Given the previous agreement, the above definition is considered acceptable and appropriate in this instance subject to a clause being attached to the agreement to determine the relevant marketing period.

iv) Whether the development site immediately adjoins an existing settlement and is accessible to services sufficient to support the daily needs of new residents.

7.3.16 The application site sits immediately adjacent to the settlement boundary of Windlesham to the north and west of the site. It was accepted in the previous application ref.18/0734 that the site, by virtue of its location adjacent to the settlement would be considered a relatively sustainable location, with the village itself by virtue of being designated as a settlement area considered a sustainable location. It is recognised that the village itself does not benefit from various facilities and amenities typically associated with urban settlements however, the site would be a 4-minute walk to the local convenience store, pharmacy, and an additional minute walk to the nearest public house. The route to these amenities is a made road, with appropriate lighting and footways ensuring a safe and appropriate journey for users. The nearest supermarket is a 27-minute walk from the site through a made pedestrian route. Given the rural context of the surroundings, the site would be considered adequately located in respect of local services.

Summary

7.3.17 The application has identified a local need for affordable housing and housing for +55 persons and the proposal would contribute towards meeting this need. The proposal is therefore considered to be acceptable in line with Policy DM5 of the CSMDP as well as meeting exception f) of paragraph 154 of the NPPF. It would not be inappropriate development in the Green Belt. As such, the proposal would be considered acceptable in principle subject to an appropriate legal agreement.

7.4 Impact on the character, appearance, and trees of the surrounding area

7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Principle 6.2 of the RDG requires residential developments to use trees, vegetation, gardens, and open spaces to create a strong, soft green character to streets. Paragraphs 123 and 128 of the NPPF promote the effective use of land, particularly where there is an identified need for different types of housing. Developments which fail to make efficient use of land should be refused.

7.4.2 Policy WNP1.2 of the WNP states that development which provide a mixture of housing sizes and types and prioritises the development of two and three-bedroom dwellings to assist in increasing housing mobility within Windlesham village, shall be supported. Policy WNP2.1 states that proposals for new housing development shall be supported if they respond positively to and protect the built and natural character features of their setting within Windlesham village. Planning applications shall be supported if they:

- Maintain the established density including number of residential units and ratio of building footprint to open space development in the surrounding area.
- Maintain the general scale of development in the surrounding area without creating any overbearing presence; and
- Maintain the style and pattern of separation between buildings and widths of building frontages.

7.4.3 The application remains at outline stage with matters of layout, appearance, and scale to be determined by reserved matters. However, the submitted indicative site layout,

and the supporting documents provide an indication of how the scheme could be laid out, whilst also stating that the development will likely consist of bungalow and two-storey, semi-detached and detached properties comprising of two and three bedrooms. The previous applications granted on the site related to developments of net 15 dwellings and are material considerations. The proposal would result in an increase of 4 additional dwellings relative to the previously approved schemes.

- 7.4.4 The proposal would have a density of 21 dwellings per hectare (an increase from the 16 units per hectare of the previously approved scheme ref.18/0734). This is similar to the densities found on Broadley Green (34 dwellings per hectare) whilst densities of 80 dwellings per hectare can be found in the wider surrounding area such as that on Fromow Gardens 240m to the east of the site. The proposed building footprint to open space ratio would also be similar to that found on Broadley Green and Woodlands Lane and whilst it is recognised that some of the properties immediately north benefit from more generous sized gardens, this is not indicative of the wider surrounding area. The proposed form, and type of dwelling would conform with that found in the surrounding area particularly on Broadley Green. The indicative pattern of development would not appear out of character with the surrounding area, with the spacing between the properties, the plot widths, and lengths, together with the provision and size of the garden spaces, relating to the existing surrounding area. The proposed use of landscaping would contribute to the rural, verdancy typical of the area, and the indicative layout ensures sufficient landscaping would be provided.
- 7.4.5 Paragraph 123 within the NPPF states that developments should promote an effective use of land in meeting the need for homes and other uses. Furthermore, paragraph 128 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into consideration different types of housing, local market conditions and viability. In this instance the proposed application has had due regard to these policies and should be further supported on this basis.
- 7.4.6 The proposed development by virtue of its location relative to the surrounding residential properties, would not be clearly viewed from existing public realm vantage points and therefore would not have a significant impact on the visual amenities of the surrounding area. The proposed parking layout would be acceptable allowing for convenient parking, and access.
- 7.4.7 The indicative layout illustrates an adequate level of soft landscaping can be achieved on site, and no objections have been raised by the Council's Arboricultural Officer. Landscaping would be a reserved matter and the final details of the landscaping including tree protection measures would be secured at the reserved matter stage. No objections were raised with the previous application in respect of the tree details proposed. As such, the proposal is considered acceptable in respect of trees.
- 7.4.8 The full details of the appearance, layout, landscaping, and scale of the development will be considered at reserved matters stage. The proposed indicative layout is considered appropriate and acceptable in the immediate and wider context, and no objections are raised on design and character grounds. The proposal would satisfy the objectives of Policy DM9 of the CSDMP, the WNP, the RDG and the NPPF.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP is relevant.
- 7.5.2 Notwithstanding the rebuild of No.1 Broadley Green, the indicative layout demonstrates a minimum 25m separation distance between the nearest elevations of the existing neighbouring dwellings and the proposed dwellings. Given the separation distance, and that the development is to be at a maximum two-storeys in height, it is considered there would be no significant amenity impact to neighbouring occupiers in

respect of outlook, privacy, and daylight/sunlight. In respect of noise, the proposal would generate additional noise relative to the existing context however, the level of noise would be similar to the surrounding residential uses and given the separation distance would unlikely result in any undue or harmful impact.

- 7.5.3 Regarding No.1 Broadley Green, the property would extend approximately 3m beyond the neighbouring property at No.2 whilst including a setback from the shared boundary. Given the modest projection in combination with the setback, it is considered the proposal would not result in any significant harm to the neighbouring occupiers amenity. Where concerns have been raised in respect of the structural integrity of the property and the impact to the neighbour, this is a matter that would be subject to a party wall agreement and considered by Building Control legislation.
- 7.5.4 Plots 2 and 3 would sit adjacent to the end of the rear gardens of the properties fronting Woodlands Lane. There would be a minimum separation distance of approximately 25m between the nearest elevations and given the maximum two-storey height proposed and their position to the end of the rear gardens where boundary planting is found between the properties, it is considered there would be no significant amenity harm arising to the neighbouring properties.
- 7.5.5 The indicative layout would ensure occupiers receive acceptable levels of outlook, privacy, and private amenity space although these matters can only be confirmed following the submission of reserved matters. No objections have been raised by the Councils Arboricultural officer subject to ensuring tree protection and management details are secured by condition.
- 7.5.6 As such, the proposal is considered acceptable in respect of neighbouring amenity impact and the standard of accommodation in accordance with the objectives of Policy DM9 of the CSDMP.

7.6 Impact on sustainability, highway safety and parking capacity

- 7.6.1 Policy DM11 of the CSDMP relates to the impact on the highway network, including matters of highway safety, access, and parking.
- 7.6.2 The proposed means of access is similar to that was approved under application ref.18/0734, positioned approximately 3m south of the approved access. The width at the bell mouth would be slightly enlarged whilst the width of the access road would remain the same.
- 7.6.3 SCC Highways have been consulted on the application and raised no objections on safety, capacity, or policy grounds subject to appropriate conditions securing visibility splays, and pedestrian crossings to be installed.
- 7.6.4 Resident objections have been raised in respect of the impact upon existing off-street parking, particularly the potential impact to two marked disabled parking bays close to the new access. Given the absence of any objections from SCC Highways and the acceptability of the previous application, the access is considered acceptable and would not have any highway safety impact.
- 7.6.5 Concerns have also been raised in respect of parking provision. The surrounding area appears to benefit ample parking provision, with most properties benefitting from off-street parking and there appears to be scope for parking overspill if necessary. Policy WNP4.2 of the WNP states that new residential developments should, where space permits, provide parking spaces within the boundaries of the development for: 2 vehicles for 1 and 2-bedroom dwellings; and 3 vehicles for 3+ bedroom or larger dwellings. This policy is based on data from the 2011 Census. Policy WNP4.1 states parking spaces should have a minimum dimension of 2.9m by 5.5m.

- 7.6.6 In accordance with Policy WNP4.2, 55 parking spaces are required which the proposal would provide and therefore accord with the policy. It would also accord with the dimensional requirements set out in Policy WNP4.1. As the layout remains indicative, an informative is recommended to be attached to any grant of permission advising the applicants to conform to the aims and objectives of Policies WNP4.1 and 4.2. This is consistent with the approach taken with application 18/0734 (see Annex A and paragraph 7.6.5).
- 7.6.7 Each parking space would be installed with an EV charging point in line with SCC guidance. Cycle storage is provided to the rear gardens which is considered appropriate and acceptable and aimed towards reducing dependency on vehicle use.
- 7.6.8 As such, based on the above and the absence of any objection from the Highway Authority, the proposal is considered acceptable in respect of highway safety, access, and parking capacity in accordance with Policies CP11 and DM11 of the CSMDP and the WNP.

7.7 Impact on flood risk and drainage

- 7.7.1 Policy DM10 of the CSDMP is relevant.
- 7.7.2 The application site lies in a Zone 1 (low risk) flood area, however, relates to a major development. The Lead Local Flood Authority has reviewed the proposal and raised no objections subject to the implementation of a SuDS with the details to be secured by planning condition. On this basis the proposed development would be considered acceptable on drainage and flood risk grounds complying with Policy DM10 of the CSDMP and the NPPF.

7.8 Impact on biodiversity and ecology

- 7.8.1 Policy CP14 of the CSDMP is relevant.
- 7.8.2 The application is supported by a preliminary ecological appraisal, including bat roost survey and reptile survey. Surrey Wildlife Trust (SWT) have been consulted on the application, raising no objection. However, they asked for clarification on the impact on the hedgerow habitat of principal importance and recommend various conditions in the interests of species and biodiversity.
- 7.8.3 In respect of the hedgerow habitat of principal importance, SWT have stated that as the hedgerows appear to fall within the boundaries of the dwellings the long-term retention cannot be ensured and therefore either appropriate protection measures or compensation and mitigation measures should be secured. As the landscaping has not been agreed it is not confirmed whether these would form part of the boundary of the dwellings however, in the event it is, then appropriate replacement planting would be required to offset any impact.
- 7.8.4 SWT has also commented recommending that any development ensures that there would be no loss of overall biodiversity requiring an appropriately detailed biodiversity net gain (BNG) assessment, albeit there is no adopted legislative requirement for this to be provided (this only applies to major applications received from 12 February 2024). A BNG assessment has since been provided, however it is recognised that with landscaping and layout matters to be considered by reserved matters, it would be more appropriate to consider this matter by condition. This is because without the final layout agreed the level of gain cannot be confirmed.
- 7.8.5 It is recommended that subject to the recommendations of the submitted preliminary ecological appraisal, the Green Shoots Ecology report addendum and the conditions

recommended by SWT being adhered to, the proposal would not result in any significantly harmful impact to the ecology and biodiversity of the surrounding area in line with Policy CP14 of the CSDMP.

7.9 Impact on the Thames Basin Heaths Special Protection Area

7.9.1 Policy CP14 of the CSDMP indicates that development will only be granted where the Council is satisfied that the proposal will not give rise to a likely significant adverse effect upon the integrity of the Thames Basin Heath Special Protection Area (SPA). All new (net) residential development within five kilometres of the SPA is considered to give rise to the possibility of likely significant effect. Policy NRM6 of the SEP reflects these requirements. Proposals will be required to provide appropriate measures in accordance with the AAP. This includes contributions towards SAMM measures. SANG requirements are provided through CIL.

7.9.2 The Council has sufficient capacity of SANG for the development in the event of a grant of permission. The applicant has confirmed that the SAMM contribution would be secured through a legal agreement prior to the determination of this application. Subject to the signing of the legal agreement the proposal satisfies the objectives of Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the AAP.

7.10 Other matters

7.10.1 It is recommended that a condition be attached to any grant of permission to restrict the use of Permitted Development rights in respect of Schedule 1, Part 2, Classes A, B and E. Paragraph 54 of the NPPF advises against the use of planning conditions to restrict PD rights unless there is clear justification to do so.

7.10.2 Windlesham Village benefits from a semi-rural, natural character supported by a low ratio of built development to open space development in the surrounding area. The proposal as shown in the indicative layout form does not result in any significant harm to these characteristics. However, noting the large rear gardens of each plot, each property could feasibly undertake a significant amount of development without the need for planning permission if Permitted Development rights are retained resulting in an urbanised form of development which would be contrary to the verdant, open characteristics of the wider area. The imposed condition would not restrict the ability for the landowner to extend their property, only that express planning permission is sought, allowing due consideration to any future development on site. It is not considered necessary to restrict all classes of Part 1 of Schedule 2 of the GPDO, but only these parts which would allow for sizeable additions (i.e. outbuildings, side/rear extensions, roof extensions) to the properties.

7.11 Planning balance

7.11.1 The site was previously granted permission for net fifteen homes, and the proposal seeks to provide an additional net four homes. The principle of residential development on this site has been previously considered and is therefore considered acceptable.

7.11.2 The proposed development would increase the number of units compared to the previous grant of permission. However, the proposed density would remain lower than that of the immediate surrounding area and significantly lower than the wider village. The proposed development would be in accordance with the surrounding character in terms of size and scale. The indicative layout illustrates good spacing between and around properties and achieves a good ratio of building development to open space. Each property would have external amenity space exceeding the minimum requirements, and a sufficient number and size of parking spaces in accordance with the WNP.

- 7.11.3 The proposed increase in the number of units does not harm the acceptability of the proposal in respect of its design and impact on the surrounding character, whilst making more efficient use of land in line with paragraphs 123 and 128 of the NPPF.
- 7.11.4 The proposal would contribute towards an unmet and growing identified need in the borough for elderly persons housing, a type of housing considered a “priority” in the WNP. In addition, through providing attractive downsizer homes for local residents, the existing housing stock within the village would be released for young persons and families, another form of priority housing identified in the WNP.
- 7.11.5 No objections have been raised by the SCC Highways, SWT, LLFA, nor the Council’s Arboricultural or Policy officers.
- 7.11.6 Given the efficient use of the land, the contribution towards an identified need, provision of affordable housing together with the absence of any objections from statutory consultees and acceptability of the proposal in all other regards, it is considered that the planning benefits of the proposal weigh in favour of permission being granted.

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 application has demonstrated an identified local housing need for affordable housing and +55 housing to justify the acceptability of the proposed development in principle. The proposal would therefore not be inappropriate development in the Green Belt. The proposed access is considered acceptable with Surrey County Highways raising no objections to the proposal. A full assessment of the impact of the proposal on the character (including landscaping) and amenity of the surrounding area will be considered at reserved matters stage, however, based on the submitted indicative plans and information, no objections are raised on these or any other grounds. The proposal is therefore recommended for approval subject to appropriate conditions and legal agreement in line with the CSDMP and NPPF.

10.0 RECOMMENDATION

The Executive Head of Planning to be authorised to GRANT permission subject to a legal agreement to secure the following:

- Seven units to be provided and maintained as shared ownership affordable housing.
- Eight units to be provided and maintained as social rented affordable housing in perpetuity.
- the Shared Ownership Dwellings will only be sold to persons with a local connection to the Parish of Windlesham.
- the Affordable Rent Dwellings shall only be let in accordance with a local lettings policy to persons with a local connection to the Parish of Windlesham.
- Future occupiers to be a +55 years old.
- The financial contribution towards SAMM.

GRANT subject to a legal agreement and the following conditions:

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

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) 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 Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and 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.

2. The development hereby approved shall not be first occupied unless and until the proposed vehicular access to Broadley Green has been constructed and provided with 2.4 x 43 metre visibility splays in accordance with the approved plans (Drawing No.101.H received 19 March 2024) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6 metres high.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

3. The development hereby approved shall not be first occupied unless and until a pedestrian inter-visibility splay measuring 2m by 2m has been provided on each side of the access to Broadley Green the depth measured from the back of the footway (or verge) and the widths outwards from the edges of the access. No obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

4. The development hereby approved shall not be first occupied unless and until an uncontrolled pedestrian crossing on Broadley Green, including tactile paving, has been provided as part of the construction of the vehicular access in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

5. The development hereby approved shall not be first occupied unless an uncontrolled pedestrian crossing on Woodlands Lane, including tactile paving, has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11

of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

6. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority 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 that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

7. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (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: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

8. The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with parking for bicycles in a robust, secure, and lit enclosure in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facility shall be provided, retained, and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

9. 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 measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) on-site turning for construction vehicles

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 development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

10. The development hereby permitted shall be carried out wholly in accordance with the submitted Preliminary Ecological Assessment 23 May 2022 and addendum received 7 March 2023. The recommendations and any necessary mitigation and compensation measures shall be provided and carried out and thereafter retained in perpetuity.

Reason: In the interests of biodiversity, ecology, and local amenity, in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and objectives of the National Planning Policy Framework.

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

Reason: In the interests of biodiversity and trees and to preserve and enhance the visual amenities of the locality in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

Reason: In the interests of biodiversity and trees and to preserve and enhance the visual amenities of the locality in accordance with Policy CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

13. Prior to the commencement of any works a pre-commencement a survey must be undertaken by a suitably qualified ecologist to confirm the presence/absence of badgers. If any signs of badgers are found during the pre-commencement check further survey work will be required to be undertaken and a mitigation strategy submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works within thirty metres of any sett. The mitigation strategy shall be implemented in full in accordance with the approved details.

Reason: To prevent the disturbance of protected species and the destruction of any sett tunnels within the site, in line with the objectives of Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the National Planning Policy Framework.

14. No development shall commence unless and until a Sensitive Lighting Management Plan (SLMP) has been submitted to and approved in writing by the Local Planning Authority. The SLMP should include details of how the development will result in no net increase in external artificial lighting.

Reason: To secure the appropriate long-term management of the site to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with

15. Prior to the commencement of development, an updated reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall include:

- Location and map of the proposed translocation site.
- Assessment of the habitats present, including their ecological function to reptiles.
- Assessment of the translocation site reptile population size, evidenced by recent reptile surveys following best practice and an assessment of habitat quality.
- Analysis of reptile carrying capacity of translocation site.
- Details of management measures that are required.
- Work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- Details of the body or organisation responsible for implementation of the reptile mitigation strategy.
- Ongoing monitoring and remedial measures.
- Legal and funding mechanisms by which the long-term implementation of the reptile mitigate strategy will be secured by the applicant with the management bodies responsible for its delivery.
- Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To ensure the appropriate protection, mitigation, and compensation of potential harm to reptiles in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Framework.

16. No development shall commence unless and until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP should include details of the following:

- o Description and evaluation of features to be managed.
- o Ecological trends and constraints on site that might influence management.
- o Aims and objectives of management.
- o Appropriate management options for achieving aims and objectives.
- o Prescriptions for management actions, together with a plan of management compartments.
- o Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- o Details of the body or organisation responsible for implementation of the plan.
- o Ongoing monitoring and remedial measures.
- o Legal and funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery.
- o Monitoring strategy, including details of how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To secure the appropriate long-term management of the site to preserve and enhance the visual amenities of the locality and biodiversity, in accordance with

17. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority, to include details of:
- a) Map showing the location of all the ecological features
 - b) Risk assessment of the potentially damaging construction activities
 - c) Practical measures to avoid and reduce impacts during construction
 - d) Location and timing of works to avoid harm to biodiversity features
 - e) Responsible persons and lines of communication
 - f) Use of protected fences, exclusion barriers and warning signs.
 - g) Site operation time
 - h) Details of proposed means of dust suppression and emission control
 - i) Details of proposed means of noise mitigation
 - j) Lighting impact mitigation
 - k) Material and waste management
 - l) Procedure for implementing the CEMP

Reason: To mitigate the impact of the construction activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

18. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. 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) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.7 l/s including multi-functional SuDS.
 - 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.). Including confirmation that the outfall pipe work and existing watercourse remains in publicly accessible areas.
 - c) 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 from increased flood risk.
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - e) 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.

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.

19. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water 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), and confirm any defects have been rectified.

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.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions to the dwellings hereby approved or additions to their roofs shall be erected under Schedule 2, Part 1, Class A or Class B of that Order; and no buildings, enclosures, pools or containers incidental to the enjoyment of a dwelling house shall be erected under Schedule 2, Part 1, Class E of that order; without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the enlargement, improvement, or other alterations to the development in the interests of visual and residential amenity and to preserve the openness of the Green Belt and wider surrounding area, to accord with Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required. A replacement copy can be obtained, however, there is a charge for this service.
2. 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.

3. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to submit 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 proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/traffic-managementpermit-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

4. 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.
5. Notwithstanding any permission granted under the Planning Acts, no signs, devices, or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
6. 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.
7. 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).

Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

8. The applicant 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.
9. 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. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

10. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
 11. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
 12. The applicant is expected to ensure the safe operation of all construction traffic in order 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. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
 13. Should the applicant wish to offer the proposed road for adoption the CHA would require the following:
 - o A 2m service margin to be provided on the northeastern side of the carriageway, with a minimum 0.5m on the other side. Clear demarcation of the edge of highway.
 - o A 2m wide footway to be provided on the northeastern side of the carriageway at least as far as property No. 1 shown on the indicative site plan. The footway to properties No. 1 and 2 to tie into this.
 - o Clear visual demarcation of the start of the shared surface area.
 - o All parking bays to be a minimum 2.4 x 4.8m with a minimum 6m space provided in front of any garage.
 - o Other technical details to be agreed.
 14. 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 our website. If proposed works result in infiltration of surface water to ground within a Source Protection Zone, the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
 15. The applicant is advised to ensure that the final layout complies with the aims of Policies WNP4.1 (New Residential Developments Parking Space Design) and WNP4.2 (Residential Developments Parking Space Standards) of the Windlesham Neighbourhood Plan 2019.
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