

LOCATION: WESTON PADDOCKS (LAND ADJACENT TO 1)
WHITMOOR ROAD, BAGSHOT, GU19 5QE

PROPOSAL: Outline application for the erection of 10 dwelling houses following the demolition of existing dwelling house and outbuildings (access and layout to be considered).
(Amended plan recv'd 22/6/15)

TYPE: Outline

APPLICANT: Ms Faye Cass
Chase Green Developments Limited

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to legal agreement and conditions

1.0 SUMMARY

- 1.1 This outline proposal relates to the erection of 10 dwellings following the demolition of existing buildings, including one dwelling, with matters of access and layout to be considered at this stage. The reserved matters include scale, appearance and landscaping. The site lies within the settlement of Bagshot, with its (east) flank and rear boundary with the A322 Guildford Road and Junction 3 of Motorway M3, which is in the Green Belt.
- 1.2 The current proposal is considered to be acceptable in terms of its impact on local character, residential amenity and highway safety. The current proposal is CIL liable and requires the provision of a legal obligation to provide a SAMM contribution. Subject to the completion of a legal agreement by 23 July 2015, the proposal is considered to be acceptable.

2.0 SITE DESCRIPTION

- 2.1 The application site falls within the settlement of Bagshot. The site lies to the south of Whitmoor Road, on the outside of a bend in the road with its (east) flank and rear boundary with the A322 Guildford Road and Motorway M3 Junction 3, which is in the Green Belt. Whitmoor Road is principally a spine road serving the residential estates built since the 1980's in this part of Bagshot.
- 2.2 The 0.58 hectare site is roughly triangular in shape and currently contains a series of buildings within the site, including a vacant three bedroom cottage, which are to be demolished. The existing principal access to the site is from the access drive to 1 Whitmoor Road with a secondary access from A322 Guildford Road. There are a number of trees and tree groups on, or at the boundaries of, the site, none of which are protected under a Tree Preservation Order. There is a 2.2 metre high (approximate) brick wall to the Whitmoor Road frontage and a post and rail fence to the boundary with the A322.

- 2.3 The application site includes an access from Whitmoor Road, close to a bend in the road. To the west of the site is 1 Whitmoor Road and properties in Weston Grove, with properties in Elizabeth Avenue lying on the opposite side of Whitmoor Road. The south west part of the site falls within 400 metres of the Thames Basin Heaths Special Protection Area.

3.0 RELEVANT PLANNING HISTORY

Relevant planning history is listed below. The site has previously included a caravan site (long vacated) and a dwellinghouse (which pre-dates 1948) with associated outbuildings.

- 3.1 BGR5133 Established use of land for car storage and siting of a residential caravan (on a part of application site). Approved in August 1965.
- 3.2 SU/14/0712 Erection of 15 two storey terraced and semi-detached dwellings and 2 two storey buildings to comprise a total of 12 one and two bedroom flats with the creation of a new access onto Whitmoor Road. Withdrawn in September 2014.

4.0 THE PROPOSAL

- 4.1 The outline proposal relates to the erection of 10 dwellings following the demolition of existing buildings, including one dwelling and its associated outbuildings, with matters of access and layout to be considered at this stage. The proposed dwellings would comprise 2 no two bed, 5 no three bed and 3 no four bed (or over) units. The application proposal would provide a cul-de-sac layout with 10 detached dwellings with integral garages arranged around the access road, accessing directly from Whitmoor Road. Both of the existing accesses to the site would be removed. The south west part of the site (i.e. within 400 metres of the SPA) is proposed to be provided as open space with pedestrian access only, and this land would fall outside of the proposed residential curtilages. A close boarded fence, up to 2.4 metres in height, would be provided to demarcate the residential curtilages.
- 4.2 The proposed access would be centrally located along the Whitmoor Road boundary. Within the site, the access road would turn left and form a turning head close to the east boundary. The access road would continue south, parallel to the A322 Guildford Road serving three further units. As such, Units 1, 9 and 10 would front onto the main access road, with Units 2, 3, 4, 5 and 6 directly facing the access extension (and the east boundary with A322 Guildford Road beyond). Units 7 and 8 would be located in corner locations, with a part of their frontages facing the rear gardens of Units 4 and 5. Amended drawings have been provided which revise their positions within these plots. Each proposed property would have garage and driveway accommodation. A 2.4 metre high acoustic fence is proposed to the A322 boundary.

4.3 Whilst appearance, scale and landscaping are reserved matters, the submitted Design and Access Statement confirms that the proposal would provide two storey dwellings or two storey (with accommodation in the roof) dwellings.

4.4 This application has been supported by:

- Planning Statement;
- Design and Access Statement;
- Ecological Assessment;
- Tree Survey;
- Land Contamination Assessment;
- Noise Assessment; and
- Viability Appraisal.

The assessment in Paragraph 7.0 below has taken into consideration the content of these reports.

5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections.
5.2	Tree Officer	No objections.
5.3	Senior Environmental Health Officer	No objections.
5.4	Natural England	No objections.
5.5	Surrey Wildlife Trust	No objections.
5.5	Windlesham Parish Council	Raise an objection to vehicular access and safety grounds.

6.0 REPRESENTATIONS

At the time of preparation of this report five representations have been received, three in support and two raising an objection. In respect of those representations which raise an objection, the following issues are raised:

- 6.1 Loss of privacy from position of one dwelling (Unit 8) and the proximity of the rear wall of this dwelling to the corner of the rear garden of this property (10 Weston Grove) and submitted details do not include elevations to check level of potential loss [See Paragraph 7.5]

6.2 The proposed access onto Whitmoor Road and likely traffic hazard due to speed of traffic on this highway [See *Paragraph 7.3*]

In relation those representations which support the proposal, the following comments are made:

6.3 The proposed dwellings appear to be in character with surrounding properties (4-6 bedroom homes)

6.4 Pleased with the use of an acoustic fence to reduce noise from M3 Motorway and A322 Guildford Road

6.5 Previous objections (to SU/14/0712), including overlooking and number/height of proposed buildings, has been addressed. In particular the location of two gardens (to serve Units 6 and 7) facing their property (8 Weston Grove) is a much improved layout.

6.6 Concern about the implications of providing a “public open space” adjacent to their property.

7.0 PLANNING CONSIDERATIONS

7.1 The application site falls within the settlement of Bagshot. The site may have previously provided some employment use but it is considered that the site has been long vacated and would now not offer any effective employment use of the site. The current proposal is to be assessed against the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG); as well as Policies CPA, CP2, CP5, CP8, CP9, CP11, CP14, DM9, DM10, DM11, DM12 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012; and Policy NRM6 of the South East Plan 2009 (as saved). In addition, advice in the Infrastructure Delivery SPD 2014; Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; and the Interim Affordable Housing Procedure Note 2012 are also relevant.

7.2 The main issues in the consideration of this application are:

- Impact of access on highway safety.

Other considerations include:

- Impact on local character;
- Impact on residential amenity;
- Impact on the Thames Basin Heaths Special Protection Area;
- Impact on land contamination, flooding and drainage;

- Impact on affordable housing provision and housing mix; and
- Impact on local infrastructure.

7.3 Impact of access on highway safety

7.3.1 The new access would be provided onto Whitmoor Road. The proposed access would be on the outside of a bend in the road with for which an adequate level of visibility can be provided. The proposal would also result in the removal of the existing access onto the dual carriageway A322 Guildford Road which is to the benefit of the flow of traffic and highway safety on this part of Guildford Road, which is located close to the Motorway M3 junction 3.

7.3.2 The layout indicates that the proposal would provide at least two parking spaces to serve each dwelling within the development, to meet parking standards. The County Highway Authority raises no objections to the proposal. As such, the proposed development is considered to be acceptable on highway safety grounds, complying with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012. The impact of the proposed access on character is considered in Paragraph 7.4 below.

7.4 Impact on local character

7.4.1 The application site falls within the settlement of Bagshot. The housing developments in this part of the settlement are principally detached dwellings on medium sized plots, which the development proposal reflects. With the exception of 1-7 Whitmoor Road, to the immediate west of the application site, the residential properties (including those within Butler Road, Elizabeth Avenue and Kemp Court) predominantly back onto Whitmoor Road, with a small number being orientated so that a principal side wall face this highway. There is therefore limited activity to this part of the Whitmoor Road frontage, which is principally punctuated by cul-de-sac accesses. This characteristic is reflected in the current proposal, with the proposal accessing off Whitmoor Road and none of the proposed residential units proposed to be facing Whitmoor Road. As such, this relationship is considered to be acceptable under such circumstances.

7.4.2 The land east and south of the application falls within the Green Belt. The nearest residential development to the east is located to the east of the A322 dual carriageway on the old Guildford Road. These properties are set a minimum of 100 metres from the application site, front onto this highway and are low density in nature. The proposed development would not be expected to reflect this character because of this separation distance, its settlement location and the requirement to make the best use of such land.

7.4.3 The current proposal would result in the loss of a vacant residential property and associated outbuildings which, along with the land itself, are in poor condition and do not positively contribute to the quality of the local character. The height, scale and design of the properties are reserved matters. However, the proposed development is confirmed to be of a two storey height, or two storey with accommodation in the roof, which reflects the general height of nearby properties. The proposed layout would also provide a spacious form of residential development which would reflect the adjoining residential development (in Weston Grove to the

west) and its edge of settlement location. In addition, part of the site, which would fall beyond the proposed residential curtilages, would provide a soft landscaped belt, which will provide an additional benefit to local character.

- 7.4.4 There are a number of significant trees located within and at the boundaries of the application site, none of which are considered to be of a high enough quality for protection under a Tree Preservation Order. A number of trees are to be removed to facilitate the development, but these are of a low quality and/or significance. The Tree Officer has raised no objections on tree grounds, and with the opportunity available to provide improved landscaping (including trees) on the landscaped belt, no objections are raised to the proposal on tree grounds.
- 7.4.5 As such, it is considered that the proposed development satisfactorily integrates into its context and improves the character of the area, so complying with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

7.5 Impact on residential amenity

- 7.5.1 The proposed houses to serve Plots 7 and 8 would be located close to the rear boundary of 10 Weston Grove, with a minimum separation distance of 21.7 metres between rear walls and with the main rear wall of the proposed house to serve Plot 8 set 8 metres from the nearest point (corner) of the rear garden of this property. This relationship, particularly with the re-orientation and re-position shown on the amended drawings so that the main rear wall faces away from this corner, and with careful consideration of rear facing windows at the reserved matter stage, is considered to be acceptable. It is however considered appropriate, because of this more limited separation, that Class A-E permitted development rights for Plots 7 and 8 be removed, so that any future extensions or outbuildings proposed to be added to these properties would need to be formally considered by the Local Planning Authority. The rear corner of the dwelling for Plot 8 would be positioned a minimum of about 13 metres from the rear boundary with 10 Weston Grove. This dwelling would also be re-orientated so that it faces away for the rear garden of 10 Weston Grove. This relationship is considered to be acceptable.
- 7.5.2 The proposed development is set sufficient distance from any other nearby or adjoining residential property to have no material effect.
- 7.5.3 The applicant has provided an acoustic report and the recommendations include the use of acoustic trickle ventilation and uprated glazing to the properties and a 2.4 metre acoustic fence is proposed to the boundary with the A322 and part of the rear garden (for Plots 6 and 7) to reduce the impact of road noise from the A322 and M3 to new residential properties. The new dwellings have been orientated to reduce the effect of road noise from their rear gardens. With these provisions in place, the Council's Senior Environmental Health Officer has raised no objections.
- 7.5.4 As such, no objections are raised on residential amenity grounds, with the development complying, in this respect, with Policy DM9 of Surrey Heath Core Strategy and Development Management Policies 2012.

7.6 Impact on the Thames Basin Heaths Special Protection Area

- 7.6.1 The application site partly lies 0.4 kilometres or more from the Thames Basin Heaths Special Protection Area (SPA), with only the proposed landscaped/open space belt falling within the 400 metres buffer zone of the SPA. In January 2012, the Council adopted the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD which identifies Suitable Alternative Natural Green Space (SANGS) within the Borough and advises that the impact of residential developments on the SPA can be mitigated by providing a contribution towards SANG delivery/maintenance if there is available capacity (which is available for this proposal). The proposal is CIL liable and this provision would be provided under the CIL charging scheme.
- 7.6.2 The current proposal would also be required to provide a contribution towards the SAMM (Strategic Access Management and Monitoring) project. This project provides management of visitors across the SPA and monitoring of the impact. The project is run through a steering group and aims to provide additional warden support across the SPA together with equipment and materials to support this. Alongside this is a monitoring of visitor numbers and behaviour. This project does not form part of the CIL scheme and a separate contribution of £5,852 is required through a planning obligation to secure this contribution.
- 7.6.3 As such, subject to the receipt of a completed planning obligation which secures this provision by 23 July 2015, the proposal complies with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009, the National Planning Policy Framework and advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

7.7 Impact on land contamination, flooding and drainage

- 7.7.1 The proposal has been supported by a land contamination report which concludes that there is no contamination on this site. No objections have been raised by the Environmental Health Officer on these grounds. The proposal is therefore considered to be acceptable on these grounds.
- 7.7.2 The proposal would fall within an area of low flood risk (Zone 1 as defined by the Environment Agency). As such, the proposal is considered to be acceptable on flood risk grounds.
- 7.7.3 Following the Ministerial Statement in November 2014, Surrey County Council became the Lead Local Flood Authority (LLFA) for the Borough from 15 April 2015. As this application was received before 15 April 2015, the LLFA did not need to be consulted. However, any major applications determined after 6 April 2015 still need to consider sustainable drainage. As such, major applications determined from this date would need to provide an appropriate drainage scheme for the development. The Council's Drainage Engineer has confirmed that the site can accommodate a sustainable drainage system and so a drainage strategy would therefore be required at the reserved matters stage. No objections are therefore raised to the proposal on surface water grounds.

7.7.4 As such, no objections are raised on land contamination, flooding and drainage grounds, with the proposal complying with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the NPPF.

7.8 Impact on affordable housing provision and housing mix

7.8.1 The proposal would deliver 9 (net) residential dwellings and accordingly, the provision of 2 affordable housing units within the scheme is required to comply with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012. The applicant has provided a viability report which concludes that due to the viability of the proposal, a contribution towards affordable housing cannot be provided. However, since November 2014, the national Planning Practice Guidance (PPG) now advises that residential development proposals of fewer than 10 dwellings (net gain) should be exempt from the provision of affordable housing. In the light of the above, therefore, no contributions are sought in respect of affordable housing.

7.8.2 Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 requires a range of housing sizes. The current proposal would provide a mix of 2 no two bed, 5 no three bed and 3 no four bed (or over) units. This mix would not strictly comply with the requirements set out in the table supporting Policy CP5 but noting the amount of development proposed and its edge of settlement location, it is considered that the mix is acceptable with the proposal complying with Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.9 Impact on local infrastructure

7.9.1 The Infrastructure Delivery SPD 2014 and the Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council in July 2014. There are a number of infrastructure projects which would be funded through CIL (The Regulation 123 list) which would include open space, local and strategic transport projects, pedestrian safety improvements, play areas and equipped play spaces, indoor sports and leisure facilities, community facilities, waste and recycling, and flood defence and drainage improvements. These projects need not be directly related to the development proposal. As the CIL Charging Schedule came into effect on 1 December 2014, an assessment of CIL liability has been undertaken. This Council charges CIL on residential and retail developments where there is a net increase in floor area (of such uses). However, the proposed amount of floorspace has not been provided (this will be determined at the reserved matter stage) and an estimation of the amount of CIL liability cannot therefore be undertaken. CIL is a land charge that is payable at commencement of works. An informative advising of this is to be added.

7.9.2 It is therefore considered that the proposal would not have an adverse impact on infrastructure delivery and complies with Policy CP12 of the Surrey Heath Core Strategy and Development Management Policies 2012, the Infrastructure Delivery SPD 2014 and the NPPF.

8.0 CONCLUSION

- 8.1 The proposed development is considered to be acceptable in relation to its impact on local character, residential amenity and highway safety. The proposal is CIL liable and an informative to that effect is proposed. Subject to the completion of a legal obligation to provide a SAMM payment by 23 July 2015, the current proposal is considered to be acceptable.

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

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF. This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.

10.0 RECOMMENDATION

Recommendation 1:

Subject to the completion of a suitable obligation to secure the following:

- A satisfactory legal obligation to secure a SAMM contribution in accordance with the Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2012), by 23 July 2015 and at no cost to the Council.

The Executive Head of Regulatory Services to be authorised to GRANT the application subject to the following conditions:

1. Approval of the details of the scale, appearance and the landscaping 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. No development shall take place until details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Materials to be agreed will include the proposed brick, tile, guttering and fenestration. Once approved, the development shall be carried out using only the agreed materials.

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

3.
 1. 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 and shall build upon the aims and objectives of the supplied **BS5837:2012 – Trees in Relation to Design, Demolition and Construction** Arboricultural Method Statement [AMS].
 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. All hard and soft landscaping works shall be carried out in accordance with the approved details. All plant material shall conform to **BS3936:1992 Parts 1 – 5: Specification for Nursery Stock**. Handling, planting and establishment of trees shall be in accordance with **BS 8545:2014 Trees: from nursery to independence in the landscape**
 3. 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: To preserve and enhance the visual amenities of the locality in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

4. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including roads, private drives, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

Reason: In the interests of the visual and residential amenities enjoyed by neighbouring occupiers and the occupiers of the buildings hereby approved in accordance with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

5. No development shall take place until a Method of Construction Statement, 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
 - (f) hours of construction
 - (g) method for keeping highway clean during construction
 - (h) confirmation that there will be no on-site burning of material during the site clearance, demolition and construction phases of this development

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

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

6. The proposed development shall be built in accordance with the following approved plans: 3124/101 Rev. G received on 22 June 2015, unless the prior written approval has been obtained from the Local Planning Authority.

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

7. No development including demolition shall take place until a detailed arboricultural method statement has been submitted and approved in writing by the Local Planning Authority. The statement will be in

accordance with British Standard 5837:2012 “Trees in Relation to Design, Demolition and Construction” and shall contain details of pruning or removal of trees, specification and location of tree and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for hard surfaces. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works to be carried out in strict accordance with the approved details.

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

8. Notwithstanding the provisions of Classes A to E, Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order), no further extensions, garages or other buildings shall be erected within Plots 7 and 8 (as shown on Drawing No. 3124/101 Rev. G hereby approved) 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 accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

Informative(s)

1. Decision Notice to be kept DS1
2. Building Regs consent req'd DF5
3. 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 the approval of the last reserved matter(s) 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.

4. For any reserved matters application(s) submitted pursuant to this outline planning permission, a full sustainable drainage assessment will need to be provided following the Ministerial Statement in November 2014 which set up Surrey County Council as the Lead Local Flood Authority for this Borough and provided revised guidance for sustainable drainage solutions for new major developments.

Recommendation 2:

In the event that a satisfactory legal agreement to secure a SAMM contribution in accordance with the Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2012) by 23 July 2015, the Executive Head of Regulatory Services be authorised to REFUSE this application for the following reason:

In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), the applicant has failed to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and advice in the Thames Basin Heaths Special Protection Area SPD 2012. The proposal would also fail to comply with the Habitats and Species Regulations 2010 and the National Planning Policy Framework. The proposal would not be able to adequately secure the delivery and future maintenance of the Site of Alternative Natural Green Space (SANGS) in perpetuity and as such would have an adverse impact on the integrity of the Thames Basin Heaths Special Protection Area.