

LOCATION: PRINCESS ROYAL BARRACKS, BRUNSWICK ROAD,
DEEPCUT, CAMBERLEY, GU16 6RN

PROPOSAL: Application for a variation of condition 35 pursuant to planning permission 12/0546 (Hybrid planning application for major residential-led development totalling 1,200 new dwellings) to permit the residential units to attain Code 4 of the Code for Sustainable Homes (or equivalent national standard) as opposed to attaining level 4 and level 5 for CO2 reduction and water efficiency measures.

TYPE: Relaxation/Modification

APPLICANT: Defence Infrastructure Organisation on behalf of Secretary of State for Defence

OFFICER: Michelle Fielder

RECOMMENDATION: GRANT subject to conditions and S106 agreement

1.0 SUMMARY

- 1.1 This application seeks to vary condition 35 of approval 12/0546 which pertains to the hybrid planning permission for the redevelopment of the PRB site in Deepcut.
- 1.2 Condition 35 relates to the residential dwellings to be delivered by this major redevelopment scheme having to achieve level 5 of the Code for Sustainable Homes in regards to water and energy efficiency and level 4 in all other regards. The proposed variation (as revised during the determination process of this application) would dilute this aspiration to level 4 for all of the 9 criteria contained within the former Code.
- 1.3 This report acknowledges that the policy framework has changed at the national level and as a result the Code for Sustainable Homes has been withdrawn from March 2015. The report also sets out that the new technical standard replacing the Code for Sustainable Homes, is not as far reaching as its predecessor and if applied to this development the water efficiency measures imposed would be less than would be secured if planning permission is granted for the variation proposed in this application.
- 1.4 In light of this the report concludes that planning permission should be granted upon completion of a satisfactory legal agreement to link the planning obligations secured under the S106 Agreement dated 17 April 2014 to both planning permission 12/0546 and the new planning permission (as either permission could be implemented).

2.0 SITE DESCRIPTION

- 2.1 The application site (the PRB Site) is located within the village of Deepcut; it extends to approximately 114ha and currently comprises the Princess Royal Barracks (PRB) and associated lands which is currently the headquarters of the Royal Logistic Corps of the British Army and the Defence School of Logistics. The application site is split into three linked areas, The Main Barracks Area, The Northern Area and the Western Area.

3.0 RELEVANT HISTORY

- 3.1 12/0546 Hybrid planning application for a major residential-led development totalling 1,200 new dwellings. Approved.
- 3.2 12/0546/1 NMA application to allow for the approved roundabout access at Deepcut bridge Road; Blackdown Road and Newfoundland Road and the spine road to be re-aligned. Approved.
- 3.3. 12/0546/2 NMA application to allow for the insertion of the word 'residential' into conditions 2 and 3. Pending – appears elsewhere on the agenda.

4.0 THE PROPOSAL

- 4.1 The application seeks to change the wording of condition 35 from:

Unless otherwise agreed in writing with the Local Planning Authority, each of the residential units shall achieve at least Code Level 4 of the Code for Sustainable Homes and shall achieve CO2 reduction and water efficiency measures in line with Code Level 5. No dwelling shall be occupied until a final Code Certificate for it has been issued confirming compliance with these requirements or those other requirements as had previously been agreed with the Local Planning Authority.

To:

Unless otherwise agreed in writing with the Local Planning Authority, each of the residential units shall achieve at least Code Level 4 of the Code for Sustainable Homes ~~or an equivalent national standard~~. No dwelling shall be occupied until a final certificate/statement for it has been issued confirming compliance with these requirements.

Please note the text which has been struck through is deleted following negotiations with the applicant (please see para 7.3.6 of this report)

- 4.2 The application is submitted pursuant to S.73 of the Town and Country Planning Act 1990. This section of the Act expressly provides a mechanism by which planning conditions can be amended or removed following a grant of planning permission. The effect of a successful S.73 application is a wholly new planning permission which the applicant can implement or ignore. The original permission is left intact and unamended. For this reason it is important that the new planning permission repeats the conditions attached to approval 12/0546 unless they have been discharged.
- 4.3 The application is supported by an Environmental Sustainability Review and an Environmental Assessment. The latter was a mandatory requirement as the original application was wan 'EIA' development due its scale.
- 4.4 The covering letter to the application advises that the application is submitted in response to a change in legislation.

5.0 CONSULTATION RESPONSES

A full consultation has been undertaken. Responses of 'No objection' have been received from:

- Senior Environmental Health Officer
- Rushmoor Borough Council
- Network Rail
- Diocese of Guildford.

Responses of 'No comment' have been received from:

- Thames Water
- Highways England
- Woking BC
- Sport England
- Natural England
- SCC Archaeology
- SWT (but wish to bring attention to the comments of WSBG (detailed below))
- Windlesham Parish Council (subject to the caveat that CO2 reductions should comply with European regulations)
- Environment Agency.

Objections have been received from:

- WSBG (the concern raised pertains to SANGS and the wider development's impact on protected species and is not material to this application).

6.0 REPRESENTATION

At the time of preparation of this report 43 representations have been received. Of these 41 object to the proposal and 2 are in favour.

6.1 The matters raised in objection are:

- The approval already watered down the requirement set out in Policy CP4 and there should be no further dilution of the eco-credentials [*Officer note: this is addressed throughout this report*]
- If viability is the issue; don't build [*officer note: viability is not centre to the consideration of this application*]
- The proposal is driven by a desire to keep construction costs down and increase land values [*officer note: as above*]
- The reason there is flexibility in the condition relates to unforeseen circumstances

[officer note: any condition can be the subject to an application to vary it under either s.73 or 96a of the 1990 Act]

- Any approval of this application would erode the cooperation between SHBC and Deepcut residents *[officer note: the application has to be assessed, on its own merits, in line with material planning considerations]*
- Reviewing this condition would set a precedent / the imposed conditions should stand and there should be no discussion *[officer note : as above]*
- Full details of the cost savings generated by the proposal should be provided and if approved; these should be used to meet future needs of Deepcut residents *[officer note: such an approach would not be reasonable in planning terms, as a detailed within the body of this report, the Code has been withdrawn]*
- Detrimental impact on local environment *[officer note: the application has to be determined in accordance with the relevant policy guidance]*
- There should be no watering down of commitments until (at least) all other deficiencies / errors in the approval have been addressed *[officer note: as above].*

6.2 The comments in support of the proposal are not detailed and seem to centre on the principle of the redevelopment of the PRB site. In addition some of the representations of objection received are also concerned with matters such as the scale of the development and its impact on infrastructure, for instance. Such matters are outside of the scope of this application.

7.0 PLANNING CONSIDERATION

7.1 Historical Context

7.1.1 Policy CP4: Deepcut: of the Core Strategy and Development Management Policies 2012 requires the development of land at Princess Royal Barracks to deliver a development with CO2 reduction and water efficiency in line with Code Level 6 of the Code for Sustainable Homes. Paragraph 5.23 of the Core Strategy advises that for the purposes of the Policy Code Level 6 should be interpreted as a requirement to achieve zero carbon emissions over a year and water consumption not to exceed 80 litres per day per person.

7.1.2 The Code for Sustainable Homes sets out 9 measures of sustainable design as detailed below:

1. energy/CO2
2. water
3. materials
4. surface water runoff (flooding and flood prevention)
5. waste
6. pollution
7. health and well-being
8. management

9. ecology

The Code employed a 1 to 6 star system to rate the overall sustainability performance of a new home against the 9 categories.

- 7.1.3 The requirement of Policy CP4 was updated (prior to planning permission 12/0546 being granted) to level 5 and this was taken forward in the grant of planning permission by condition 35 which states:

Unless otherwise agreed in writing with the Local Planning Authority, each of the residential units shall achieve at least Code Level 4 of the Code for Sustainable Homes and shall achieve CO2 reduction and water efficiency measures in line with Code Level 5. No dwelling shall be occupied until a final Code Certificate for it has been issued confirming compliance with these requirements or those other requirements as had previously been agreed with the Local Planning Authority.

- 7.1.4 The Case Officer for that application addressed this matter in the Committee Report at paragraphs 9.19.1 and 2 by advising:

A key objective of the CSDMP and the Deepcut SPD is to ensure that the expanded village to be delivered is sustainable and this includes ensuring that the design and construction of the buildings are to a high level of environmental sustainability. Policy CP4 of the CSDMP requires that new residential development shall achieve CO2 reduction and water reduction in line with Code Level 6 [since updated to now be Code Level 5] of the Code for Sustainable Homes and that other buildings should achieve zero carbon and efficient use and recycling of materials in line with national requirements. This would be secured by conditions of the planning permission.

The Design and Access Statement advises that the proposed residential units would be constructed to Code Level 4. However, this falls below the requirements of Policy CP4 and no evidence has been provided to demonstrate that it would not be possible to meet the requirements of the policy. In the absence of any justification to depart from the policy requirement it is considered that a condition should be included to secure the CO2 and water efficiency measure required by the policy. It is however accepted that such a requirement may have an impact on viability or could potentially be undeliverable due to some currently unforeseen circumstance. Therefore it is considered that the condition should include a mechanism whereby the future developer could agree an alternative level of sustainability with the Local Planning Authority which could be considered on its merits at the time.

7.2 The existing policy context

- 7.2.1 The Code for Sustainable Homes was withdrawn on 27 March 2015. This followed a technical review of housing standards and was the subject of a Ministerial Statement to Parliament (also in March 2015). This statement advises that the Code is withdrawn, aside from the management of legacy cases.

Legacy cases are defined as:

- those where residential developments are legally contracted to apply a code policy (e.g. affordable housing funded through the National Affordable Housing Programme 2015 to 2018, or earlier programme)
- where planning permission has been granted subject to a condition stipulating discharge of a code level, and developers are not appealing the condition nor

seeking to have it removed or varied.

Notwithstanding the provisions of S.73 of the 1990 Act, the second bullet point above makes it clear that applicants can legitimately seek to vary the requirements imposed by a planning condition prior to the Code being withdrawn.

- 7.2.2 The withdrawal of the Code was announced as part of a Ministerial Statement to Parliament on 27 March 2015. The salient parts of this statement are:

Housing standards: streamlining the system

New homes need to be high quality, accessible and sustainable. To achieve this, the government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes.

The new system will comprise new additional optional Building Regulations on water and access, and a new national space standard (hereafter referred to as "the new national technical standards"). This system complements the existing set of Building Regulations, which are mandatory.

To implement this new regime, this written ministerial statement sets out the government's new national planning policy on the setting of technical standards for new dwellings. This statement should be taken into account in applying the National Planning Policy Framework, and in particular the policies on local standards or requirements at paragraphs 95, 174, and 177, in both plan making and decision-taking.

- 7.2.3 In addition the Section under the heading **Plan making** advises 'From the date the Deregulation Bill 2015 is given Royal Assent [Officer note: this was given 26 March 2015], local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the Code for Sustainable Homes to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy cases. Particular standards or requirements for energy performance are considered later in this statement.

Local planning authorities and qualifying bodies preparing neighbourhood plans should consider their existing plan policies on technical housing standards or requirements and update them as appropriate, for example through a partial Local Plan review, or a full neighbourhood plan replacement in due course. Local planning authorities may also need to review their local information requirements to ensure that technical detail that is no longer necessary is not requested to support planning applications.

The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance. Neighbourhood plans should not be used to apply the new national technical standards.'

- 7.2.4 The advice under the heading **Decision taking, transition and compliance** which advises:

From the date the Deregulation Bill 2015 is given Royal Assent until 30 September 2015: *The government's policy is that planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical housing standards other than for those areas where authorities have existing policies on access, internal space, or water efficiency.*

Planning permission may still be granted on the basis of existing Local Plan and neighbourhood plan policies on access, internal space, and water efficiency, even though they may have a degree of conflict with the new national technical standards.

Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.

From 1 October 2015: Existing Local Plan, neighbourhood plan, and supplementary planning document policies relating to water efficiency, access and internal space should be interpreted by reference to the nearest equivalent new national technical standard. Decision takers should only require compliance with the new national technical standards where there is a relevant current Local Plan policy'.

Is also relevant to this application.

7.3 Assessment

- 7.3.1 It is clear that the aspirations for the development of this site was, and indeed remains, that it be as sustainable as possible. In part this sustainability was to be achieved by requiring compliance with as a high a level of the Code for Sustainable Homes as possible. At the time the Core Strategy and the SPD addressing the development of the site were adopted the Code for Sustainable Homes was a valid policy aspiration and there was government support to actively push for compliance with this document and achieve sustainability credentials outperforming the requirement of Building Regulations.
- 7.3.2 The withdrawal of the Code in March of 2015 results in a seismic shift at central government policy level and as a consequence it is clear that LPA's should not include planning policies requiring Code for Sustainable Homes compliance in any new or emerging planning documents, and moreover, the new technical standards should only be drafted into policies where there is a clear (evidence based) need and where the viability impact of doing so has been assessed. This Council does not have such an evidence base.
- 7.3.3 It must also be noted that in considering any new application for planning permission (which this application is) the ministerial statement advises that where LPAs have a local plan policy specifying a requirement for compliance with the Code for Sustainable Homes this can only be taken forward by application of the equivalent technical standard.
- 7.3.4 As originally submitted the proposed revised wording for condition 35 sought to vary the condition to allow for either compliance with Code for Sustainable Homes level 4 (across all 9 sustainable categories (as detailed in para 7.1.2 of this report)) or, for the development to be in line with the relevant technical standard. The table below explains that as originally drafted condition 35 required water usage to be capped at 80 litres per day per person in addition to a CO2 reduction (above the building regulations level) of 100%, the proposed variation to level 4 of the Code for these matters would see the water saving fall by 25 litres per person per day (being capped at 105 litres) and the CO2 emissions saving fall to 25%. The impact of this variation across a development of the

scale of the consented PRB redevelopment would obviously be significant. Moreover application of the relevant technical standard, which replaces the Code for Sustainable Homes, would increase the permissible water consumption (per person per day) by a further 5 litres.

As imposed by condition 35	As proposed by revised wording for condition 35	The relevant technical standard
Code 4 save for Co2 and water efficiency which were to meet level 5:	Code 4 :	
Water usage capped at 80 litres per person per day	Water capped at 105 litres per person per day	Water 110 litres per day per person
CO2 100% reduction above building regulations	Co2 25% reduction above building regulations	At the time of writing this is the same as outgoing level 4, but may change.

- 7.3.5 On the basis of the above paragraph it is clear that the proposed variation would result in the dilution of the originally sought sustainability credentials of the development, however the policy framework in place has changed at a national level and the result is that the Core Strategy and SPD policy requirements are now out of date and conflict with central government advice. Put simply this advice is that where there is a local plan level requirement for development to pertain to a particular Code level, the new technical standard should be applied. As with all changes to government level advice / policies, the withdrawal of the Code and the introduction of the technical standards, carries greater weight in the determination of this application than the Council's own planning policies and to ignore the changing planning policy framework would be unreasonable in planning terms.
- 7.3.6 In considering the original variation proposed by the applicant to condition 35 (i.e. the text provided as a whole at para 4.1 of this report which referenced both the level 4 of the Code for Sustainable Homes and the new technical standard) officers were concerned that the revised wording proposed offered no certainty in what would be delivered from the site (in terms of its sustainability credentials). This is because the Code for Sustainable Homes had a wider remit (i.e. covers a greater range of criteria) than the new technical standard, and also the water efficiency measures are marginally higher in Code 4. With this in mind officers have sought to ensure that this is remedied and in doing so it has been agreed that reference to the relevant technical standard be deleted.
- 7.3.7 It is noted that achieving level 4 of the Code for sustainable homes is not what was originally envisaged for the site and that this would reduce the eco-credentials of the development, however the harsh reality is that national government support for imposing this type of condition has seriously reduced to the point that the Code has been withdrawn and councils are advised not to take forward such policies. In this context rather than a recommendation to approve the (revised) amended wording for condition 35 being a weakening of the Council's aspirations the reality is it represents the best case scenario given the changed national policy guidance in place.

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.

9.0 CONCLUSION

- 9.1 It is noted that the proposed amendment to condition 35 would result in a reduction of the energy and water efficiency of the dwellings to be delivered. Moreover given the scale of the PRB development, this would be significant. However, the LPA's ability to resist an application to amend the condition and scale back water and energy efficiency measures across the development is severely hampered by central government's withdrawal of the Code for Sustainable Homes. In addition the new technical standards are not directly comparable to the range of matters or standards originally imposed by the Code and on this basis the revised wording, as agreed with the applicant during the determination of this application is betterment than what could reasonably be secured by applying central government's new technical standard.
- 9.2 It is recommended that the application be approved, subject to the completion of a satisfactory legal agreement linking the planning obligations secured under approval 12/0546 to both that approval and the new planning permission.

10.0 RECOMMENDATION

Recommendation 1

Defer and delegate, and subject to the completion of a satisfactory legal agreement/deed of variation by 1 December 2015, the Executive Head – Regulatory be authorised to grant planning permission subject to the following conditions:

General Conditions and Implementation

1. The development hereby permitted shall be carried and in accordance with the following approved plans:

Drawing Title

Site Location

Drawing Number

22729-L849.dwg smitv

Means of Access – Deepcut Bridge Road / Blackdown Road Improvement Scheme	14-199-021F
Means of Access – Internal Spine Road	14-199-033D
Southern SANGS (Figure 3.7a)	22729-LEA860.dwg bernb
Central SANGS (Figure 3.8)	22729-LEA864.dwg bernb
Indicative Street Hierarchy	22729-L842a.al broor
Indicative Character Area	22729-L843a.ai smitv
Indicative Scale	22729-L824c.al smitv
Indicative Density	22729-L825c.al smitv
Indicative Sports and Play Space Provision	22729-L840a-Play Areas.dwg smitv
HQ Building	Location Plan
HQ Building	Block Plan Proposed
HQ Building	Elevations 01 Proposed
HQ Building	Elevations 02 Proposed
HQ Building	Ground Floor Proposed
HQ Building	First Floor Proposed
HQ Building	Roof Plan Proposed
Building 34 (Sergeants Mess)	Location Plan
Building 34 (Sergeants Mess)	Block Plan Proposed
Building 34 (Sergeants Mess)	Elevations 01 Proposed
Building 34 (Sergeants Mess)	Elevations 02 Proposed
Building 34 (Sergeants Mess)	Elevations 03 Proposed
Building 34 (Sergeants Mess)	Ground Floor LH Proposed
Building 34 (Sergeants Mess)	Ground Floor RH Proposed
Building 34 (Sergeants Mess)	First Floor LH Proposed
Building 34 (Sergeants Mess)	First Floor RH Proposed
Building 34 (Sergeants Mess)	Second Floor Proposed
Building 34 (Sergeants Mess)	Roof Plan Proposed
Building 29 (Officers Mess)	Location Plan
Building 29 (Officers Mess)	Block Plan Proposed
Building 29 (Officers Mess)	Elevations 01 Proposed

Building 29 (Officers Mess)	Elevations 02 Proposed
Building 29 (Officers Mess)	Elevations 03 Proposed
Building 29 (Officers Mess)	Ground Floor LH Proposed
Building 29 (Officers Mess)	Ground Floor RH Proposed
Building 29 (Officers Mess)	First Floor LH Proposed
Building 29 (Officers Mess)	First Floor RH Proposed
Building 29 (Officers Mess)	Second Floor Proposed
Building 29 (Officers Mess)	Roof Plan Proposed

There shall be no variation to the approved plans without the prior written approval of 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.

2. Prior to the commencement of any development (other than the spine road, access arrangements and village green) or the submission of any reserved matters application which includes residential units, a Phasing Scheme for the delivery of the entire development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Scheme shall include an Indicative Strategic Masterplan for the development of this site identifying the phases of development and shall include details of the land uses and quantum of development to be delivered by each phase. The development shall thereafter be carried out in accordance with the approved phasing scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure the appropriate delivery of the development and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to accord with the objectives of the Deepcut SPD.

Note to Committee: this condition assumes the approval of 12/0546/2 - if this application is not approved the text above would need to revert to that of 12/0546 as detailed below.

Prior to the commencement of any development or the submission of any reserved matters application, a Phasing Scheme for the delivery of the entire development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The Phasing Scheme shall include an Indicative Strategic Masterplan for the development of this site identifying the phases of development and shall include details of the land uses and quantum of development to be delivered by each phase. The development shall thereafter be carried out in accordance with the approved phasing scheme unless otherwise agreed in writing with the Local Planning Authority.

3. 1. Prior to the submission of any reserved matter application which includes residential units, Design Codes which are in substantial compliance with the approved parameter plans and the submitted Design and Access Statement shall be submitted for each of the Character Areas. The Design Code shall include the following:

- built-form strategies to include density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings and landmarks and vistas
- design strategies for principal buildings or land uses within the character area, including where appropriate the primary school, and the sports hub sites
- a strategy for a hierarchy of streets and spaces
- principles for the alignment, width, lighting and surface materials proposed for all footways, cycleways, roads and vehicular accesses to and within the site
- design of the public realm, including layout and design of squares, areas of public open space, areas for play, street furniture and sustainable urban drainage
- principles for determining quality, colour and texture of external materials and facing materials for roofing and walls of buildings and structures including a consideration of opportunities for using locally sourced and/or recycled construction materials
- principles for hard and soft landscaping including the inclusion of important trees and hedgerows
- on-street and off-street residential and commercial vehicular parking, off-street turning (where required) and/or loading areas
- cycle parking and storage

The development shall thereafter be carried out in accordance with the approved Design Code for that reserved matter.

2. Prior to the submission of any reserved matter application which does not include any residential unit(s), but includes any non-residential building, land and infrastructure (with the exception of the spine road) a Design Code for that reserved matter, which is in substantial compliance with the approved parameter plans and the submitted Design and Access Statement shall be submitted. The Design Code shall include the following (as relevant to that reserved matter application):

- built-form strategies to include density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings and landmarks and vistas
- design strategies for principal buildings or land uses within the character area, including where appropriate the primary school, and the sports hub sites
- a strategy for a hierarchy of streets and spaces
- principles for the alignment, width, lighting and surface materials proposed for

all footways, cycleways, roads and vehicular accesses to and within the site

- design of the public realm, including layout and design of squares, areas of public open space, areas for play, street furniture and sustainable urban drainage
- principles for determining quality, colour and texture of external materials and facing materials for roofing and walls of buildings and structures including a consideration of opportunities for using locally sourced and/or recycled construction materials
- principles for hard and soft landscaping including the inclusion of important trees and hedgerows
- on-street and off-street residential and commercial vehicular parking, off-street turning (where required) and/or loading areas
- cycle parking and storage
- The development shall thereafter be carried out in accordance with the approved Design Code for that reserved matter.

Reason: To secure a high quality of design in the development to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to accord with the objectives of the Deepcut SPD.

Note to Committee: this condition assumes the approval of 12/0546/2 - if this application is not approved the text above would need to revert to that of 12/0546 as detailed below.

Prior to the submission of any reserved matters applications, Design Codes which are in substantial compliance with the approved parameter plans and the submitted Design and Access Statement shall be submitted for each of the Character Areas. The Design Code shall include the following:

- built-form strategies to include density and massing, street grain and permeability, street enclosure and active frontages, type and form of buildings and landmarks and vistas
- design strategies for principal buildings or land uses within the character
- area, including where appropriate the primary school, the sports hub sites
- a strategy for a hierarchy of streets and spaces
- principles for the alignment, width, lighting and surface materials proposed for all footways, cycleways, roads and vehicular accesses to and within the site
- design of the public realm, including layout and design of squares, areas of public open space, areas for play, street furniture and sustainable urban drainage
- principles for determining quality, colour and texture of external materials and facing materials for roofing and walls of buildings and structures including a consideration of opportunities for using locally sourced and/or recycled construction materials

- principles for hard and soft landscaping including the inclusion of important trees and hedgerows
 - on-street and off-street residential and commercial vehicular parking, off-street turning (where required) and/or loading areas
 - cycle parking and storage
 - The Reserved Matters applications shall thereafter accord with the approved Design Codes for the site.
4. Details of the internal access arrangements, layout, scale, appearance and landscaping (herein after called “the reserved matters”) of the development hereby approved at outline shall be submitted to and approved in writing before any of the outline development within that phase commences.

Reason: To comply with the Town and Country Planning (General Development Procedure) Order 2010.

5. The application for the approval of reserved matters of the first phase, as defined by the Phasing Scheme required by condition 2 shall be made within three years of the 4 April 2014, and an application for the approval of the all other phases identified by the Phasing Scheme shall be made within 10 years of 4 April 2014. Development of each phase shall commence within two years of the approval of the final reserved matters of that phase.

Reason: To prevent an accumulation of unimplemented planning permissions 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.

6. The development comprising the conversion of the Officers Mess, Sergeants Mess and the Head Quarters of the Director of Logistics Building to residential units shall only be undertaken within the relevant phase, as may be agreed within the Phasing Scheme required by Condition 2.

Reason: To ensure appropriate mitigation is delivered and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to accord with the objectives of the Deepcut SPD.

7. The development comprising the conversion of the Officers Mess, Sergeants Mess and the Head Quarters of the Director of Logistics Building to residential units shall not commence 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 protecting the character of the buildings to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to accord with the objectives of the Deepcut SPD.

8. **Housing**

The development hereby approved and subsequent reserved matters applications shall include no more than 1,200 dwellings.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath

Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

9. The first reserved matters application for each phase shall include an Affordable Housing Strategy for that phase which shall include:
- a) the number and percentage of affordable housing units to be provided in that phase
 - b) details of the type and tenure of the affordable housing units
 - c) a plan identifying the location of the affordable units within the development and their tenure

Each phase of development shall thereafter be implemented in accordance with the approved strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the level of affordable housing is appropriate and to meet the objectives of Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

10. The development hereby approved and subsequent reserved matters applications shall include a site of up to 1.2ha for a Care Home falling within Use Class C2 as defined by the Town and Country Planning (Use Classes) Order 1987, as amended.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

11. **Primary School and Nursery**

The development hereby approved and subsequent reserved matters applications shall include a site of up to 2ha for a 2FE Primary School and Nursery Facility.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

12. **Suitable Alternative Natural Greenspace (SANG) and Accessible Natural Greenspace Standard (ANGST)**

The SANGs hereby approved, (including the southern SANG, central SANG and SANGs link) shall be completed in accordance with Figure 3.7a, 3.7b and 3.8 in Section 3 of Volume 2 of the submitted Environment Statement and shall be delivered in accordance with the Phasing Scheme required by Condition 2.

Reason: To secure mitigation for the potential impact on the TBH SPA the development accords with Policy NRM6 of the South East Plan 2009 and Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

13. Prior to the submission of the first reserved matters applications, a detailed SANG

Management Plan covering both the Southern and Central SANGs shall be submitted and agreed by the Local Planning Authority in consultation with Natural England. The SANG Management Plan shall be in accordance with the principles set out in Appendix 12C – SANGs Allocation and Implementation Strategy and Figures 3.7 (Southern SANGS) and 3.8 (Central SANGS) of the Environment Statement. Once agreed the SANG Management Plan shall be implemented in accordance with the approved details and there shall be no variation from the approved Plan without the prior written approval of the Local Planning Authority.

Reason: To secure mitigation for the potential impact on the TBH SPA the development accords with Policy NRM6 of the South East Plan 2009 and Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

14. The development hereby approved and subsequent reserved matters applications shall include a maximum 19.85ha of ANGST.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

15. **Protected Species and Biodiversity**

Prior to the submission of the first reserved matters application, an Ecological Management Strategy detailing the habitat and species mitigation for all phases shall be submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall provide a site wide framework for ecological mitigation and should include wildlife corridors to facilitate movement wildlife between different areas of the site. It shall also include details of how urbanising effects upon species and habitats will be managed to ensure that the nature conservation value of the site is maintained and wherever possible is enhanced.

Reason: In the interests of biodiversity and to ensure the development accords with Policy CP4 and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

16. The first reserved matters application for each phase shall be supported by a detailed Mitigation Strategy and Management Plan for protected species which shall be in general accordance with the Ecological Management Strategy and should be based on up to date species surveys undertaken in accordance with good practice guidelines which are current at the time of the survey.

Where habitats are created as mitigation for development, management plans for the habitat shall also be provided detailing how the areas are to be managed in the longer term. Once approved the mitigation and management plans shall be undertaken in accordance with the approved details.

Reason: In the interests of biodiversity and to ensure the development accords with Policy CP4 and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

17. **Public Open Space**

The development hereby approved and subsequent reserved matters applications shall include a Village Green with an area of 2ha and shall include a combined

Neighbourhood Equipped Play Area and Local Equipped Area of Play.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

18. The development hereby approved and subsequent reserved matters applications shall include a maximum of 1.16ha of allotments which shall include an area for car parking.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

19. The development hereby approved and subsequent reserved matters applications shall include a minimum of 1.3ha but not more than 2.54ha of formal park(s) or gardens.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

20. **Sports Provision and Play Space**

The Sports Hub to be provided as part of this application and subsequent Reserved Matters applications shall be provided on a site of 7ha and shall include:

- a) sports pitches, as shall be determined by an Outdoor Sports Strategy which shall be submitted to and agreed in writing by the Local Planning Authority prior to the Reserved Matters application which includes the Sports Hub.

The Sports Hub shall also include:

- b) Multi-Use games area
- c) a combined Neighbourhood Equipped Play Area and Local Equipped Area of Play
- d) and adult Outdoor Gym
- e) a Pavilion building containing changing rooms, showers, kitchen and seating areas.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

21. Prior to the commencement of development within each phase, details of the layout and equipment for the children's play areas (LAP's and LEAP's) serving that phase shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

22. The development hereby approved and subsequent reserved matters applications

shall retain Blackdown Road equipped play space and playing fields in their existing use.

Reason: To ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

23. **Transport, Highways and Parking**

All proposed vehicle and cycle accesses shall prior to their first use shall be designed, constructed and provided with visibility zones, all in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Once provided all accesses and visibility zones shall be permanently maintained to a specification to be agreed in writing with the Local Planning Authority.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users or adversely affect the amenity of existing residents and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

24. Before any development within each phase is occupied pedestrian inter-visibility splays of 2m by 2m shall be provided on each side of all vehicle and cycle accesses, the depth measured from the back of the footway or verge and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users or adversely affect the amenity of existing residents and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

25. No new development shall be occupied within each phase until space has been laid out within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority for the provision off street car parking for all non-residential land uses in accordance with Surrey County Councils Vehicular and Cycle Parking Guidance January 2012 and the adopted Deepcut SPD.

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users or adversely affect the amenity of existing residents and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

26. Prior to their first occupation and use all land uses within the development shall be provided with electric vehicle charging points in accordance with the requirements of the Local Planning Authority, the Surrey County Council Parking Guidelines and the adopted Deepcut Supplementary Planning Document.

Reason: To encourage sustainable modes of transport and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

27. Prior to their first occupation each dwelling shall be provided with dedicated cycle parking in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority which shall accord with Surrey County Council's Vehicular and Cycle Parking Guidance January 2012 and the adopted Deepcut SPD. Such provision for flats and apartments may be communal whereas for

single dwellings the cycle parking shall be integral to the main structure of each dwelling separately accessible from any garaging.

Reason: To encourage sustainable modes of transport and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

28. High quality, covered, lit and prominent cycle parking shall be provided for each non-residential land use (including the care home) prior to their first occupation in accordance with the requirements of the County Council. Once provided such provision shall be permanently retained for its future use.

Reason: To encourage sustainable modes of transport and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

29. **Trees and Landscaping**

The first reserved matters applications for each phase of development, shall include a Tree Retention and Protection Plan which shall include:

- a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree
- b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree
- c) details of any proposed remedial or management surgery works of any retained tree
- d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread or root protection area [RPA], (whichever is the greater), of any retained tree
- e) details of the specification and position of fencing, ground protection and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

30. The erection of fencing for the protection of any retained tree within a phase of development shall be undertaken in accordance with the current British Standard BS5837 and the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of that phase of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site of that phase. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground

levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

31. From 5 years of the commencement of each phase, no retained tree within that phase shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with the current British Standard 3998: Tree Work Recommendations. If any retained tree is removed, uprooted or destroyed or dies within a period of 5 years from the date of completion, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

32. Prior to the commencement of development of each phase, full details of both hard and soft landscape proposals for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate, means of enclosure, hard surfacing materials, water features and minor artefacts and structures (e.g. street furniture, boardwalks, signs, street lighting, external services, etc). Soft landscaping details shall include a planting plan, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate, and implementation timetable. Details of trees shall include the size, species, cultivated variety, whether container grown, containerised or root balled [no bare root stock] and final positions or density of all trees to be planted, together with the proposed time of planting. All hard and soft landscape works shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

33. A Landscape Management Plan for each phase of the development, including a programme for implementation, long term design objectives, long term management responsibilities, proposals for structural planting, green space linkages, timescales and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the development of each phase. The Landscape Management Plan shall be carried out as approved.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

34. All hedges or hedgerows on the site, unless shown as being removed within the reserved matters applications, shall be retained and protected in accordance with details to be submitted to and approved in writing by the Local Planning Authority for the duration of works on land. In the event that hedges or hedgerows become damaged or otherwise defective a scheme of remedial action, including timetable

for implementation shall be submitted to the local planning authority for approval. The approved scheme shall be implemented in accordance with the approved timetable. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and agreed by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

35. **Sustainable Design and Construction**

Unless otherwise agreed in writing with the Local Planning Authority, each of the residential units shall achieve at least Code Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued confirming compliance with these requirements and a copy of this has been provided to the Council.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

36. Unless otherwise agreed in writing with the Local Planning Authority, all new non-residential buildings shall be designed to achieve BREEAM 'very good' certification or such equivalent scheme and standard that shall operate at the time of construction of that building. No such building shall be occupied until the relevant certificate of compliance has been issued confirming compliance with these requirements or those other requirements as had previously been agreed with the Local Planning Authority.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

37. All dwelling houses, and buildings containing multiple dwellings, shall incorporate dedicated spaces for the storage of refuse and recyclable materials in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

38. Before the first occupation of each dwelling with a garden, a water butt of not less than 200 litres shall be installed to facilitate rainwater collection unless it has been demonstrated to the reasonable satisfaction of the Local Planning Authority that it is not practicable to accommodate it within the curtilage of the building.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

39. No new dwelling shall be occupied until it has been provided with ducting that shall

enable the connection of broadband or similar technologies.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

40. **Drainage and Water Management**

Development shall not begin within each phase until the surface water drainage scheme for that phase, has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage system details shall include attenuation of 1:100 year event at 30% climate change. Once approved the details shall be carried out prior to first occupation in accordance with the approved scheme.

Reason: To ensure a satisfactory development and to accord with Policies CP4 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

41. Development shall not begin within each phase until detailed designs for any wetland features within that phase (e.g. ponds, swales and balancing features) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and to accord with Policies CP4 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

42. Unless previously agreed in writing with the Local Planning Authority, no soakaways shall be constructed more than 2m below existing ground level and shall not penetrate the water table or be constructed through contaminated material.

Reason: To ensure a satisfactory development and to accord with Policies CP4 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

43. Development shall not commence within each phase until details of the proposed means of foul sewerage disposal serving that phase have been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. This shall include details of all foul sewerage works to be undertaken on and off site. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development and to accord with Policies CP4 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

44. **Retail**

The development hereby approved and subsequent reserved matters applications shall include a retail foodstore of no more than 2,000sqm with a net tradable area of no more than 1,400spm. The foodstore shall thereafter be used primarily for the sale of convenience goods within the definition of Use Class A1 of the Town and Country Planning (Use Classes) Order 1987, as amended, with a minimum of 85% of the net sales area being for the sale of convenience goods.

Reason: To create a sustainable development and to ensure the development

accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

45. The foodstore hereby approved shall only be open to the public between the hours of 07:00 and 22:00 Monday to Saturday and between the hours of 08:00 and 21:00 on Sundays and Public Holidays. Servicing and deliveries to the retail unit shall only take place between the hours of 07:00 and 22:00 on Mondays to Saturdays and between 08:00 and 21:00 on Sundays, Bank and Public Holidays.

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

46. The development hereby approved and subsequent reserved matters applications shall include a parade of local shops which shall have a maximum combined gross floor area of 180sqm. The local shops shall be used for uses falling within Use Class A1, A2, A3 and A5 of the Town and Country Planning (Use Classes) Order 1987, as amended, with no more than 60sqm to be in uses for A5 uses at any one time.

Reason: To secure a balanced retail provision and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

47. The local shops hereby approved shall only be open to the public between the hours of 07:00 and 22:00 Monday to Saturday and between the hours of 08:00 and 21:00 on Sundays and Public Holidays.

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

48. **Community Facilities**

The development hereby approved and subsequent reserved matters applications shall include a Library Building with a maximum gross floor area of 150sqm which shall be used to provide uses falling within Use Class D1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and may include library services, village police desk, village visitor and information centre, or other such used as may be agreed in writing with the Local Planning Authority.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

49. The development hereby approved and subsequent reserved matters applications shall, unless otherwise agreed in writing with the Local Planning Authority, include Medical Services Building with a maximum gross floor area of 380sqm which shall be used to provide uses falling within Use Class D1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and may include GP's consulting rooms and/or dentist's consulting rooms with associated patient waiting rooms and administrative areas.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

50. The development hereby approved and subsequent reserved matters applications shall include a Church Hall Building with a maximum gross floor area of 125sqm

which shall be used to provide uses which are associated with or ancillary to the used of the Church of St Barbara and fall within Use Class D1 of the Town and Country Planning (Use Classes) Order 1987, as amended.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

51. The development hereby approved and subsequent reserved matters applications shall include a Public House with a maximum gross floor area of 220sqm and shall be located on a site of not more than 0.12ha which shall provide a use falling within Use Class A4 of the Town and Country Planning (Use Classes) Order 1987, as amended. Once occupied the building and land shall be used for no other purpose, other than those falling within Use Class A4.

Reason: To create a sustainable development and to ensure the development accords with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

52. **Archaeology and Historic Buildings**

Prior to the submission of the first reserved matters applications for each phase of the development, the applicant, or their agents or successors in title, will secure and implement a programme of archaeological evaluation work in accordance with a written scheme of investigation for that phase of development which has been submitted to and approved in writing by the Local Planning Authority. The results of that evaluation will be used to inform the reserved matters application for that phase, which should provide for the insitu preservation of any archaeological remains of national or regional importance should they occur on the site and the archaeological investigation, recording and analysis of remains of lesser importance.

Reason: In the interests of protecting the historic environment and ensure the development accords with Policy CP4 and Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

53. Prior to the demolition of the 41 Squadron Lines buildings, these buildings shall be recorded in the form of a Level 3 Building Record as set out in the English Heritage Guide to Understanding Historic Buildings. Once completed the completed 3 copies of the record shall be submitted to the Local Planning Authority.

Reason: In the interests of protecting the historic environment and ensure the development accords with Policy CP4 and Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

54. The development comprising the conversion of the Officers Mess, Sergeants Mess and the Head Quarters of the Director of Logistics Building to residential units shall not commence until a Level 1 Building Record as set out in the English Heritage Guide to Understanding Historic Buildings. Once completed the completed 3 copies of the record shall be submitted to the Local Planning Authority.

Reason: In the interests of protecting the historic environment and ensure the development accords with Policy CP4 and Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the

Deepcut SPD.

55. **Land Contamination**

Unless otherwise agreed in writing by the Local Planning Authority, no development within each phase shall commence (other than that required to be carried out as part of an approved scheme of remediation) shall be carried out until steps 1 to 3 have been complied with.

1. Site Characterisation

An Investigation and Risk Assessment, to support the assessment provided with the planning application must be completed in accordance with a scheme to be agreed in writing with the Local Planning Authority to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The Investigation and Risk Assessment must be undertaken by competent persons and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority and must include:

- a) a survey of the extent, scale and nature of contamination
- b) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archeological sites and ancient monuments
- c) an appraisal of remedial options, and proposal of the preferred option(s)

The site characterisation must include a detailed quantitative risk assessment and must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed Remediation Scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved Remediation Scheme must be carried out in accordance with the approved details prior to the commencement of development, other development required to carry out the remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the Remediation Scheme works. Following completion of measures identified in the approved remediation scheme, a Verification Report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be submitted to and agreed in writing of the Local Planning Authority. This shall also include a Long Term Monitoring and

Maintenance Plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Report, and for the reporting of this to the Local Planning Authority.

Reason: To ensure the risk from contamination is managed and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

56. If, during development, contamination not previously identified is found to be present at the site then no further development within that phase shall be carried out, unless otherwise agreed in writing by the Local Planning Authority, until the developer has submitted to and received written approval from the Local Planning Authority for an amendment to the Remediation Strategy detailing how any unsuspected contamination is to be dealt with.

Reason: To ensure the risk from contamination is managed and to accord with Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

57. **Noise**

The building envelopes of the residential properties shall be constructed so as to provide sound attenuation against external noise that maintains the internal environment of bedrooms at no greater than 35dB(A) and living rooms at no greater than 40 dB(A) as detailed in BS8233:199 as "reasonable", with windows shut.

Reason: In the interest of residential amenities and to accord with Policy CP4 and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

58. Before the first and each subsequent occupation of the foodstore, a scheme shall be submitted to and agreed in writing with the Local Planning Authority detailing measures to minimise noise disturbance from the operation of the foodstore to residential properties. The scheme shall include details for minimising noise from delivery vehicles and for locating noise generating uses, plant or equipment within the envelope of the building where possible. Once agreed the measures included within scheme shall be implemented on the site.

Reason: In the interest of residential amenities and to accord with Policy CP4 and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

59. Any fixed plant to be provided to serve the non-residential buildings shall be installed so as to operate without exceeding the background noise level when measured at the nearest existing receptor.

Reason: In the interest of residential amenities and to accord with Policy CP4 and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

60. The community use buildings hereby approved shall be designed and constructed so that the internal noise levels do not exceed the noise level criteria contained within BS8233:1999 during daytime hours.

Reason: In the interest of users of the buildings and to accord with Policy CP4 and Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

61. **Construction Management**

Before each phase of the development hereby permitted is commenced a Construction Environmental Management Plan (CEMP) in respect of that phase shall be submitted to and approved in writing by the Local Planning Authority. Construction of each phase of the development shall not be carried out otherwise than in accordance with each approved CEMP. Each phase CEMP shall include the following matters:

- a) a construction travel plan for the construction phase including details of parking and turning for vehicles of site personnel, operatives and visitors
- b) a delivery and haulage travel plan including details of the routes of delivery vehicles, the timings of deliveries and other HGV movements and areas for loading and unloading of plant and materials
- c) piling techniques
- d) storage of plant and materials
- e) provision of boundary hoarding and lighting
- f) details of proposed means of dust suppression and noise mitigation
- g) details of measures to prevent mud from vehicles leaving the site during construction
- h) details of any site construction office, compound and ancillary facility buildings
- i) lighting on site during construction
- j) procedure for monitoring and review of the CEMP;
- k) measures for the implementation of the CEMP through an environmental management system;
- l) details of the temporary surface water management measures to be provided during the construction phase

- m) appointment of a Construction Liaison Officer

- n) the number of trainees and apprentices to be employed on the site.

Reason: In the interest of residential amenities and highway safety to accord with Policy CP4, Policy DM9 and Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

62. Unless first agreed in writing with the Local Planning Authority, the construction of the development hereby approved, including the operation of any plant and machinery, shall not be carried out on the site except between the hours of 8am and 6pm on weekdays and 9am and 2pm on Saturdays and none shall take place on Sundays and Public Holidays. For the avoidance of doubt 'Public Holidays' include New Year's Day, Good Friday, Easter Monday, May Day, all Bank

Holidays, Christmas Day and Boxing Day.

Reason: In the interests of the amenities of adjoining residential occupants and to accord Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

63. **Section 106 Agreement**

There shall be no commencement of the development until a planning obligation has been entered into between any persons with an interest in the Site, the Council and Surrey County Council on terms which are substantially in accordance with the draft section 106 agreement which is attached at the schedule which accompanies and forms part of this decision save for any amendments or variations that may be made to the provisions of Schedule 12, Part 1 thereof as may be subsequently agreed.

Reason: In accordance with policies CP4, CP5, CP6, CP 13, CP14A, DM 14, DM15 and DM 16 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD. In addition, the Council is satisfied that the development is a complex and strategically important development where there is clear evidence that the delivery of the development would otherwise be at risk if the Council did not grant planning permission in these terms (pursuant to paragraph 010 Reference ID: 21a-010-20140306 of the National Planning Practice Guidance of 6th March 2014).

Informative(s)

1. Decision Notice to be kept DS1
2. This Planning Permission is subject to a Legal Agreement and this Decision Notice should be read in conjunction with the Legal Agreement which includes further requirements and obligations.
3. The Medical Services Building required to be provided by Condition 49 need not be included in the Reserved Matters application in the event that the developer has paid the Health Care Contribution in accordance with the procedure set out in the Legal Agreement.
4. The Council will consider any requests for reductions in the requirements of Conditions 35 and 36 on their merits at the time the request is made. The Council would expect such requests to be supported by Feasibility Studies and will have due regard to the impact on these requirements on the viability of the development.
5. The completion of the highway works and the provision of the Frith Hill cycle route will require private land currently owned by the applicant to be dedicated as publicly maintained highway. The applicant is advised that any Highway Agreement or Agreements required to undertake these works will require the land owner to be party to any Agreement.
6. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority's, the adopted SPD and the Design Code.

7. The County Highways Authority has no objection to the proposed development, subject to the above conditions and obligations but if it is the applicant's intention to offer any of the new roads, footways, cycleways or verges for adoption as publicly maintainable highways, their adoption will be subject to the requirements of Surrey County Council's Roads Adoptions Policy. 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 or 278 of the Highways Act 1980.
8. The applicant is advised that any works offered for adoption as publicly maintainable highway shall be subject to the County Council's application of its Commuted Sums Policy.
9. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning at Surrey County Council.
10. 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 County Highways Authority. It is not the policy of the County Highways Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
11. Any bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the County Highways Authority under Section 177 or 178 of the Highways Act 1980.
12. 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 County Highways Authority.
13. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that an Agreement or licence must be obtained from the County Highways Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
14. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the County Highways Authority will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense.
15. 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 County Highways 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).
16. When access is required to be 'completed' before any other operations, the County Highways Authority will normally agree that wearing course material and in some cases edge restraint may be deferred until construction of the relevant phase of the development is virtually complete, provided all reasonable care is

taken to protect public safety.

17. 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 and equipment.
18. The Local Planning Authority is committed to working with the developers of this site in a positive and pro active way and would welcome pre-application discussions prior to the submission of reserved matters applications or the submission of details required by this Notice.
19. The Local Planning Authority requires that the Reserved Matters application which seeks approval for the scale of the foodstore is to be supported by robust evidence to demonstrate that the scale of the foodstore is appropriate to meet the needs of the local community. This should also demonstrate that the foodstore would not draw significant trade from outside of the local area and not have a significant adverse impact on other retail centres.
20. The Outdoor Sports Strategy provided for by Condition 20 may detail an alternative mix of sports pitches to those set out in the condition. Any alternative provision should be based on an assessment of the needs of the expanded village of Deepcut and should be subject to public consultation. Details of how the chosen provision accords with the requirements of the village and the details of public consultation shall be detailed in the Outdoor Sports Strategy.
21. The Affordable Housing Strategy required by Condition 9 shall determine the level of affordable housing to be delivered by each phase of the development. The strategy shall include a justification for the level of affordable housing to be provided by each phase which shall have regard to the demand for affordable housing in the area and the Councils relevant affordable housing policies.
22. The applicant is advised that all Reserved Matters applications submitted following the grant of this permission will be referred to the Planning Applications Committee for determination.
23. For the purposes of condition 63, commencement shall mean the carrying out of any material operation within the meaning of sections 56(2) and (4) of the Town and Country Planning Act 1990 rather than "Commencement" as defined in the draft section 106 agreement.
24. **Schedule:**

Draft section 106 agreement, marked as "Pre-engrossment draft"

Recommendation 2

In the event that a satisfactory legal agreement to link the planning obligations secured under the S106 Agreement dated 17 April 2014 to both planning permission 12/0546 and the new planning permission (as either permission could be implemented) is not completed by 1

December 2015 then the application shall be refused as it would fail to provide adequate infrastructure mitigation; SANGS and SPA provision and would not provide an inclusive and sustainable form of development (detailed reason for refusal to be delegated to the Executive Head of Regulatory Services).