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Monday, 8 March 2021

To: The Members of the **Planning Applications Committee**  
(Councillors: Edward Hawkins (Chairman), Victoria Wheeler (Vice Chairman),  
Graham Alleway, Peter Barnett, Cliff Betton, Colin Dougan, Shaun Garrett,  
David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram, Morgan Rise,  
Graham Tapper, Helen Whitcroft and Valerie White)

**In accordance with the Substitute Protocol at Part 4 of the Constitution,  
Members who are unable to attend this meeting should give their apologies and  
arrange for one of the appointed substitutes, as listed below, to attend.  
Members should also inform their group leader of the arrangements made.**

Substitutes: Councillors Dan Adams, Richard Brooks, Sarah Jane Croke, Paul Deach,  
Sharon Galliford, Ben Leach, Emma-Jane McGrath, John Skipper and Pat Tedder

#### Site Visits

**Members of the Planning Applications Committee and Local Ward Members may  
make a request for a site visit. Requests in writing, explaining the reason for the  
request, must be made to the Development Manager and copied to the Executive  
Head - Regulatory and the Democratic Services Officer by 4pm on the Thursday  
preceding the Planning Applications Committee meeting.**

Dear Councillor,

A meeting of the **Planning Applications Committee** will be held at Council Chamber,  
Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Thursday, 18 March 2021 at  
7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded and live streamed on  
<https://www.youtube.com/user/SurreyHeathBC>

Yours sincerely

Damian Roberts

Chief Executive

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#### AGENDA

	<b>Pages</b>
<b>1 Apologies for Absence</b>	
<b>2 Minutes of Previous Meeting</b>	<b>3 - 6</b>

To approve as a correct record the minutes of the meeting of the Planning Applications Committee held on 11 February 2021.

### **3 Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests and non pecuniary interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Manager prior to the meeting.

#### **Human Rights Statement**

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

#### **Planning Applications**

<b>4</b>	<b>Application Number: 19/0735 - Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN</b>	<b>7 - 64</b>
<b>5</b>	<b>Application Number: 20/0752 - Land Between Larchwood Glade And Devonshire Drive, Camberley, Surrey, GU15 3UW *</b>	<b>65 - 100</b>
<b>6</b>	<b>Application Number: 20/1114 - Matthews Corner Garage, Matthews Corner, Church Road, Windlesham, Surrey, GU20 6BH *</b>	<b>101 - 126</b>

**\* indicates that the application met the criteria for public speaking**

#### **Glossary**

**Minutes of a Meeting of the Planning Applications Committee held virtually on 11 February 2021**

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+ Cllr Edward Hawkins (Chairman)  
+ Cllr Victoria Wheeler (Vice Chairman)

+ Cllr Graham Alleway	+ Cllr Robin Perry
+ Cllr Peter Barnett	+ Cllr Darryl Ratiram
+ Cllr Cliff Betton	+ Cllr Morgan Rise
+ Cllr Colin Dougan	+ Cllr Graham Tapper
+ Cllr Shaun Garrett	+ Cllr Helen Whitcroft
+ Cllr David Lewis	+ Cllr Valerie White
+ Cllr Charlotte Morley	

+ Present

- Apologies for absence presented

\* Present from midway through Minute 49/P

Members in Attendance: Cllr Emma McGrath and Cllr Pat Tedder

Officers Present: Duncan Carty, Will Hinde, Jon Partington and Eddie Scott

**48/P Minutes of Previous Meeting**

The Committee considered the minutes of the meeting held on 14 January 2021 and were updated that the words 'and the associated noise of the proposal', would be included in the preamble to the resolution on application 19/2041 after the words 'proposed acoustic fencing'.

Subsequently, the minutes were confirmed and signed by the Chairman.

**49/P Application Number: 20/0712 - 104 High Street, Chobham, Woking, Surrey, GU24 8LZ**

The application was for the erection of a two storey dwelling (partly cantilevered) following the demolition of existing bungalow.

The application would have normally been determined under the Council's Scheme of Delegation. However, it had been referred to the Planning Applications Committee for determination by Councillor Victoria Wheeler because the development was out of keeping with the streetscene and Conservation Area, and was inappropriate development in the Green Belt.

The applicant had submitted an appeal for non-determination and therefore the Planning Inspectorate was now the determining authority. However, for the appeal it was still necessary to conclude what the Council's decision would have been if it had been the determining authority.

Members were notified of the following updates:

“The appeal has been started by the Planning Inspectorate and a costs award application submitted by the applicant/appellant. A response to the costs award application has now been sent to the Planning Inspectorate.

County Archaeologist raises no objections, subject to condition.

Four further objections received raising no new issues.”

As the application had triggered the Council’s Public Speaking Scheme, Mrs Alison Tilbrook and Mr Ian Tilbrook shared a public speaking slot and spoke in objection to the application. Mr Richard Nelson; and Mr James Osbourn, on behalf of the Chobham Society, shared a public speaking slot and also spoke in objection. Ms Kelli Bruzas, the applicant, spoke in support of the application.

The officer recommendation which would have been to refuse the application was proposed by Councillor Victoria Wheeler, seconded by Councillor Shaun Garrett and put to the vote and carried.

**RESOLVED that**

- I. application 20/0712 would have been refused; and**
- II. it be noted that as the applicant had submitted an appeal for non-determination the Planning Inspectorate was now the determining authority.**

**Note 1**

It was noted for the record that:

- I. Councillor Edward Hawkins declared that the Committee had received various pieces of correspondence in relation to the application;
- I. Councillor Victoria Wheeler declared that she had too received various pieces of correspondence and had also met with residents in respect of the proposal.

**Note 2**

A roll call vote was conducted on the application and the voting was as follows:

Voting in favour of the officer recommendation:

Councillors Graham Alleway, Colin Dougan, Shaun Garrett, Edward Hawkins, David Lewis, Charlotte Morley, Robin Perry, Darryl Ratiram, Victoria Wheeler, Helen Whitcroft and Valerie White.

Voting against the officer recommendation:

Councillors Cliff Betton, Morgan Rise and Graham Tapper.

As Councillor Peter Barnett was not present for the whole consideration of the item, he did not vote on the application.

Chairman

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19/0735/RRM

**Reg. Date**

5 September 2019

Mytchett & Deepcut

**LOCATION:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey, GU16 6RN,

**PROPOSAL:** Amended Phase 1 reserved matters application to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANG, Village Green, Spine Road, landscaping, Green Swathe, Southern SUDS and for the partial discharge of Conditions 16 (ecological management strategy), 21 (LAPS and LEAPS), 23 (visibility zones), 28 (cycle parking), 29 (tree retention and protection), 32 (hard and soft landscaping), 33 (landscape management), 40 (surface water drainage), 41 (wetland features), 43 (foul sewerage).

**TYPE:** Reserved Matters

**APPLICANT:** Skanska

**OFFICER:** Mrs Sarita Bishop

**RECOMMENDATION: GRANT subject to legal agreement**

**1.0 SUMMARY**

- 1.1 This application seeks reserved matters approval for a revised scheme to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANG, Village Green, Spine Road, landscaping, Green Swathe, Southern SUDS and detailed approval for the partial discharge of the conditions referred to above associated with this revised proposal.
- 1.2 The works the subject of this application have largely been completed. This has assisted in enabling the first phases of development. Subject to the resolution of the outstanding issues as set out in this report, including the need to complete a legal agreement in respect of the drainage provision within the site, the proposal is considered to be in accordance with the aims and objectives of the hybrid permission as amended and the section 106 agreement as varied.

**2.0 SITE DESCRIPTION**

- 2.1 The site comprises component parts of the wider Princess Royal Barracks development site. The central SANG, the Village Green, the Green Swale, Spine Road and the Green Swathe are largely complete albeit replacement/additional landscaping works and some land remediation measures are outstanding. Engineering works to create interim attenuation basins have been undertaken within the Southern SUDS area to provide a temporary solution for additional surface water storage in response to the flooding which took place in latter part of 2020.

### 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 Non material application (NMA) 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. Approved The Design Code for the Phase 1 Infrastructure was approved in August 2016.
- 3.4 12/0546/3 NMA application to allow for a change to the wording of condition 35 –Code for Sustainable Homes –reducing level from 5 to 4. Approved.
- 3.5 12/0546/4 NMA application to allow for a change in wording of conditions 35, 48, and 50. Condition changes to 35 and 48 agreed as these were minor changes not affecting code compliance (35) or the requirements of the s106 pertaining to library provision (48). The proposed change to wording of condition 50 which would double the size of the church hall was not considered to be non-material and this element was refused.
- 3.6 15/1062 Reserved Matters application for Infrastructure - Spine Road, Central SANGS and Village Green submitted pursuant to Condition 4 (Reserved Matters: internal access arrangements, layout, scale, appearance, landscaping), and the partial submission of details pursuant to Conditions 16 (Detailed Ecological Management Strategy & Management Plan), 29 (Tree Retention and Protection Plans), 32 (Hard and Soft Landscaping) and 33 (Landscape Management Plan) of planning permission ref: 12/0546 dated 04 April 2014 (as amended). Approved.
- 3.7 17/0774 Section 73 application for a Minor Material Amendment to reserved matters approval 15/1062 (pertaining to the Spine Road, Central SANGS and Village Green), pursuant to condition 4 of hybrid permission 12/0546 (as amended - hybrid application for a major residential led development totalling 1,200 dwellings) to permit changes to conditions 10 and 17 of permission 15/1062 to, in respect of:, , Condition 10 - Confirm the principle of SUDS to the southern SUDS area; and, , Condition 17 - Amend, withdraw, substitute, provide new plans to:, Amend the shape and size of the Village Green and pond, Update the SANGS management and maintenance schedule, and update the SANGS management plan , Update highways drawings to allow changes to alignment of the Spine Road, cycleways, footpaths and provide connection to future retail area, Provide details of, and seek agreement on, the provision of a substation along the Spine Road and, provide SUDS infrastructure plan and minor changes/corrections to the wording of conditions 2, 7, 11 and 19. Approved.
- 3.8 17/0871 Reserved Matters application for Phase 2B – Erection of 215 dwellings on the Brunswick Wood character area. Approved. A MMA application reference 19/0411 for altered access arrangements to plots on the eastern parcel has been approved.
- 3.9 17/1141 Reserved Matters application for Phase 3A – Erection of a primary and nursery school. Approved. Amended by two NMA's (one to revise materials and the other to remove an additional 6 trees)
- 3.10 18/0619 Application unders.73 to vary condition 51 of 12/0546 to allow pub and site to increase from 220m2 to 1000m2 and 0.12 and 0.4ha. Approved.
- 3.11 18/1027 Reserved matters application for Phase 2a for the erection of 127 dwellings. Approved.



- 3.12 19/0440 Reserved matters application for the public house. Approved.
- 3.13 20/0128/DTC Details to comply with condition 55 (contamination) of 12/0546 - remediation verification report for the Spine Road. Under consideration.
- 3.14 20/0226/RRM Reserved matters application for Phase 4a for the erection of 21 dwellings. Approved.
- 3.15 20/0327/DTC Details in part to comply with condition 55 (contamination) - ground investigation reports – Phases 3b (formal park), 4d (Parcel F) and Phase 5 (Southern SANGS, SANGS link, Bellew ANGST, Sports Hub, North Alma ANGST, Care Home, Allotments, North Dettingen ANGST, Loop Road and Brunswick Road and Roadsides. Under consideration.
- 3.16 20/0328/DTC Application pursuant to condition 55 (contamination) of 12/0546 -remediation of the Central SANGS. Under consideration.
- 3.17 There have also been four deeds of variation to the s.106 agreement. The first of these dealt with changes to the sequencing of the SANGS delivery and the second allowed for the spine road and northern access roundabout to be delivered at the same time and amended the triggers for the delivery of school and nursery. The 3<sup>rd</sup> linked 18/0619 back to 12/0546, while the 4th linked 18/1002 back to 12/0546 such the s106 requirements were carried forward.

#### **4.0 THE PROPOSAL**

- 4.1 This proposal is for an amended Phase 1 reserved matters application to replace reserved matters approval 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANG, Village Green, Spine Road, landscaping, Green Swathe, Southern SUDS and for the partial discharge of Conditions 16 (ecological management strategy), 21 (LAPS and LEAPS), 23 (visibility zones), 28 (cycle parking), 29 (tree retention and protection), 32 (hard and soft landscaping), 33 (landscape management), 40 (surface water drainage), 41 (wetland features) and 43 (foul sewerage).
- 4.2 Although the application has been amended since it was originally submitted in 2019 the main revisions since this date relate to the drainage scheme with all other matters remaining largely as originally submitted. The application includes the following matters:
- Retrospective approval for the removal of additional trees in the Central SANG, Green Swathe and Southern SUDS as a result of the discovery of contaminated land;
  - Approval for replacement landscaping in the Green Swathe and Southern SUDS;
  - Creation of two attenuation basins A and G as part of the Southern SUDS providing 798m<sup>3</sup> and 2002m<sup>3</sup> storage capacity respectively with associated re-profiling works including the formation of embankments
  - Retention of an increase in site levels at the northern end of the Central SANGS and changes to the approved landscaping and site layout connected with the remediation of contaminated soil;
  - Retention of rerouted paths due to on-site topography and tree retention;
  - A new Local Area of Play in the Central SANG (previously omitted);
  - Retention of an additional area of Central SANG (to correspond with the hybrid planning drawings and section 106 agreement)
  - Retention of a new path from the Village Green to Mindenhurst Road to the north of the public house site;
  - Retention of a new section of Brunswick Road in relation to the Phase 2b development;
  - Removal of the structural landscaping adjacent to the northern end of and to the east of Mindenhurst Road from the Phase 1 reserved matters and placing them within residential and foodstore development parcels;

- The inclusion of a parcel of land on the north west side of the Central SANG;
- Revision and increase to Central SANG to align with the future Loop Road (to be the subject of a future application);
- Removal of land which now is within the approved site for the public house;
- Retention of Northern Access roundabout boundary as built
- Retention of revised layout to Mindenhurst Road and associated works having regard to the SCC adoption boundary;
- Extension to the boundary for the Green Swathe to incorporate the substation at the southern end of the site;
- Amendment to the Southern SUDS boundary;
- Retention of footpath along the west of Royal Way;
- Amendment to site levels between the Central SANG and the residential parcel being developed by Bovis;
- Amendment to boundary to include a new footpath on Newfoundland Road;
- Retention of knee rail fencing along boundary of Village Green with Deepcut Bridge Road;
- Retention of chicanes on footpaths into the Village Green from Mindenhurst Road and Deepcut Bridge Road;
- Retention of path over the swale from St Barbara's Church to the Trivselhus parcel to allow for maintenance of hedgerow within cemetery;
- Retention of electricity substation on Mindenhurst Road adjacent to the public house and amendment to boundary;
- Removal of the boundary hedge which marks the boundary between the Green Swale and the Garrison Church of St Barbara and it's cemetery from the reserved matters application;
- Retention of and proposed low level bollard lighting.

4.4 The submission is also made in respect of the following provisions of Schedule 5 of the section 106 agreement:

Part 2 Paragraph 1.1 - Provision of SANGS (Central SANG only)

Part 6 Paragraph 1.1 - Provision of Village Green and Combined NEAP/LEAP

Part 8 Paragraph 1.1 - Provision of Other Open Space;

Part 9 Paragraph 1.1 - Provision of LEAPS and LAPS.

4.5 The application is supported by the following documents

- Phase I Surface Water Management and Drainage Strategy;
- SUDS Management and Maintenance Strategy;
- Foul Water Drainage Strategy and Design Statement;
- Southern SANGS Civils Risk Assessment
- Ecological Mitigation and Management Plan Phase I;
- Ecological Management Strategy;
- Updated Ecological Survey Report;
- Preliminary Ecological Impact Statement;
- Suitable Alternative Natural Greenspace – Public Access Assessment and Constraints and Issues Assessment – Central SANG
- Central SANG Management Plan;
- Central SANG Landscape Specification;
- Public Open Spaces Management Plan;
- Green Swathe and Southern SUDS Infrastructure Planting Schedules;
- Arboricultural Assessment for Southern SANGS SUDS;
- Phase I Infrastructure Central SANG Hard and Soft Landscape Management Plan;
- Village Green LEAP Design Information;

- Biodiversity Net Gain Review and Assessment Document October 2020;
- Design Development Statement;
- Construction Environmental Management Plan.

4.6 Reference will be made to these documents in section 7 below where applicable.

4.7 A number of reports relating to land contamination and remediation have been provided for information. However, these details fall to be considered within the terms of condition 55 of the hybrid permission.

## 5.0 CONSULTATION RESPONSES

5.1	SCC Lead Local Flood Authority	No objection subject to conditions, response attached as Annex A.
5.2	County Highway Authority	No objection subject to the replacement of headwalls within the scheme and a financial contribution in respect of an Index Linked Sustainable Urban Drainage Commuted Sum), response attached as Annex B.
5.3	SHBC Drainage	No objection subject to condition.
5.4	Environment Agency	Insufficient information has been submitted so not in a position to recommend discharge of condition 43.
5.5	Thames Water	No objection subject to no surface water flows being discharged into the public sewer.
5.6	SHBC Greenspaces	Further information required
5.7	Scientific Officer/Environmental Health	No objection
5.8	Arboricultural Officer	No objection subject to the use of larger specimen trees
5.9	Natural England	No objection subject to a plan showing a circular walk of a minimum distance of 2.3km no tree felling within the SPA and the SANG being retained in perpetuity
5.10	Surrey Wildlife Trust	Compliance with all submitted reports required, further information on reptile translocation and a precautionary approach being taken on tree/vegetation removal
5.11	Mytchett, Frimley Green and Deepcut Society	Objection. The applications fails to justify the removal of so many mature trees, or provide details on how the removed trees will be replaced and it fails to adhere to the terms of the original permission on the site
5.12	Guildford Borough Council	No objection
5.13	West Surrey Badger Group	No views received
5.14	Chobham Parish Council	No views received
5.15	Woking Borough Council	No views received
5.16	Rushmoor Borough Council	No objection

5.17	West End Parish Council	No views received
5.18	Windlesham Parish Council	No views received
5.19	Joint Waste Solutions	No views received
5.20	Nicola Airey SHBC Commissioning Group	Clinical No views received
5.21	SCC Archaeology	No objection subject to compliance with condition 52 on the hybrid planning permission

## 6.0 REPRESENTATION

6.1 At the time of the preparation of this report one letter of objection has been received on the grounds that:

- It would appear that instead of working towards directing the main flow of Deepcut traffic through the new estate they aim to minimise it and keep the main flow of traffic running down Deepcut Bridge Road and improve the flow not slow or deter it;
- This completely conflicts with the concept to create a quieter village centre with very few vehicles hurtling through;
- This application appears to be relevant to this change as they keep the roads quiet and slow within the estate.

## 7.0 PLANNING CONSIDERATION

7.1 The planning policy considerations have not materially changed since the granting of the hybrid approval in 2013 and there has been no change, as is relevant to the determination of this application, in the National Planning Policy Framework (NPPF) or the suite of documents forming the Council's Development Plan. In light of this, the principal consideration in the determination of this application is conformity with the hybrid permission and the specific requirements of Policy CP4 of the Core Strategy and Development Management Policies 2012 and the Deepcut Supplementary Planning Document (SPD) with regards to the following main topic headings:

- Impact on the character of the area including landscape;
- Ecological considerations;
- Drainage;
- Highways and traffic;
- Amenity considerations; and
- The Section 106 legal agreement as varied

### 7.2 Impact on the character of the area including landscape

7.2.1 The Deepcut SPD provides the framework for the redevelopment of the Princess Royal Barracks site. It sets out that development should deliver clear character areas and include a clear hierarchy of streets. The approved Design Code for the Phase 1 Infrastructure provides details how it has informed the appearance and function of the Village Green, the Spine Road, now Mindenhurst Road, and the Central SANG.

### The Spine Road

- 7.2.2 The Spine Road, now Mindenhurst Road, is complete and has largely been provided in accordance with the approvals as set out above including the most recent approval, 17/0774. The detailed guidance in the SPD advises that the aspiration for the spine road to provide and maintain a landscaped character is to be achieved by the provision of green amenity space along this road boundary with the provision of verges of varying widths.
- 7.2.3 The submitted plans have been amended to reflect changes which have resulted as part of the highway design process with the County Highway Authority. They are considered to remain within the parameters established by the Deepcut SPD, the hybrid permission, the reserved matters approval as amended and the approved Design Code.
- 7.2.4 However, the successful integration of this important thoroughfare into the development parcels adjoining it, is dependent on the quality of the landscaping which would bound it. The applicant proposes to remove the landscaped areas to the north and south of the Northern Access roundabout and the central area to the east and west of Mindenhurst Road from the Phase 1 reserved matters and include them within the adjoining parcels for residential development and/or the foodstore. It is understood that these areas would either be managed and maintained by future developers/their management companies or the Council as they are outside the limits for highway adoption by Surrey County Council. Whilst this is not ideal given that the roundabout and Mindenhurst Road are complete, it is considered that, on balance, as existing landscaping will be retained and maintained by the applicant in the intervening period between developers for these parcels being chosen, no objection is raised to this proposed amendment. However, it is considered appropriate to impose an informative to advise future developers of these parcels that the landscaping approved under 17/0774 will be the minimum expected to be provided.
- 7.2.5 The proposed scheme also seeks approval for the use timber bollards along Mindenhurst Road to safeguard the proposed landscaping and generally delineate the public highway. This is considered to be an acceptable.

### The Village Green

- 7.2.6 The Village Green, which includes Neighbourhood Equipped and Local Equipped Plan Areas and a pond, has been largely provided in accordance with the amended proposals to the Village Green as approved by application reference 17/0774. This meets the criteria established by application 15/1062 that it:
- Is around 2 hectares in area;
  - Is able to function as the heart of the village and from where community activity will spread throughout the village;
  - Is loosely enclosed;
  - Be the large and most publically visible site within Mindenhurst;
  - Be largely characterised by an open grass land with areas of mature trees;
  - Provides pathways, seating and childrens' play areas; and
  - Be accessible to walkers and cyclists.
- 7.2.7 The new link between the public house and the Phase 4a residential parcel which is currently being constructed by Trivselhus is considered to be a positive benefit as it improves connectivity within the Mindenhurst development. The creation of this link has included the provision of a new substation which is located adjacent to the northern boundary of the public house. This is considered to be acceptable.
- 7.2.8 The chicane that has been installed on the southern footpath leading from the Village Green onto Mindenhurst Road and the installation of timber bollards and knee high fencing along the Deepcut Bridge Road and Brunswick Road boundaries have been installed in the interests of safety and to prevent unauthorised access. These have limited visual impact and are considered to be acceptable in visual amenity terms.

7.2.9 The Council's Greenspaces Team has considered the amendments to the Village Green including the provision of play equipment and street furniture and is satisfied with the proposal in this regard.

#### Central SANG

7.2.10 As part of the land investigations undertaken in 2018 and 2019 three areas of deeper Made Ground were identified within the Central SANG. These were identified as the Eastern Asbestos Landfill, the Western Asbestos Landfill and the Central SANGS path. An area of some 970 square metres located to the south of Newfoundland Road, where the LAP is proposed, was also found to have asbestos contamination as was land surrounding the Central SANG Hut to the east of Royal Way. The Eastern Asbestos Landfill, with an area of 7,980 square metres, is located at the northern end of the Central SANG adjoining the site boundary with Portesbery School. The Western Asbestos Landfill, with an area of 880 square metres, is located to the south of the link road between Mindenhurst Road and Royal Way. The Central SANGS path, having an area of 675 square metres, is located to the east of Royal Way and directly to the south of the development parcel currently under construction by Bovis Homes.

7.2.11 The Made Ground areas were found to comprise soils of gravelly sand containing glass, metal, ceramic, brick, concrete and visible asbestos containing materials. This was deduced to be sourced from historic demolition within the area and did not contain any domestic, wet or commercial/industrial waste. As the areas of Made Ground were underlying woodland they were considered to have consolidated the soils over the years since the Made Ground was placed.

7.2.12 Of the three areas identified the Eastern Asbestos Landfill raised the greatest concern from a health perspective as whilst the area was cordoned off it was evident that excavation by burrowing animals was occurring which led to asbestos being brought to the surface. The Scientific Officer was of the view that Significant Potential of Significant Harm (SPOSH) could occur and therefore a Significant Contaminant Linkage would exist if remediation had not been forthcoming.

7.2.13 The Ground Investigation and risk assessment concluded that remediation was required to remove the linkage between the identified sources of contamination (visible asbestos containing materials and physical contaminants) and the confirmed receptors (site end users, neighbours and maintenance workers) in all three areas. The mitigation measure chosen for these areas comprised the installation of an engineered cover system to remove the pathway between the sources of contamination and the confirmed receptors.

7.2.14 The engineered cover system was proposed as follows (from base upwards):

- 200mm "No Dig Layer" of compacted clean quarried stone;
- A geotextile marker layer; and
- 800mm clean subsoil and Topsoil

The proposed drainage was designed to prevent accumulation of rainwater on the surface of the cover system by directing rainwater into the SUDS at the site with the aim that this would prevent rutting and erosion of the cover system over time. All the trees in the affected areas were removed.

7.2.15 The proposals for the remediation proposed for the land to the south of Newfoundland Road was for a 500mm scrape and investigation. A 450mm cover system was required for the Central SANG hut.

7.2.16 Given the concerns raised above, the remediation was agreed by the Scientific Officer and undertaken in respect of the Eastern Asbestos Landfill by the applicants in 2019-2020 to avoid action being taken by the Council under the Environmental Protection Act.

7.2.17 However, no formal permission was sought at that time for the tree removal nor the change in site level from the Local Planning Authority. Arguably the greatest change when compared to the existing reserved matters approval, as amended, relates to the increase

in site level at the northern end of the Central SANG particularly in relation to the Eastern Asbestos Landfill. This has an area of 7,980 square metres and the change in site level varies from 0.5 metres to just under 2 metres with a general increase of just over one metre. Due to existing site topography this appears more significant particularly in relation to the common boundary with the school to the north where the land appears more elevated and from certain viewpoints appears almost in line with the top of the common boundary fence.

- 7.2.18 The issue therefore to be considered is whether in planning terms the works which have been undertaken are acceptable. Having regard to the site topography within the Central SANG there are a number of changes in site level. Given this there is no principle objection to an increase or a variation in site level. It is noted that the remediation works were required under other legislation and had been approved by Environmental Health.
- 7.2.19 Notwithstanding the changes in level/works required to address contaminated land issues, it is also noted that an increase in site level (graded up by 2.25 metres with a 1:3 gradient slope) is proposed on the land to the south of Newfoundland Road to provide a level area for the proposed LAP generally in line with the existing site level at the boundary with Newfoundland Road. In general terms the level changes will be read as part of the landscape and will have no material impact on the character of the area. Notwithstanding this, the relationship between the elevated area and the school to the north is not ideal with the land sloping down to the common boundary with the school's play areas and circulation paths. However, on balance, given the open character of both areas, the resultant harm is not considered to be so significant to the character of the area such as to justify the refusal of the application in this regard.
- 7.2.20 The remediation areas have been subject to significant tree removal. The application is supported by a detailed landscaping scheme which proposes a heathland and shrub planting scheme rather than replacement trees whose root systems could compromise the engineered cover system. This is a change to the landscape which will appear more open but is not considered to be inappropriate in this area nor the wider Mindenhurst landscape.
- 7.2.21 As built, and as originally proposed, there is no link from the Central SANG to the north. This is requirement to ensure connectivity to the housing areas to the north in line with the reserved matters approval as amended. This issue was also raised by the Greenspaces Team. Amended plans have been received which reinstate this link but it is in a different position (east boundary) to that previously approved (north boundary). Given the different fence lines in this area and the relationship to adjoining military land, it is considered that further details of this link are required to ensure that an acceptable link is provided. This may be secured by way of condition. This approach has been agreed with the applicant and the Defence Infrastructure Organisation.
- 7.2.22 The Western Asbestos Landfill and the Central SANG Path are also to have to an engineered cover system as set out at paragraph 7.2.11 above to address the land contamination in these areas. Environmental Health are generally satisfied with the submitted details. However, there is a query about the interface between the southern boundary of the Bovis development site with the northern boundary of the Central SANG immediately to the east of Royal Way. It has not been demonstrated to the satisfaction of Environmental Health that the submitted details have fully considered the potential impact from land slippage erosion nor potential excavation into such slopes by badgers on the banks/slopes especially so as there is a Sett close by. Environmental Health confirm that measures must be put in place to ensure the risk of badgers digging into slopes is significantly reduced. Given this it is considered appropriate to impose a condition seeking further details of this interface to ensure an acceptable visual solution is delivered having regard to contaminated land remediation and the protected badgers.

#### Green Swale

- 7.2.23 The Green Swale is located between the boundary with the Garrison Church of St Barbara and its cemetery to the west and the residential parcel comprising Phase 4a to the east which is currently under construction. It is noted that the reserved matters application

boundary with the church and its cemetery has been amended so that the outside of the current boundary hedge now forms the boundary for the Green Swale. This is considered to be a logical amendment as the hedge will fall within the future management of the church and its grounds.

- 7.2.24 The Green Swale serves two purposes. Firstly, it provides a combined pedestrian/cycle route from the north of Mindenhurst Road into the Village Green and beyond. The line of this route has been changed from the approved route and has been straightened to have a linear form. The reason for this was that the swale had to be moved eastwards to allow for the maintenance of the hedge which forms the boundary with the church and churchyard which altered the line of the swale and reduced the available width. This change to the layout does not prejudice the connectivity objectives for this link and as the link will be landscaped, no adverse visual impacts are considered to result. The installation of low bollard lighting to the side of the pedestrian/cycle route is considered to be appropriate in visual and ecology terms.
- 7.2.25 Secondly, it is a conduit which is a component part of the surface water drainage strategy for the site. The Green Swale is to the south of the swale adjoining Mindenhurst Road opposite the school and to the north of the Village Green. The existing gabions within the swale as currently constructed have failed and this has resulted in the drainage strategy being revisited. This is dealt with in more detail at paragraph 7.4 below. In visual terms and subject to condition which secures appropriate landscaping, the Green Swale retains the appearance of a natural channel which is acceptable in visual amenity terms.
- 7.2.26 The Council's Greenspaces Team raise no objection to the details submitted for the Green Swale.

#### Green Swathe

- 7.2.27 The boundary for the Green Swathe has been updated to reflect the reserved matters approval for the adjoining residential development which is largely complete and occupied. As approved, the Green Swathe was envisaged to comprise a wooded buffer between the east and west areas of development and also act as a conduit within the surface water drainage system. The approved landscaping scheme for this area comprised shrubs, perennials, bulbs, grasses and grassland to complement this wooded character. However, land contamination was discovered which resulted in the substantial removal of the existing trees. The proposed landscaping scheme reflects the ethos of the previously approved landscaping and includes some replacement tree planting, given the constraints arising from land remediation. The Arboricultural Officer is satisfied with the approach taken subject to the specimen trees being increased in size. The applicant has made this amendment and on this basis the proposed landscape approach is considered to be acceptable.
- 7.2.28 The footpath link remains generally as approved with one metre bollard lighting proposed along the eastern edge of the footpath. This is consistent with other bollard lighting along pathways within Mindenhurst and is acceptable.
- 7.2.29 The Council's Greenspaces Team raise no objection to the details submitted for the Green Swathe.

#### Southern SUDS

- 7.2.30 The principle of the using land with the Southern SANG to incorporate a SUDS scheme was approved by 17/0774. The proposed scheme provides the detail of how this will be achieved. The proposed works include the re-profiling of land to create two attenuation basins with associated bunds seeded with a woodland mix and tree removal, the utilisation of existing swales, watercourses and ditches, a deck bridge over the watercourse and the refurbishment and repurposing of the existing concrete channel for the laying of pipes then covered with pebbles. The proposals will result in a visual change particularly with the creation of the attenuation basins. Whilst the proposed landscaping scheme in this area proposes the seeding of the bank it is considered that there is scope for some replacement tree planting. Subject to this, which may be secured by way of condition, the proposed



drainage scheme is considered to be compatible with the wider designation of the area as a SANG. However, it is appropriate to advise that reserved matters approval for the Southern SANG is required which should include any other operational development not included as part of the drainage system.

### **7.3 Ecological considerations**

- 7.3.1 Various areas within the Mindenhurst site are designated as a Site of Importance for Nature Conservation with the Basingstoke Canal being designated as a Site of Special Scientific Interest. The main changes arising from the submitted proposal is the change to the landscape in areas which have been the subject of remediation and also the discharge rates to the Basingstoke Canal (see paragraph 7.4.2 below).
- 7.3.2 Natural England had no particular comments to make in respect of the original submission on the basis that the circular walk within the Central SANG retained a minimum length of 2.3 kilometres which the applicant has confirmed. Where extensive tree felling has taken place in areas where remediation has taken place, it has no concerns with heathland replacing trees.
- 7.3.3 Surrey Wildlife Trust have provided detailed comments on the submitted proposals. They recommend that the proposed works are undertaken in full accordance with the all the submitted reports and in respect of trees, shrubs and hedges on a precautionary basis. This may be secured by way of condition. Further information has been sought on reptile mitigation specifically in relation to the location of translocation site for reptiles. This issue is being considered by the applicant and an update will be given to the meeting. It is also noted that no objection is raised to the proposed lighting proposals on ecology grounds.
- 7.3.4 The Biodiversity Net Gain Review and Assessment Document October 2020 assesses the baseline condition of the site and how the proposals would affect biodiversity within the site. The document concludes that there will be a net gain of 3.28% of non-linear features, 5.75% net gain of linear features and 19.09 % increase in river features. Whilst recognising that when the Environment Bill is enacted a 10% biodiversity net gain will be required and it would be desirable to achieve 10% net gains across all biodiversity features, the improvements across the wider site are considered to be significant. This view is supported by Surrey Wildlife Trust and as such the proposals are considered to be acceptable in this regard.

### **7.4 Drainage**

- 7.4.1 Condition 40 of the hybrid permission required that the surface water drainage system should include attenuation of 1:100 year event at 30% climate change. However, the applicant has submitted a scheme at 40% climate change which is line with current Environment Agency guidance. The proposed amendment to the drainage scheme extends from the Parcel A/Central SANG in the north to the proposed Southern SUDS area in the south. It considers drainage in these areas as well as the Spine Road, Green Swale, the Village Pond and the Green Swathe.
- 7.4.2 The southern area of the development (identified as extending from Parcel A in the north to the Basingstoke Canal in the south) is served by two separate surface water catchments, both of which discharge into the Basingstoke Canal. The majority of the southern area of the site (typically the main barracks site) discharges into the canal via an existing headwall and concrete channel constructed on the canal cutting slope in the west and a piped discharge to the canal in the east. The south eastern corner of the development (the Officers Mess and depot areas) generally falls towards the south east. This catchment appears to discharge to an outfall adjacent to the existing dry dock at the lock. This outfall is connected to the site by a drainage system located on the canal embankment running parallel to the canal.

- 7.4.3 The existing surface water flow paths, routes and ditches are proposed to be supplemented and enhanced provision by:
- extending existing ditches;
  - the provision of check dams to new and existing ditches to reduce flow rates;
  - the provision of attenuation areas, proposed Basins A and G;
  - the provision of attenuation within the Village Pond (1200m<sup>3</sup>);
  - the provision of an attenuation basin and swales within the northern catchment;
  - the provision of swales adjacent to a number of highway carriageways to provide highway runoff at source.
- 7.4.4 The Lead Local Flood Authority is satisfied that the proposed drainage scheme is acceptable subject to the SUDS scheme being properly implemented and maintained throughout the lifetime of the development. It therefore recommends that, notwithstanding any information submitted on maintenance of the drainage system, conditions are imposed which secure the implementation of the drainage scheme in accordance with the submitted scheme and ongoing management of surface water over the lifetime of the development. Subject to this it raises no objection to the proposal on drainage grounds. It is also noted that the LLFA is satisfied with the proposed discharge rate into the Basingstoke Canal.
- 7.4.5 The Council's Drainage Engineer is generally satisfied with the submitted drainage proposals but is seeking further information on elements of the scheme, including details of the embankments for the attenuation ponds. These details may be secured by way of condition. It is noted that whilst parts of the drainage scheme are considered to be acceptable for the purposes of condition 40 such as the use of timber for The Swale edge reinforcement and embankment reinforcement upstream of the Village Pond, they are not acceptable for the purposes of adoption. The Drainage Engineer has also noted that the liner for the Village Pond has not been installed in accordance with the manufacturer's specifications. The applicant has been advised of this and a response is awaited.
- 7.4.6 There are various drainage features within and adjoining the proposed Spine Road which are relevant to the County Highway Authority. Whilst it is generally satisfied with the submitted details it has raised concerns about four existing concrete bag headwalls proposed within the highway drainage scheme. This is dealt with in more detail at paragraph 7.5.3 below. A maintenance contribution is also required which is dealt with in more details at paragraph 7.5.4 below.
- 7.4.7 The original section 106 agreement made no provision for the adoption nor maintenance of the proposed surface water drainage to serve the development. Whilst it is considered that a scheme may be agreed for the purposes of condition 40, it would lack sufficient detail for the purposes of adoption. A legal agreement is therefore required to secure:
- the submission of a surface water drainage scheme to adoptable standards;
  - with the exception of matters covered by the highway adoption process a mechanism for the agreement and adoption of the surface water drainage by the relevant councils, or if not agreed confirmation of the management entity which would be responsible and, if the system is to be adopted by the relevant Councils;
  - if adoption is agreed, a financial contribution to be paid to Surrey County Council and Surrey Heath Borough Council for the maintenance and management of the surface water drainage in perpetuity.

7.4.8 In the interests of clarity “in perpetuity” is defined in the section 106 agreement as being a period of 125 years commencing from 17 April 2014. The County Council seeks a period of 30 years for works within its control. Furthermore, this contribution would relate to all sections of the surface water drainage scheme notwithstanding that various sections may be within land which benefit from existing contributions towards maintenance e.g. the Village Green, the Central SANG etc. The existing agreed contributions only relate to the maintenance and management of the open space not any drainage which is, or may be, included therein. In the absence of a detailed drainage scheme to adoptable standards and having regard to the comments of the Lead Local Flood Authority it is premature to determine the submitted maintenance or adoption plans relating to drainage at this time.

## **7.5 Highways and traffic**

7.5.1 The changes to the Spine Road have been governed by the requirements of the County Highway Authority. Footpaths have been added/amended to provide better connectivity within the overall development with bollards proposed at the junction of Mindenhurst Road and Brunswick Road to prevent on street parking.

7.5.2 The County Highway Authority has confirmed that many of the technical details to construct the Spine Road and associated infrastructure within the proposed highway limits including paving, kerbing, street furniture, footways/cycleway, landscaping, adoptable highway limits, bus stops, shelters, cycle parking, highway drainage and highway swale all form part of the Section 38 roads adoption process. These works are predominantly complete and include streetlighting columns to the Spine Road and bollard lighting to the footways/cycleways.

7.5.3 The County Highway Authority has identified four existing concrete bag headwalls that will be within the proposed highway adoption areas. These are not acceptable for adoption purposes. These will need to be replaced by a pre-cast concrete or similar construction headwall whilst noting a composite plastic or stone gabions may be an option). Whilst this matter will be dealt with under the adoption process it is noted that the submitted Surface Water Management and Drainage Strategy confirms that concrete head walls are proposed to replace the sand bagged headwalls throughout the submitted drainage scheme.

7.5.4 With regard to future maintenance the County Highway Authority notes that the Section 38 Roads Adoption process requires the applicant and owner to pay commuted maintenance payments to meet the County Council's future maintenance costs for the new road and drainage infrastructure over a 30 year period. Whilst the sums in respect of other highway infrastructure are well advanced the commuted sum for the maintenance of the SUDS in the event that the system is adopted by either the County Council, the Borough Council or both, has yet to be agreed or secured. To this end the County Council has confirmed that the index linked contribution it would be seeking is £376,662.28. Having regard to the above the County Highway Authority is satisfied with the submitted details subject to the completion of an appropriate legal agreement to be secure the aforementioned contribution.

7.5.5 The County Highway Authority also confirms that the commuted sum required only applies to the areas to be adopted by the Council and specifically the SUDS the subject of this application i.e. namely phases 1-4 inclusive of the Spine Road construction. Further additional commuted sums will be required in respect of non-SUDS features which will be included within the Section 38 agreement. Other phases of development which include the adoption of the former military roads, the loop road construction and any other new highway works will also be required to pay additional commuted sums under the relevant provisions in the Highways Act. This may be dealt with by way of informative.

## **7.6 Amenity considerations**

7.6.1 The hybrid permission as amended provides a number of conditions to safeguard the amenities of adjoining residents and occupiers which continue to apply to all of the works included within this proposal.

7.6.2 The main changes which are to be seen by adjoining occupiers and residents as a result of this proposal are to the landscape. Whilst the tree loss which has been undertaken with the associated changes in site level are regrettable but unfortunately necessary due to the historic land contamination, the site is proposed to be re-landscaped in such a manner to be compatible with adjoining land uses and the wider landscape beyond the development site.

## **7.7 The Section 106 legal agreement**

7.7.1 Various reports have been submitted to comply with recreational space provisions within the legal agreement in relation to the Central SANG, the Village Green and Combined NEAP/LEAP, the provision of Other Open Space, and, LEAPS and LAPS. These reports relate to the submission of a plan to identify the relevant area, including location of boundaries where required, a delivery plan where required, an associated landscaping scheme, where required, and maintenance and management plan for each area.

7.7.2 With the exception of the Central SANG the submitted plans generally reflect the details approved by previous permissions which complied with the terms of the legal agreement. The works to the Central SANG, as proposed and as retained, are considered to comply with the terms of the legal agreement.

7.7.3 The Greenspaces team have commented on the submitted management and maintenance proposals and, whether these spaces are adopted by the Council or not, are largely satisfied with the provisions therein. However, there are outstanding queries in relation to the management and maintenance of the Central SANG where the engineered capping system has been installed. A response has been received from the applicant which is under consideration by the Greenspaces team and Environmental Health. An update will be given to the meeting on any views received. Natural England and Surrey Wildlife Trust are satisfied with the submitted reports.

7.7.4 As the recreational areas to be adopted have not yet been agreed by the Borough Council it is premature to approve any plan or maintenance strategy which indicates that land will be adopted.

## **8.0 POSTIVE/PROACTIVE WORKING**

8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 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.

c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

9.1 The works the subject of this application have largely been completed which have assisted in enabling the first phases of development. Subject to the resolution of the outstanding issues addressed in this report, including the need to complete a legal agreement in respect of the drainage provision within the site, the proposal is considered to be in accordance with the aims and objectives of the hybrid permission as amended and the section 106 agreement as varied.

## 10.0 RECOMMENDATION

GRANT subject to the following conditions and a legal agreement to secure:

- the submission of a surface water drainage scheme to adoptable standards;
  - with the exception of matters covered by the highway adoption process, a mechanism for the agreement and adoption of the surface water drainage by the relevant councils, or if not agreed, confirmation of the management entity which would be responsible and, if the system is to be adopted by the relevant Councils;
  - if adoption is agreed, a financial contribution to be paid to Surrey County Council and Surrey Heath Borough Council for the maintenance and management of the surface water drainage in perpetuity.
1. Unless otherwise stated in this decision notice the development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site location plan 00752\_S\_05 rev D10

The Spine Road inc Green Swale (also to be read in conjunction with informative 7)

Mindenhurst and Brunwick Roads Hard and Soft Works sheets 1-12 as follows:

Sheet 1 of 12 DC1-NTA-LX-102-00-DR-04-0030\_R07

Sheet 2 of 12 DC1-NTA-LX-102-00-DR-04-0031-R07

Sheet 3 of 12 DC1-NTA-LX-102-00-DR-04-0032-R07

Sheet 4 of 12 DC1-NTA-LX-102-00-DR-04-0033-R08

Sheet 5 of 12 DC1-NTA-LX-102-00-DR-04-0034\_R07

Sheet 6 of 12 DC1-NTA-LX-102-00-DR-04-0035-R07

Sheet 7 of 12 DC1-NTA-LX-102-00-DR-04-0036-R08

Sheet 8 of 12 DC1-NTA-LX-102-00-DR-04-0037-R08

Sheet 9 of 12 DC1-NTA-LX-102-00-DR-04-0038-R08

Sheet 10 of 12 DC1-NTA-LX-102-00-DR-04-0039-R06

Sheet 11 of 12 DC1-NTA-LX-102-00-DR-04-0040-R06

Sheet 12 of 12 DC1-NTA-LX-102-00-DR-04-0043-R07

Spine Road Hard and Soft Works Schedules for Planting

DC1-NTA-LX-102-00-DR-04-0041-R06

Mindenhurst and Brunwick Roads Hard Landscape Key

DC1-NTA-LX-102-00-DR-04-0042-R09

Sheffield Shelter extended to accommodate cycle stands DWG 103 Deepcut revision 1

Brick Substation Outline Design ' Spine Road 'DC1-NPALLX-102-00-DR-04-720-R02

Spine Road Streetlighting layout - sheets 1-3 as follows

Sheet 1 of 3 PSU4000.1665.002 rev C1

Sheet 2 of 3 PSU4000.1665.003 rev C3

Sheet 3 of 3 PSU4000.1665.004 rev C1

Ecological Management Strategy rev A dated August 2015

Updated Ecological Survey Report dated May 2016

Ecological Mitigation and Management Plan Phase 1 Central SANG and Public Open Spaces (Mindenhurst Road, Village Green and Other Landscaped Areas February 2021

Ecology Technical Note (7 July 2016)

Construction Environmental Management Plan rev P12

Biodiversity Net Gain Review and Assessment - Mindenhurst Development Phase 1.

Village Green including the Village Pond (also to be read in conjunction with informative 7)

Masterplan DC1-NTA-LX-103-00-DR-04-0030-R14  
Masterplan Planting Schedule DC1-NTA-LX-103-00-DR-04-0031-R05  
Plant palette 2017-05-31 Deepcut (Village Green) 10766  
LEAP Design Information DC1-NPA-LX-103-00-DR-04-306-R02  
NEAP plan by Timberplay  
Contours and Sections DC1-NTA-LX-103-00-DR-04-0035-R01  
Sections 11-13 DC1-NTA-LX-103-00-DR-04-0036-R01  
Sections 21-23 DC1-NTA-LX-103-00-DR-04-0037-R01  
Drainage sheet 1 of 2 DC1-ODM-CX-103-XX-DR-03-502 rev C10  
Drainage sheet 2 of 2 DC1-ODM-CX-103-XX-DR-03-503 rev C02  
Step Detail DC1-NPA-LX-103-00-DR-04-701 rev R01  
Decking adjacent to Pond DC1-NPA-LX-103-00-DR-04-702 rev R01  
Signage Details DC1-NPA-LX-103-00-DR-04-703 rev R01  
Bollard Details DC1-NPA-LX-103-00-DR-04-706 rev R01  
Materials Schedule DC1-NPA-LX-103-00-SH-97-610 Planning Issue 02  
12.5m x 3m Footbridge DC1-GAJ-LX-103-00-DR-04-0002 rev C02  
Illustrative Pond Sections DC1-GAJ-LX-103-00-DR-04-0018 excluding reference to the depth of the pond line below soil  
Eastern Inlet HW107858 rev 0  
Public Open Spaces Management Plan except Appendix F (Maintenance and Management Areas)

The Central SANG (also to be read in conjunction with informative 7)

General arrangement plan 1 of 2 DC1-NPA-LX-104-00-DR-04-301 rev PS04 excluding reference to the ground reprofiling on the northern boundary slope  
General arrangement plan 2 of 2 DC1-NPA-LX-104-00-DR-04-302 rev PS04  
Hut and car park - General arrangement -DC1-NPA-LX-104-00-DR-04-303 rev R03  
Hut, layout, sections and elevations - DC1-GAJ-LX-104-00-04-DR-0001 rev C04  
Location of significant trees and path proposals sheet 1 of 2  
DC1-NPA-LX-104-00-DR-04-306 rev PS02  
Location of significant trees and path proposals sheet 2 of 2  
DC1-NPA-LX-104-00-DR-04-307 rev PS03  
Management Plan and appendices where plans are listed in this condition  
Landscape Specification DC1-NPA-LX-104-00-SP-04-710-T01  
Landscape Maintenance Plan Soft Landscape DC1-NPA-LX-104-00-DR-04-820 rev PS04 excluding reference to the ground reprofiling on the northern boundary slope  
Landscape Maintenance Plan Hard Landscape DC1-NPA-LX-104-00-DR-04-821 rev PS06  
Landscape Maintenance Plan Street Furniture DC1-NPA-LX-104-00-DR-04-822 rev PS05  
Landscape Maintenance Plan Street Furniture DC1-NPA-LX-104-00-DR-04-823 rev PS04  
Landscape Maintenance Plan Tree Removal DC1-NPA-LX-104-00-DR-04-824 rev PS02  
Wildfire Response Plan DC1-NPA-LX-104-00-DR-825 rev PS04  
Signage Design Detail DC1-NPA-LX-00-DR-97-701 rev T01  
Surface and Edge Details DC1-NPA-LX-104-00-DR-97-702 rev T05  
Timber Vehicle Barrier DC1-NPA-LX-104-00-DR-97-703 rev T01  
Details of the location and woodland planting proposals  
DC1-NPA-LX-104-00-DR-04-0329 rev PS02  
Swale/Cycle/Pedestrian Bridge Design Intent Bridge 5  
DC1-NPA-LX-104-00-DR—04-0008 rev C08  
LAP Layout Landscape Masterplan Hardworks  
DC1-NTA-LX-104-00-DR-04-0017-R09  
Detailed Soft Landscape Plan Landfill East DC1-WTM-LX-104-XX-DR-04-0001 rev C08

Detailed Soft Landscape Plan Ground Remediation Area West  
DC1-WTM-LX-104-XX-DR-04-0002 rev C02  
Proposed litter bins, dog bin and benches

Mindenhurst, The Green Swathe and Southern SUDS area (also to be read in conjunction with informative 7)

Phase 1 Surface Water Management and Drainage Strategy 14-199-07v12 January 2021 (but not Appendices E or G)

Foul Water Drainage Strategy and Design Statement

Hard and Soft GA's sheet 1 of 4 DC1-NTA-LX-111-00-DR-04-0031-R09

Hard and Soft GA's sheet 2 of 4 DC1-NTA-LX-111-00-DR-04-0032-R10

Hard and Soft GA's sheet 1 of 4 DC1-NTA-LX-111-00-DR-04-0033-R10

Hard and Soft GA's sheet 1 of 4 DC1-NTA-LX-111-00-DR-04-0034-R09

Hard and Soft GA'S Key Sheets 31-34 DC1-NTA-LX-111-00-DR-04-0035-R09

Planting schedules DC1-NTA-LX-111-00-DR-04-0036-R08

Existing and removed trees DC1-NTA-LX-105-00-DR-04-0030-R11

Swale exceedance channel/deck bridge detail

DC1-NTA-LX—105-00-DR-04-0007-R02

Arboricultural Assessment January 2021 DC2-FPCR-AB-105-XX-R0P-00-0010

Headwall detail DC1-ODM-CX-105-XX-DR-03-0500 rev C07

Southern SUDS overview MDB-HYD-XX-XX-HS-C-0003 rev P04

Pond G Outfall details MDB-HYD-XX-XX-HS-C-0004 rev P05

Railway Culvert and Basin A MDB-HYD-XX-XX-HS-C-0010 rev P03

Basin G and Canal Outfall MDB-HYD-XX-XX-HS-C-0011 rev P04

Maintenance Access PlanMDB-HYD-XX-XX-HS-C-0012 rev P02

Existing structures - remediation strategy MDB-HYD-XX-XX-HS-C-0013 rev P01

2. The development hereby approved, in addition to the remaining elements of planning approvals 12/0546, 12/0546/1 and 12/0546/2 shall deliver the SANGS mitigation comprising the southern SANG, central SANG and SANGs link in general accordance with Figure 3.7a, 3.7b and 3.8 of Section 3, Volume 2 of the submitted Environment Statement and shall be delivered in accordance with the Phasing Scheme required by Condition 2 of 12/0546 (as amended by 12/0546/2).

Reason: To secure mitigation for the potential impact on the Thames Basin Heaths Special Protection Area and to ensure that the development accords with Policy NRM6 of the South East Plan 2009, Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

3. The development hereby approved shall be undertaken, and retained, in strict accordance with the details to be agreed pursuant to condition 13 of permission 12/0546 as amended.

Reason: To secure mitigation for the potential impact on the Thames Basin Heaths Special Protection Area to ensure that the development accords with Policy NRM6 of the South East Plan 2009, Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

4. The development hereby approved shall be undertaken in accordance with the details approved pursuant to condition 15 of 12/0546 (Ecological Management Strategy) and the Ecology Technical Note prepared by NPA and submitted to the LPA pursuant to application 15/1062 on 7 July 2016 at 1003hrs and as amended by the Ecological Mitigation and Management Plan Phase 1 - Central SANG and Public Open Spaces (Mindenhurst Road, Village Green & Other landscaped areas) dated February 2021.

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.

5. The approved NEAP/LEAP areas within the Village Green and associated play equipment installed within these areas shall be retained and maintained for public use to the reasonable satisfaction of the Local Planning Authority.  
  
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.
6. The development hereby approved shall be undertaken in strict accordance with the Construction Environmental Management Plan reference DCX/SIS/IS/000/00/PL/XX/001/P12 dated 19 December 2016 and the heading note provided by the County Highway Authority dated 6 February 2017.  
  
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.
7. Subject to the provisions of condition 2 (phasing) on hybrid permission 12/0546 as amended and condition 8 below the landscaping of the Central SANG hereby approved shall be undertaken in accordance with the approved landscaping drawings within 6 months of the date of this approval or agreed phasing. Following the completion of the relevant landscaping works they shall be retained and maintained to the reasonable satisfaction of the Local Planning Authority  
  
Reason: To secure mitigation for the potential impact on the Thames Basin Heaths Special Protection Area and to ensure a satisfactory and safe form of development in accordance with Policy NRM6 of the South East Plan 2009, Policies CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.
8. Notwithstanding any details submitted with the application within six months of the date of this approval details of the interface between the southern boundary of Parcel A (specifically to the south of plots 38, 39, 40, 42, 43, 44, 45, 46 and the open space approved under 18/1027) and the adjoining northern boundary of the Central SANG shall be submitted to the Local Planning Authority for approval in writing. Within six months of approval this interface shall be implemented in full and thereafter retained and maintained to the reasonable satisfaction of the Local Planning Authority.  
  
Reason: In the interests of visual amenity, to ensure that land contamination measures in this area have an appropriate relationship to the landscape and to safeguard the local badger population
9. Within 6 months of the date of this approval details of proposed bat roosts within the Central SANG hereby approved, including type and location, shall be submitted to and approved by the Local Planning Authority in writing. Once approved they shall be installed/retained and maintained thereafter for their designated purpose to the reasonable satisfaction of the Local Planning Authority.  
  
Reason: To secure mitigation for the potential impact on the Thames Basin Heaths Special Protection Area and to ensure a satisfactory and safe form of development in accordance with Policy NRM6 of the South East Plan 2009, Policies CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.
10. The Central SANG hut and associated car park hereby approved shall be made available for public use no later than 6 months of the date of this approval and thereafter maintained and retained for public use to the reasonable satisfaction of the Local Planning Authority.



Reason: To secure mitigation for the potential impact on the Thames Basin Heaths Special Protection Area and to ensure a satisfactory and safe form of development in accordance with Policy NRM6 of the South East Plan 2009, Policy CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

11. All works comprising the details for Mindenhurst Road (the spine road) as shown on the approved plans shall be retained and maintained for public use to the reasonable satisfaction of the Local Planning Authority

Reason: To ensure a satisfactory form of development and adequate parking provision in the interests of highway safety, and to accord with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the Approved Design Codes.

12. The bollard posts as approved and installed to prevent unauthorised incursion onto the Village Green shall be retained and maintained to the reasonable satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to accord with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the Approved Design Codes.

13. The street furniture hereby approved including seating, bins, cycle stands, signage and lighting for the Village Green, the Green Swale, the Green Swathe and Mindenhurst Road (the spine road) shall be installed/erected and/or retained in accordance with the approved details and thereafter retained and maintained for their designated purpose to the reasonable satisfaction of the Local Planning Authority

Reason: To ensure a satisfactory form of development and to accord with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the Approved Design Codes.

14. The hard surfacing materials shall be laid/retained in accordance with the details shown on the approved plans. Once laid they shall be retained and maintained to the reasonable satisfaction of the Local Planning Authority

Reason: To ensure a satisfactory form of development and to accord with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the approved Design Codes.

15. The proposed cycleways and footways for public use shall be provided/retained with a 3 metre width as shown on the approved plans and thereafter retained and maintained for their designated purpose to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to promote sustainable modes of transport in accordance with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the approved Design Codes.

16. Notwithstanding any details shown on the approved plans the detailed design of the proposed footway linking the formal park (to be located to the north of the Garrison Church of St Barbara) to the Village Green shall be submitted to, approved in writing by the Local Planning Authority and provided prior to the formal park being made available for public use. Once provided it shall be retained and maintained for its designated purpose to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory form of development and to promote sustainable modes of transport in accordance with the National Planning Policy Framework 2019, the Core Strategy and Development Management Policies 2012, the Deepcut SPD and the approved Design Codes.

17. Notwithstanding the details approved under condition 19 below, and within 6 months of the date of this approval details of replacement landscaping for the Southern SUDS area shall be submitted to the Local Planning Authority for approval. The approved details shall be fully implemented within 6 months of the completion of the attenuation basins and thereafter maintained and retained to the satisfaction of the Local Planning Authority.

Reason: To enhance the woodland character of the area in the interests of the visual amenities of the area

18. A minimum of 14 working days before any works within the development which have implications for trees taking place, a pre-commencement meeting must be arranged with the Arboricultural Officer. The purpose of this meeting is to agree the extent of any facilitation or management tree works, tree and ground protection, demolition, storage of materials and the extent and frequency of Arboricultural site supervision.

Prior to this meeting being undertaken all trees identified for removal to enable the development hereby approved to be implemented, together with all trees will have been physically marked such that these can be checked and agreed by the Arboricultural Officer at the meeting detailed above.

In all other regards the development shall proceed in accordance with the approved documents.

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.

19. The landscaping schemes for the Spine Road (Mindenhurst Road), the Village Green, the Green Swale, the Village Pond, the Green Swathe hereby approved shall be fully implemented within six months of the date of this approval. Notwithstanding the provisions of condition 17 above the approved landscaping works for the Southern SUDS area shall be implemented in full within six months of the completion of the attenuations basins A and G. The landscaping schemes shall thereafter be retained and maintained in accordance with the management and maintenance plans relevant to that area.

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.

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.

20. Notwithstanding the details approved under condition 6 above, prior to any further works taking place on the drainage scheme for the development, the Construction Environmental Management Plan shall be updated, to include details of how surface water flows and flood risk during each phase of construction are to be managed, particularly in relation to how discharges to the Basingstoke Canal will be managed to ensure water quality and quality limits are to be met prior to the completion of the SUDS works, and submitted to the Local Planning Authority for approval. The works shall thereafter be undertaken in accordance with the approved details.

Reason: To ensure that there are clear arrangements in place for ongoing management of surface water over the lifetime of the development

21. Notwithstanding any information submitted with the application, prior to the first operation of the infrastructure within this phase of the development, updated details of the drainage management responsibilities and maintenance regimes for the drainage system shall be submitted to and approved in writing by the Local Planning Authority. The drainage system shall thereafter be managed and maintained in accordance with the approved details to the reasonable satisfaction of the Local Planning Authority.

Reason: To ensure that there are clear arrangements in place for ongoing maintenance of the infrastructure over the lifetime of the development.

22. Notwithstanding any details submitted with the application, prior to the first operation of the infrastructure within this phase of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority. This report shall:

a) demonstrate that the drainage system has been constructed in accordance with the approved details (or detail any minor variations);  
b) provide evidence of condition reports to any retained or repaired structures to be used in the final design (including CCTV of culverted assets);  
c) provide the details of any management company, adopting or maintaining body set out in the management and maintenance plans; and  
d) state the 12 figure national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls) including a reference plan.

Reason: To ensure that the Drainage System is constructed to the National Non-Statutory Technical Standards for SUDS.

23. Notwithstanding any details submitted with the application, prior to any works taking place on attenuation basins A and G, the outlet to the canal or the outfall structure, details of the proposed embankments and the works to stabilise the existing embankments and outfall structure shall be submitted to the Local Planning Authority for approval. These works shall be implemented in full accordance with the plans approved by this permission and the details approved by this condition. Once constructed they shall be retained and maintained to the reasonable satisfaction of the Local Planning Authority.

Reason: To ensure that the construction of the drainage system is sufficiently robust to fulfil its function.

24. The development hereby approved shall be undertaken in accordance with the objectives and measures as set out in the Biodiversity Net Gain Review and Assessment - Mindenhurst Development Phase 1.

Reason: To ensure that the development meets the biodiversity objectives for the site

25. Notwithstanding any details submitted with the application, within 6 months of the date of this approval, details of the pedestrian access to link the north of the Central SANG to Portesbery School and the housing area to the north for public use shall be submitted to the Local Planning Authority for approval. The access arrangements shall be implemented in accordance with the approved details within six months of approval and thereafter retained and maintained for public use.

Reason: To ensure connectivity between existing and proposed neighbourhoods, to promote sustainable communities and to meet the objectives of Policy CP4 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Deepcut SPD

26. Within 6 months of the date of this approval the proposed LAP shall be installed in the Central SANG and thereafter retained and maintained for its designated purpose to the reasonable satisfaction of the Local Planning Authority.

Reason: To ensure that appropriate recreational facilities are provided to serve the community in accordance with Policy CP4 of the Surrey Heath Core Strategy and Development Management Plan Policies 2012 and the Deepcut SPD

### **Informative(s)**

1. It is noted that the proposal has removed approved landscaping areas from land to the north and south of the Northern Access roundabout and to the east and west of Mindenhurst Road as these areas are to be delivered as part of the upcoming residential and foodstore development parcels. All future developers of these parcels are advised that the minimum acceptable level of landscaping for these areas are as shown on drawing numbers DCI\_NPA\_LX\_102\_00\_DR\_04\_301 rev R5 and 306 rev R6 as approved under application 17/0774
2. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
3. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
4. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
5. The applicant is advised that the commuted sum required by the County Highway Authority applies only to the areas to be adopted by Surrey County Council and specifically the SUDS provided by this application, namely phases 1, 2, 3 and 4 of the Spine Road (Mindenhurst Road) construction. Further additional commuted sums will be required in respect of the non SUDS features which will be included within the Section 38 agreement. The applicant is also advised that other phases of the development relating to the adoption of the existing military owned roads, the loop road construction and any other new highway works (on site and off site) will also be required to pay commuted sums under the terms of any respective Section 38 or Section 278 Highway Works Legal Agreement.

6. The applicant is advised that the only works approved in the Southern SANG relate to the surface water drainage scheme. Any other development not related to this scheme will require permission. It is also noted that the detail of the Southern SANG remains to be considered as a reserved matter under the terms of the hybrid permission as amended
7. The applicant is advised that whilst the approved details are acceptable for the purposes of the hybrid and reserved matters approvals, this does not necessarily mean that they are acceptable for adoption purposes which is a separate process.
8. The applicant is advised that this approval remains subject to the conditions imposed on the hybrid permission 12/0546 as amended and relevant submissions to comply with conditions on the hybrid permission will be needed.

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Case Officer: Glen Westmore  
E-mail: SUDS@surreycc.gov.uk

Network Asset Management  
Highways Laboratory and  
Information Centre  
Merrow Lane  
Guildford  
Surrey  
GU4 7BQ

Ms Sarita Bishop  
Surrey Heath Borough  
Council  
Surrey Heath House  
Knoll Road  
Camberley  
GU15 3HD

**Your ref: SU2019/0735**  
**Our ref: LLFA-SU-21-0109**  
**Date: 24/02/2021**

Dear Sarita,

**SU2019/0735 - Amended Phase 1 reserved matters application to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861)**

Thank you for consulting Surrey County Council as the Lead Local Flood Authority on the above Reserved Matters Planning Application. We have reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, its accompanying PPG and the Non-Statutory Technical Standards for sustainable drainage systems.

The following documents submitted as part of the above application have been reviewed and should be referred to as part of any future submissions or discharge of planning conditions:

- Phase 1 Surface Water Management and Drainage Strategy, Odyssey, January 2021, revision 12, document reference: Report No. 14-199-07v12; and associated drawings
- SUDS MANAGEMENT & MAINTENANCE STRATEGY, Odyssey, January 2021, revision 6, document reference: DC1-ODM-CD-000-XX-RP-03-0003
  
- 00752\_Phase 1 Design Development Statement\_RevD6
- DC1-GAJ-LX-103-00DR-04-0018 Illustrative Pond Sections R01
- DC1-ODM-CX-103-XX-DR-03-0502 Village Green Drainage Sheet 1 C10
- DC1-ODM-CX-103-XX-DR-03-0503 Village Green Drainage Sheet 2 C02
- DC1-ODM-CX-105-XX-DR-03-0500 Southern SANGS Headwall Detail C07
- MDB-HYD-XX-XX-DR-C-0013 Existing Structures Remediation strategy P01
- DC1-NTA-LX-105-00-DR-04-0007 Southern SuDS Swale Exceedance Channel/Deck Bridge Detail R02
- MDB-HYD-XX-XX-DR-C-0003 Southern SANG SuDS Overview P04
- MDB-HYD-XX-XX-DR-C-0004 Basin G Outfall-P05
- Construction Environmental Management Plan (CEMP), Skanska, December 2016, revision 12, document reference: DCX/SIS/IS/000/00/PL/XX/001/P12
- MDB-HYD-XX-XX-DR-C-0010 Southern SANG SuDS Sheet 1 P03



- MDB-HYD-XX-XX-DR-C-0011 Southern SANG SuDS Sheet 2 P04
- MDB-HYD-XX-XX-DR-C-0012 Maintenance Access Plan P02  
And also
- DC1-NTA-LX-105\_111-00-DR-04-0030 to 0034 Green Swathe & S.SuDS Infrastructure Hard and Soft GA

I refer to the above Revised Phase 1 Reserved Matters Planning Application. I also refer to our response that was issued regarding the original Reserved Matters Application approved under planning reference SU2015/1062.

**We are satisfied that the proposed drainage scheme in general meets the requirements set out in the aforementioned documents, subject to our comments below.**

**Our advice would be that, should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. Suggested conditions are below:**

- 1) Prior to the commencement of the development hereby permitted, updated details of the Construction Environmental Management Plan, including details of how surface water flows and flood risk during each phase of construction are to be managed, shall be submitted to and approved in writing by the planning authority. This shall particularly detail how discharges to Basingstoke Canal will be managed to ensure water quantity and quality limits are to be met prior to completion of the SuDS works.

**Reason:** To ensure that there are clear arrangements in place for ongoing management of surface water over the lifetime of the development.

- 2) Prior to the first operation of the infrastructure within this phase of the development, updated details of the drainage management responsibilities and maintenance regimes for the drainage system shall be submitted to and approved in writing by the planning authority

**Reason:** To ensure that there are clear arrangements in place for ongoing maintenance of the infrastructure over the lifetime of the development.

- 3) Prior to the first operation of the infrastructure within this phase of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must:
  - a) demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations),
  - b) Provide evidence of condition reports to any retained or repaired structures to be used in the final design (including CCTV of culverted assets)
  - c) provide the details of any management company, adopting or maintaining body set out in the management and maintenance plans, and
  - d) state the 12 figure national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls) including a reference plan.

**Reason:** To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

#### **Informative**

If proposed future site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.



If there are any further queries please contact the Flood Risk Asset, Planning, and Programming team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference number in any future correspondence.

Yours sincerely,

Glen Westmore  
For the Flood Risk Asset, Planning, and Programming Team

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<b>APPLICATION NUMBER</b>	<b>SU/19/0735</b>
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## DEVELOPMENT AFFECTING ROADS

### TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:**

**Location:** Princess Royal Barracks, Brunswick Road, Deepcut, Camberley, Surrey GU16 6RN

**Development:** Amended Phase 1 reserved matters application to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANG, Village Green, Spine Road, landscaping, Green Swathe, Southern SUDS and for the partial discharge of Conditions 16 (ecological management strategy), 21 (LAPS and LEAPS), 23 (visibility zones), 28 (cycle parking), 29 (tree retention and protection), 32 (hard and soft landscaping), 33 (landscape management), 40 (surface water drainage), 41 (wetland features), 43 (foul sewerage).

<b>Contact Officer</b>	Andrew Stokes	<b>Consultation Date</b>	1 September 2020	<b>Response Date</b>	2 March 2021
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who recommends an appropriate agreement should be secured before the grant of permission.

I refer to the above Revised Phase 1 Reserved Matters Planning Application. I also refer to our previous response of September 2020 and our response that was issued regarding the original Reserved Matters Application approved under planning reference SU2015/1062.

Many of the items raised in our previous responses have either been addressed or form part of the separate S38 Roads Adoption process. Notwithstanding, I comment below for clarity.

1. The north/south and eastern path through the village green has been constructed at 3.0m wide with ELD bollards.
2. The progression of the S38 Roads Adoption details means that visibility splays have been provided. Any additional splays required will be sought from the land parcels as they emerge.
3. The highway adoption limit will be agreed by the S38 roads adoption process. Nothing in this submission shall indicate an acceptance of any proposed highway boundaries. The current Highway Adoption drawings will be sent under separate cover.
4. The SANGS paths have been constructed and whilst it is not a finish that would be specified within highway limits, I am satisfied that it will be able to accommodate cycle usage.
5. A path has already been provided to connect the Spine Road with Deepcut Bridge Road without the need for steps. It is understood that this path will form part of the Formal park proposals, yet to be submitted or approved.

6. Many of the technical details to construct the Spine Road and associated infrastructure within the proposed highway limits, including paving, kerbing, street furniture, footway/cycleways, landscaping, adoptable highway boundary limits, bus stops, shelters, cycle parking, highway drainage and highway swale all form part of the S38 roads adoption process and as such no detailed commentary is provided here.

7. Notwithstanding item 6 above, there are several Headwalls that sit within the proposed highway adoption areas and which do not currently meet our adoption requirements. Skanska are aware of these and will need to be rectified as 'snagging items' under the terms of the S38 Roads Adoption process. For clarity, these are:

- a. Headwall 27A - This concrete bag headwall must be replaced with a pre-cast concrete or similar construction headwall (composite plastic or stone gabions may be an option). The existing structure does not have sufficient durability.
- b. Headwall 1 - This concrete bag headwall must be replaced with a pre-cast concrete or similar construction headwall (composite plastic or stone gabions may be an option). The existing structure does not have sufficient durability. The headwall shall also be provided with protective barriers to mirror other headwalls and to protect from falling.
- c. Headwall 5A - This concrete bag headwall must be replaced with a pre-cast concrete or similar construction headwall (composite plastic or stone gabions may be an option). The existing structure does not have sufficient durability.
- d. Headwall 8A - This concrete bag headwall must be replaced with a pre-cast concrete or similar construction headwall (composite plastic or stone gabions may be an option). The existing structure does not have sufficient durability.

My response of 29 June 2016 paid reference to the Cycle Network Strategy which has since been approved. This is an evolving document which will need to be continually updated as the build out of the development evolves.

#### Other matters:

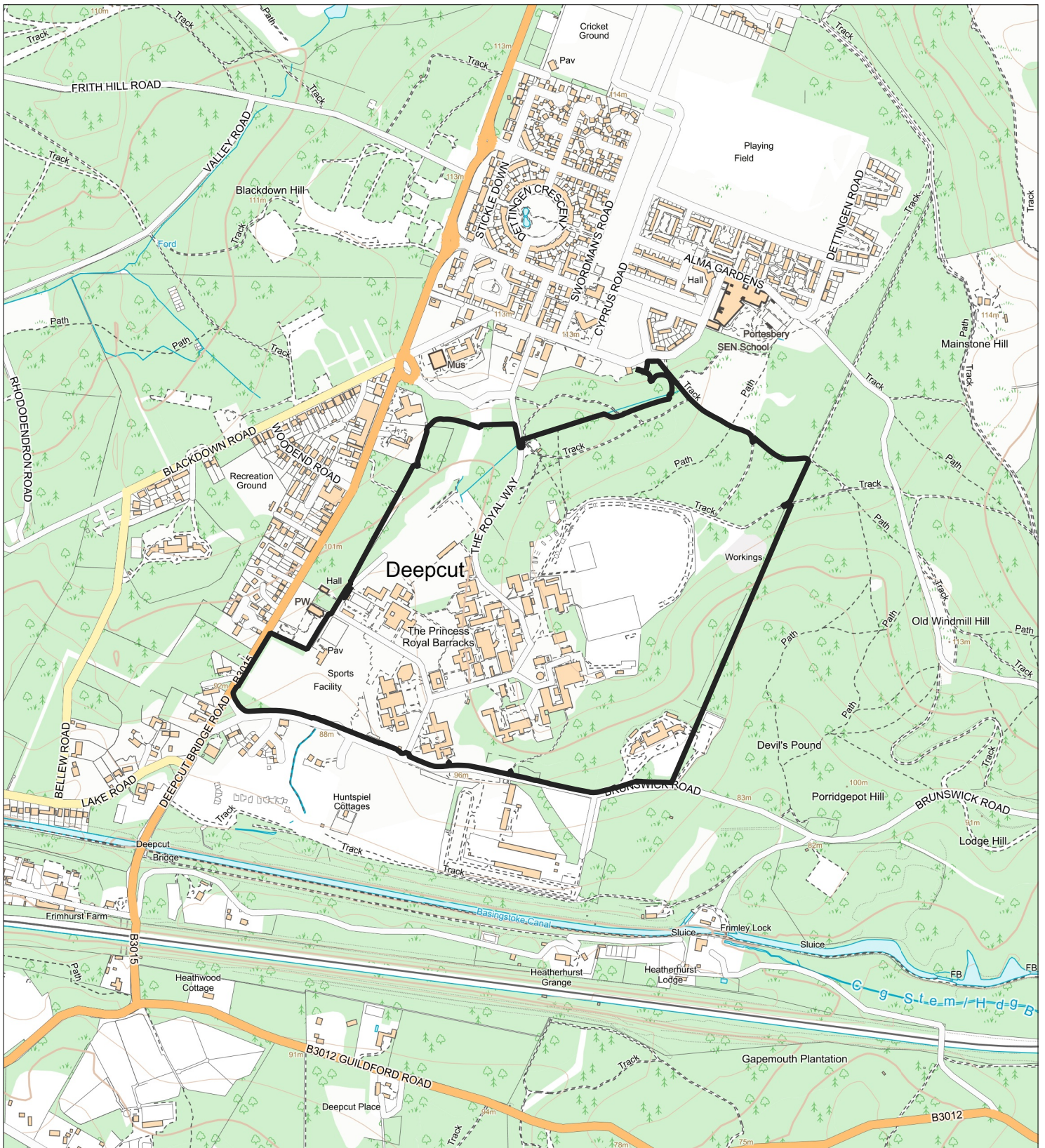
The S38 Roads Adoption process requires Skanska and DIO to pay to Surrey County Council commuted maintenance payments to meet the County Council's future maintenance costs for the new road and drainage infrastructure over a 30 year period. Whilst the sums in respect of other highway infrastructure are well advanced and form part of the negotiation of the S38 Roads Adoption Agreement. The commuted sums required by both Surrey County Council and Surrey Heath Borough Council in respect of the Sustainable Urban Drainage System (SUDS) be included within an appropriate Legal Agreement to be completed by SHBC, SCC a DIO, to be secured prior to the issue of this permission.

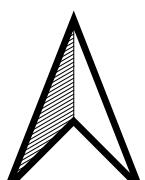

#### **Recommendation:**

**That an appropriate legal agreement be secured between SCC, SHBC and Skanska to pay to the County Council an index linked Sustainable Urban Drainage Commuted Sum to a value of £376,662.28 in accordance with the requirements of the S38 Roads Adoption Agreement.**

#### **Informative:**

**The applicant is advised that the commuted sum required by this response applies only to the areas to be adopted by SCC and specifically the SUDS provided by this application, namely phases 1,2,3 & 4 of the Spine Road (Mindenhurst Road) construction. Further additional commuted sums will be required in respect the non SUDS features which will be included within the S38 Agreement. The applicant is also advised that other phases of the development relating to the adoption of the existing military owned roads, the loop road construction and any other new highway works (on site and off site) will also be required to pay commuted sums under the terms of any respective S38 or S278 Highways Works Legal Agreement.**

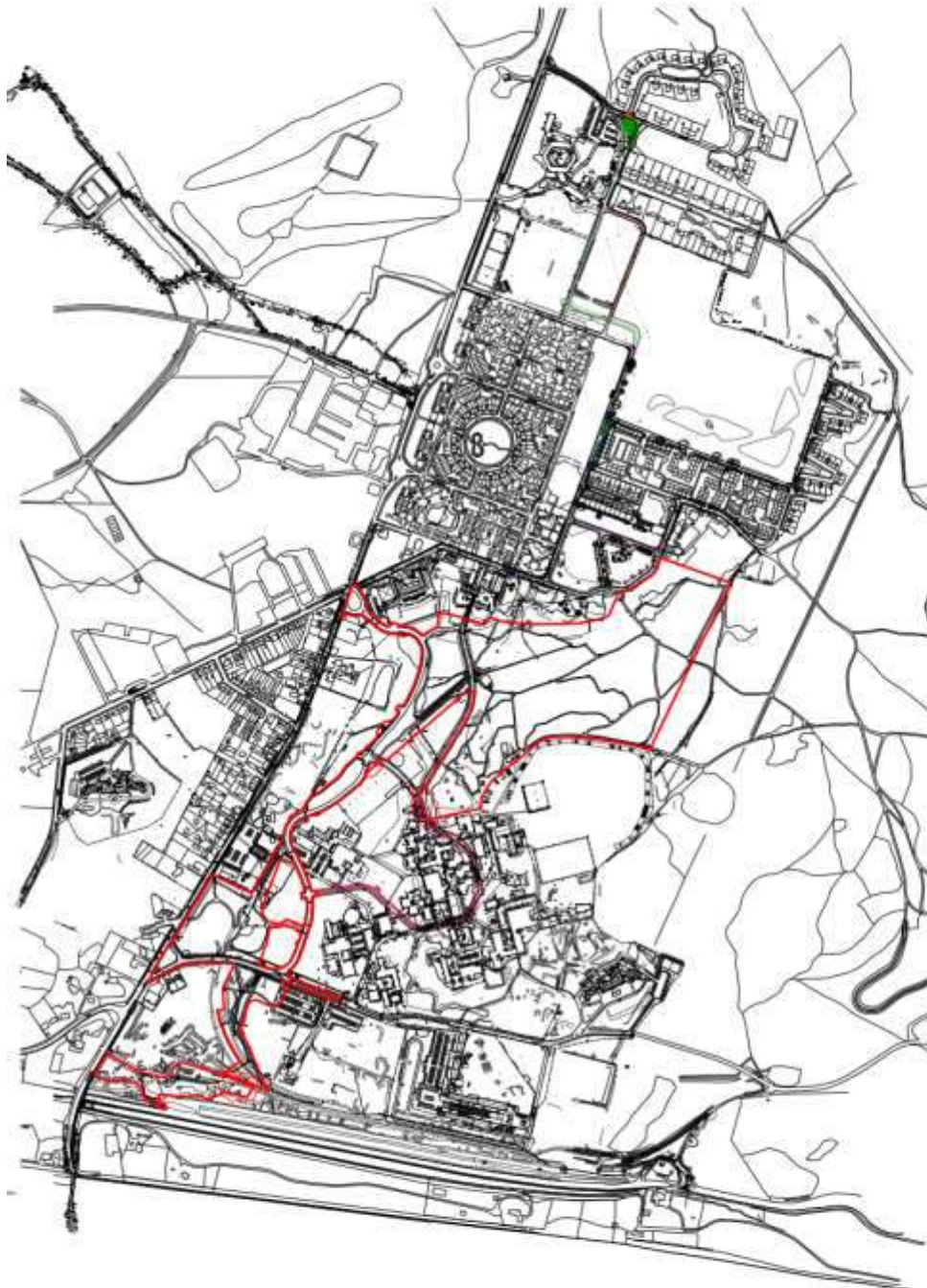


<b>Title</b>	Planning Applications		
<b>Application number</b>	19/0735/RRM	  <b>75 m</b>	<b>Scale @ A4</b> 1:10000
<b>Address</b>	Princess Royal Barracks Brunswick Road Deepcut Camberley Surrey GU16 6RN		<b>Date</b> 24 Feb 2021
<b>Proposal</b>	Amended Phase 1 reserved matters application to replace permission 15/1062 (as amended by 17/0774) pursuant to hybrid permission 12/0546 (as amended by 18/0861) for the internal access, layout, scale, appearance and landscaping pursuant to condition 4 of the central SANG, Villae Green. Spine Road. landscaping. Green		
Version 5	© Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2021		Author: DE



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# SITE LOCATION PLAN



Phase 1 Infrastructure (Red line)  
Approved layout

Phase 1 Infrastructure (Red line)  
Approved layout

NO	DESCRIPTION	DATE
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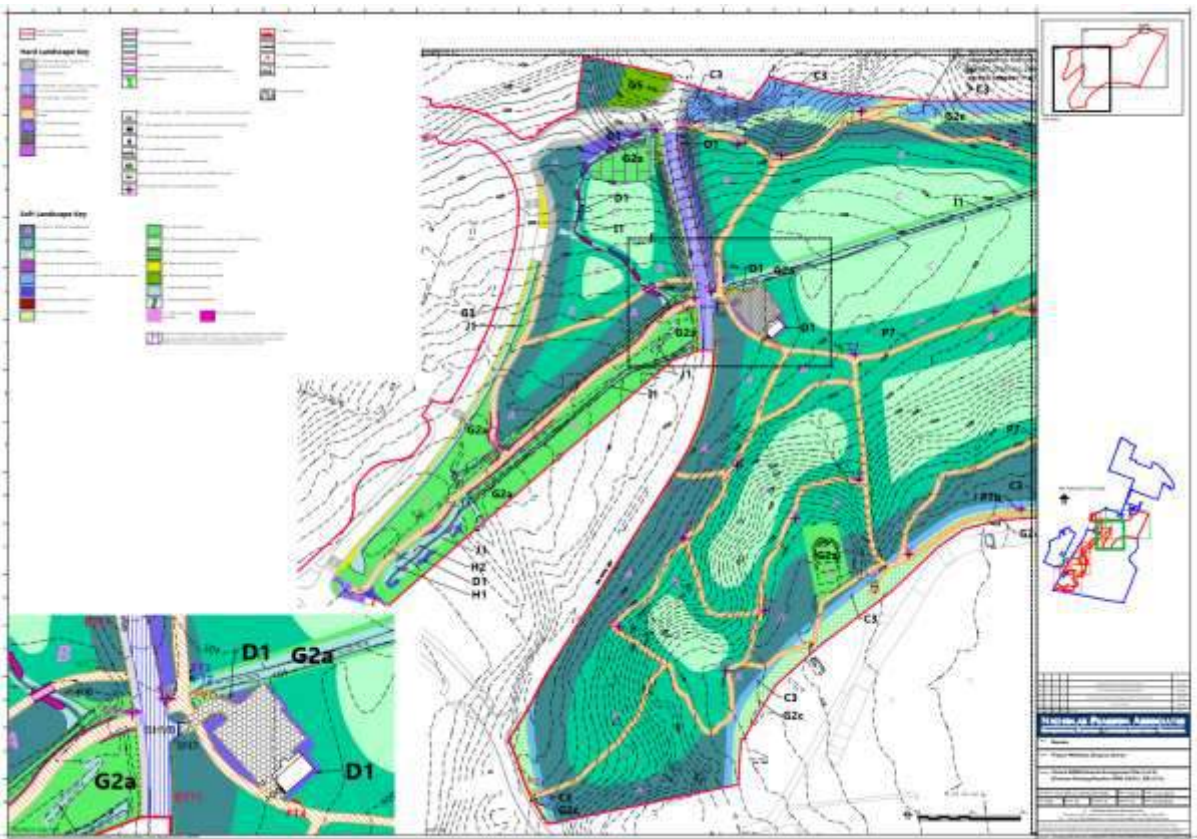
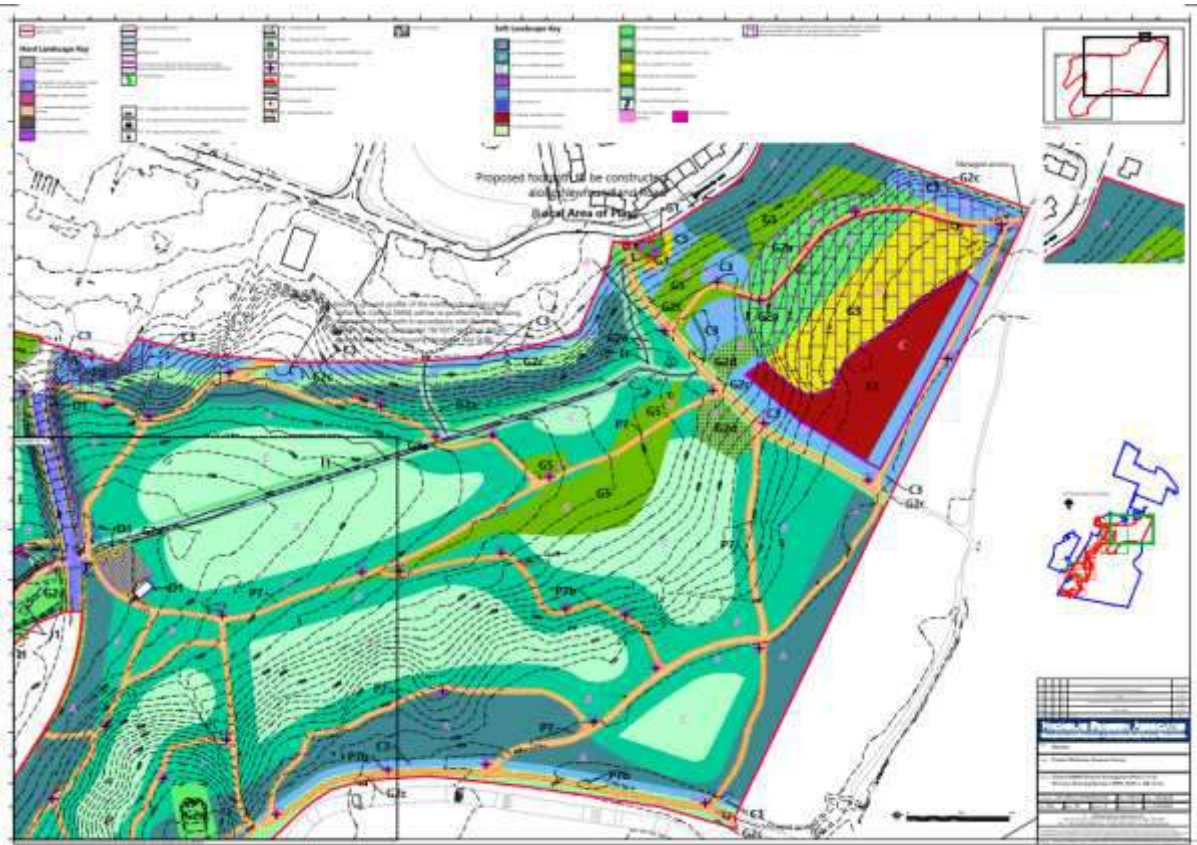


PRB Output

Phase 1 Infrastructure  
Red line

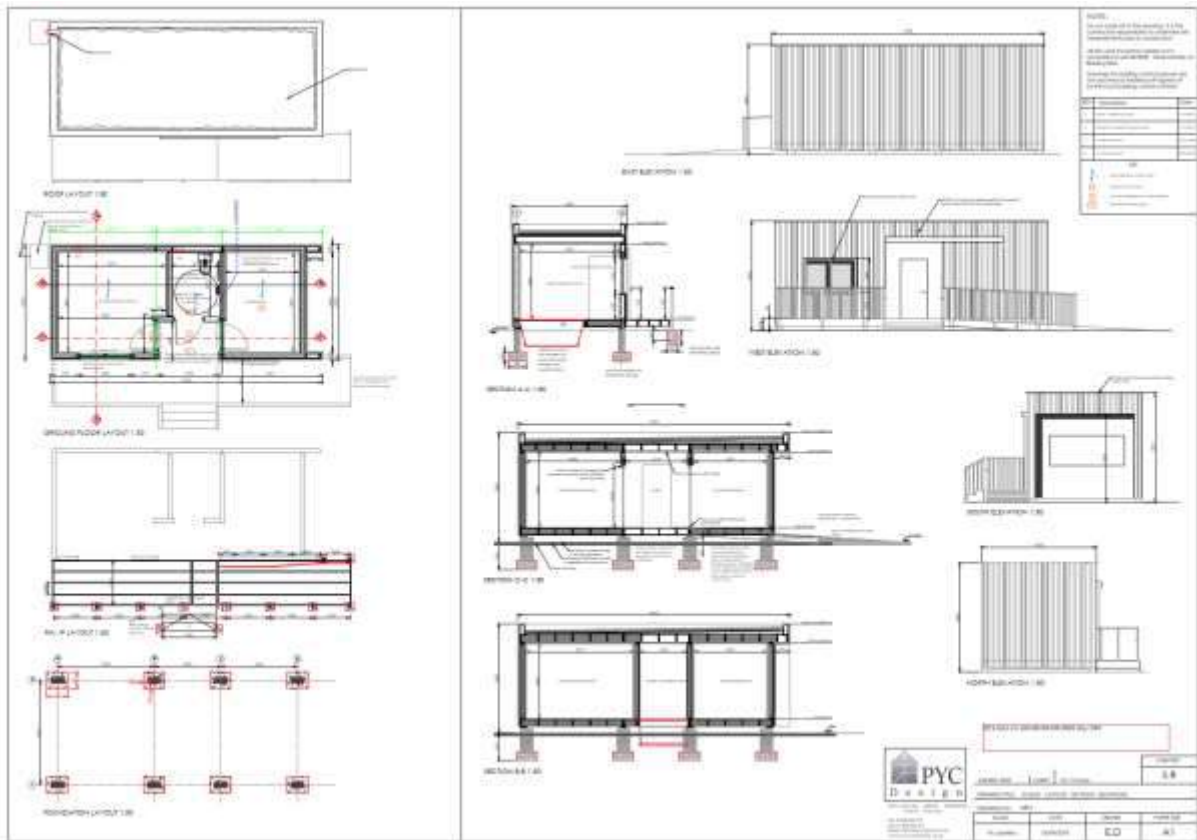
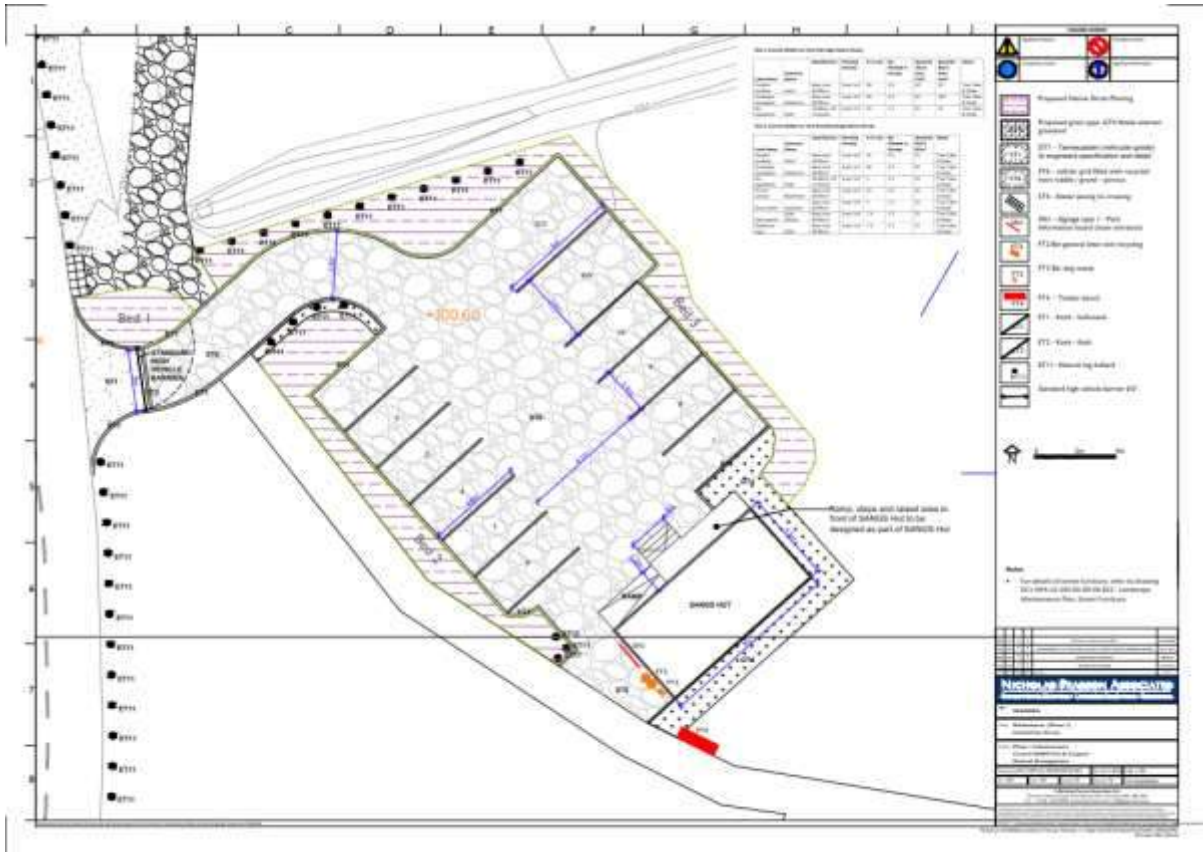


# CENTRAL SANG GENERAL ARRANGEMENTS

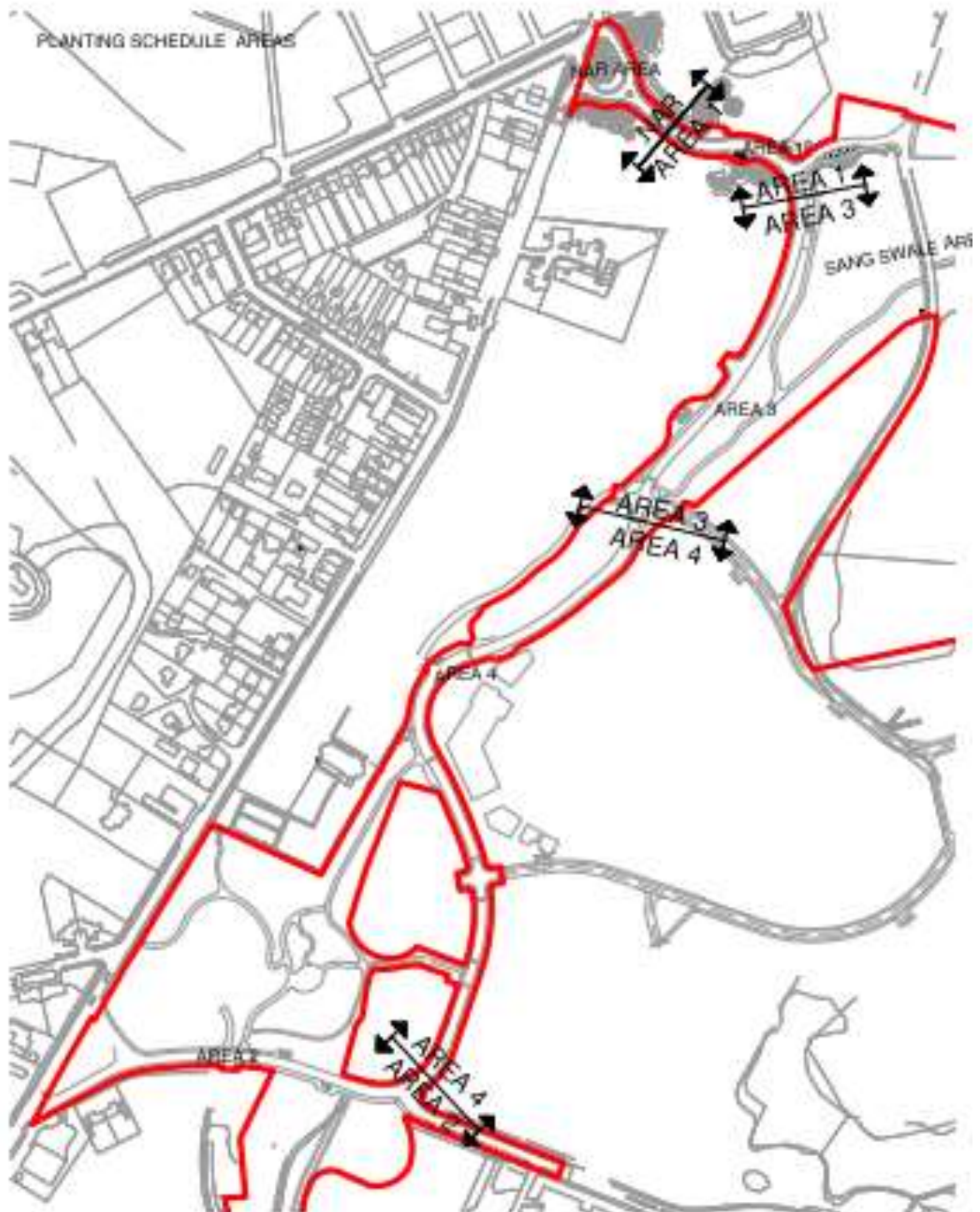




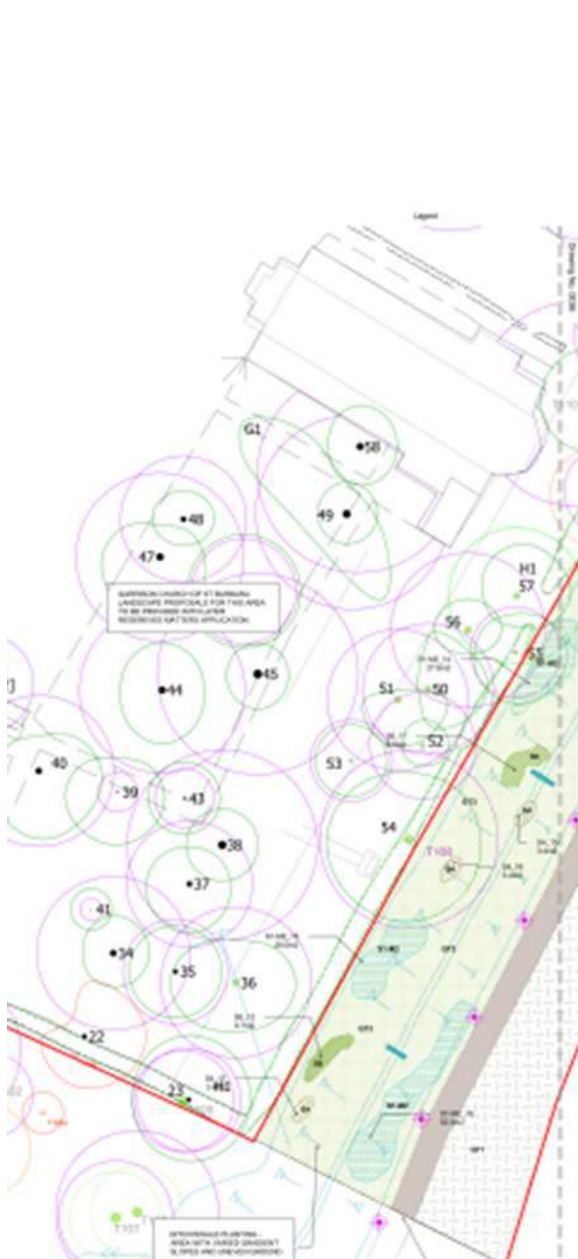
# SANG HUT AND CAR PARK CENTRAL SANG LAYOUT AND ELEVATIONS



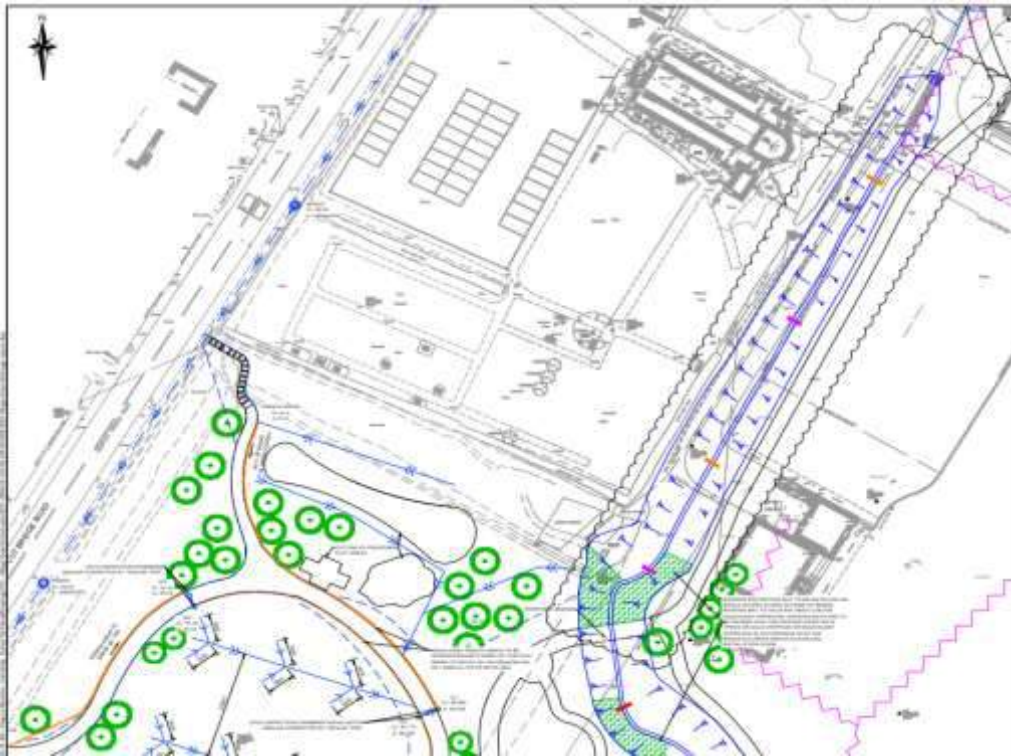
MINDENHURST ROAD



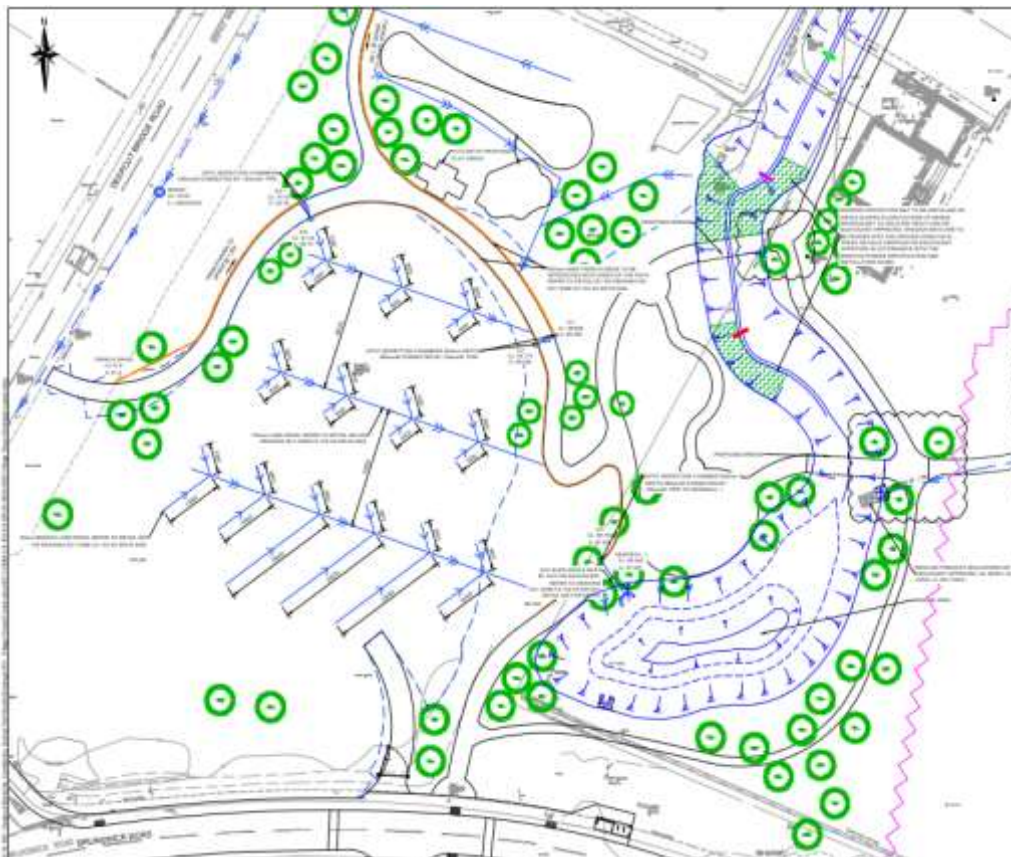
# THE GREEN SWALE



DRAINAGE LAYOUT THE GREEN SWALE AND VILLAGE GREEN (PART)



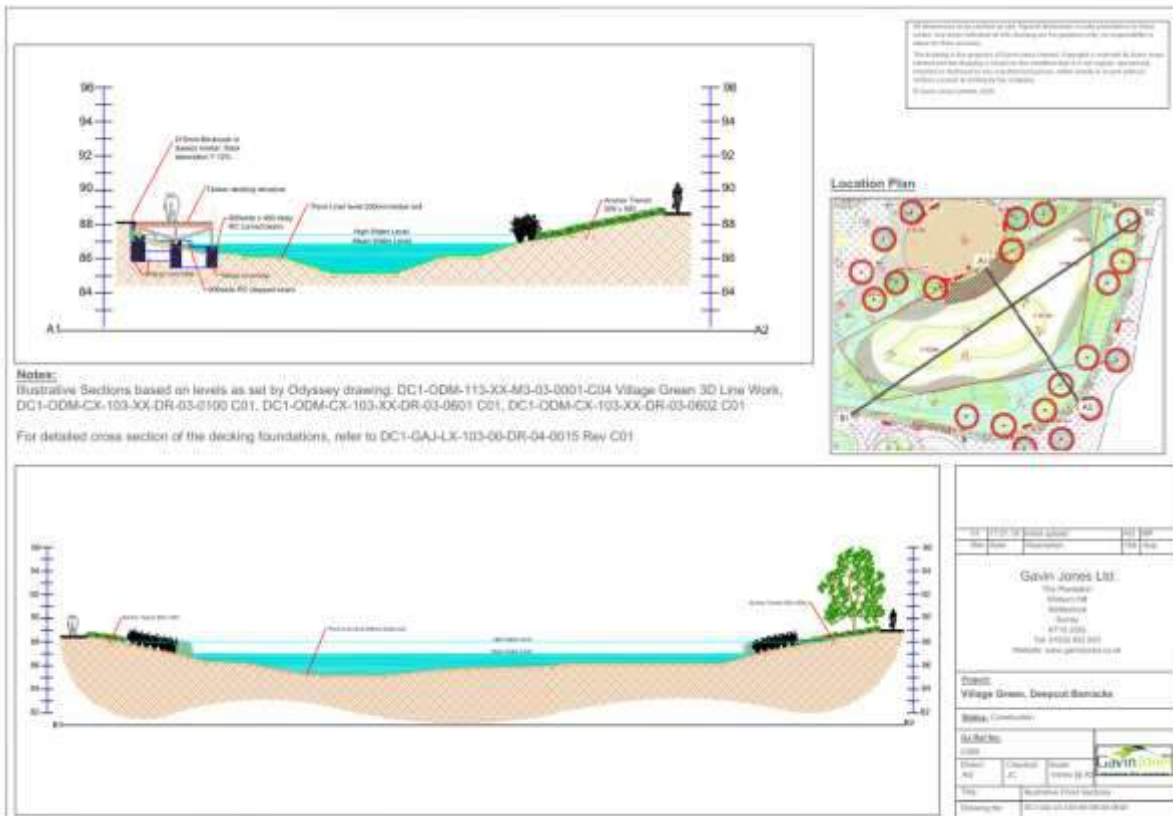
DRAINAGE LAYOUT THE VILLAGE GREEN (PART)



# THE VILLAGE GREEN



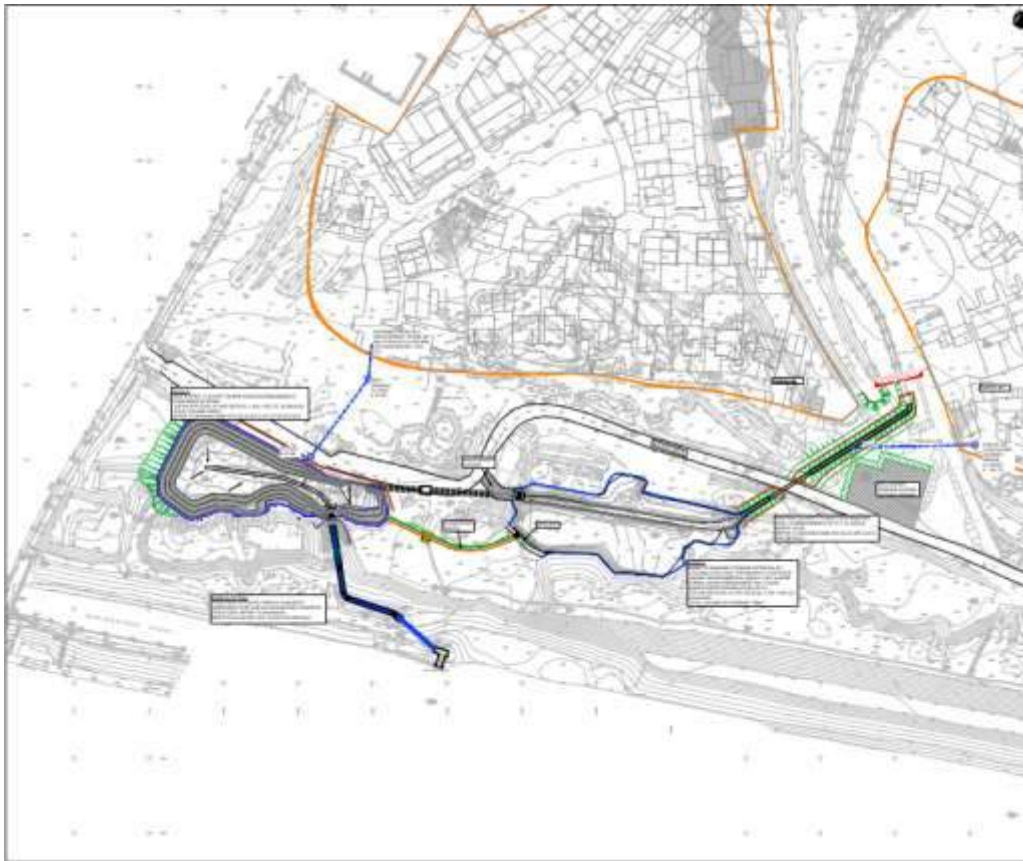
# VILLAGE POND SECTIONS



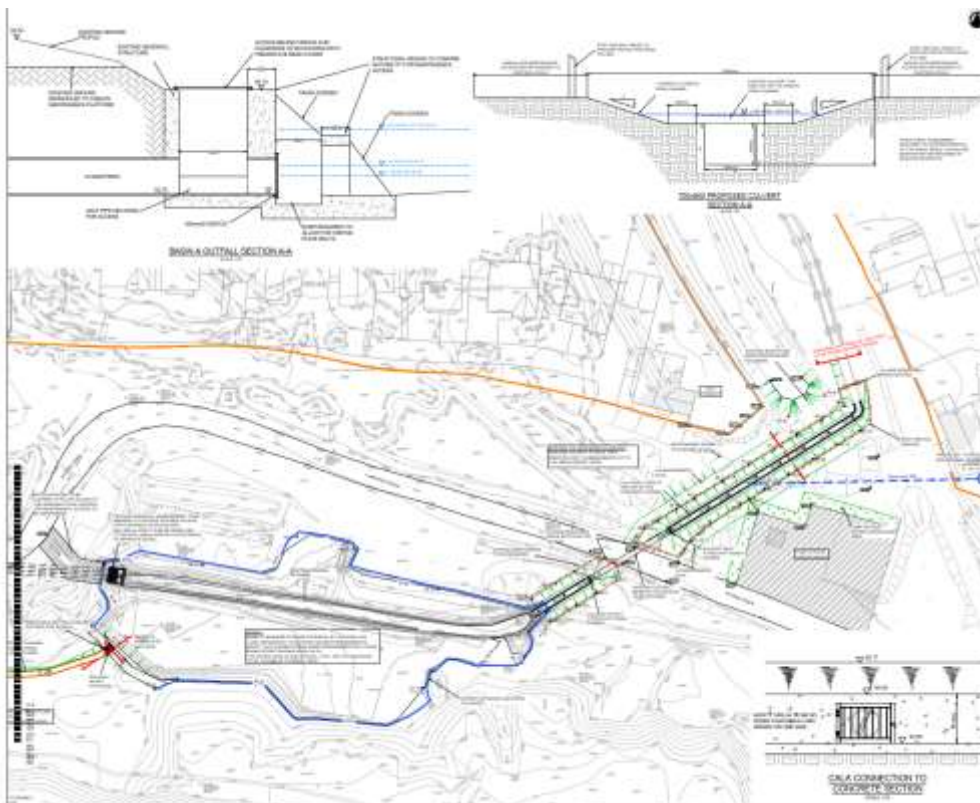
# THE GREEN SWATHE



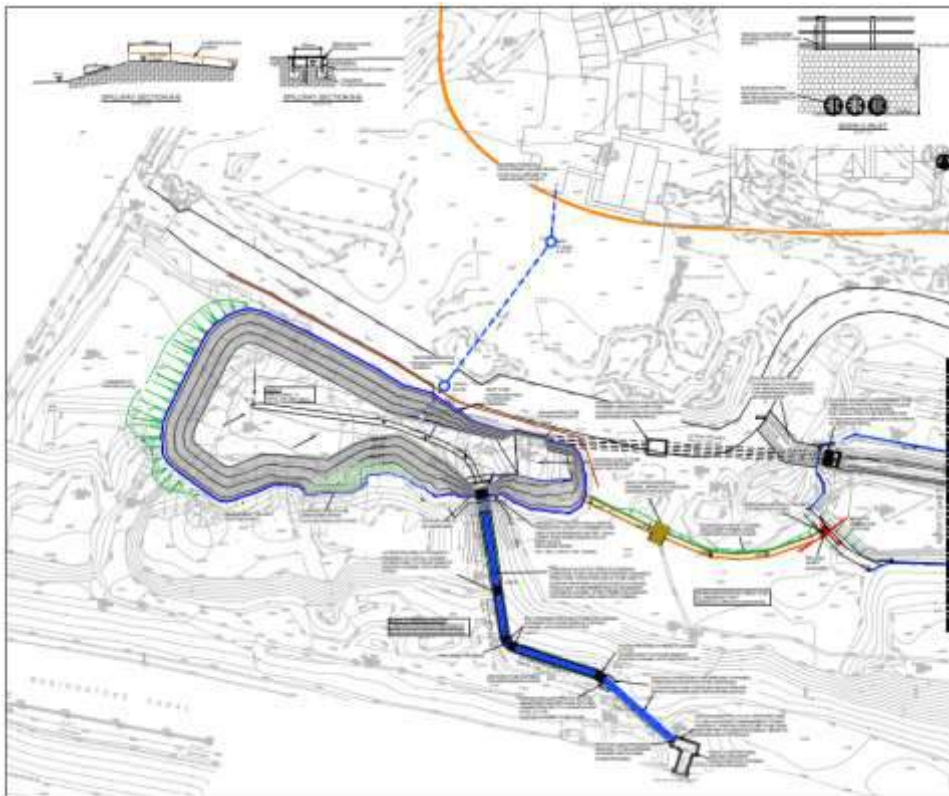
## SOUTHERN SUDS OVERVIEW



## SOUTHERN SUDS ATTENUATION BASIN A



BASIN G



VIEW FROM PATH OUTSIDE SITE TOWARDS NORTHERN END OF CENTRAL SANG





VIEW OF NORTHERN END OF CENTRAL SANG IN RELATION TO BOUNDARY WITH PORTESBERY SCHOOL



WIDER VIEW OF NORTHERN END OF CENTRAL SANG FROM OUTSIDE SITE



VIEWS FROM NEWFOUNDLAND ROAD TO NORTHERN END OF CENTRAL SANG



PROPOSED LOCATION OF LAP IN CENTRAL SANG ADJACENT TO NEWFOUNDLAND ROAD



CENTRAL SANG INTERFACE WITH BOVIS SITE



CENTRAL SANG HUT AND CAR PARK



VIEWS WITHIN CENTRAL SANG



MINDENHURS T ROAD LOOKING NORTH TOWARDS ROUNDABOUT JUNCTION WITH DBR



LOOKING SOUTHWARDS FROM ROUNDABOUT



MINDENHURST ROAD LOOKING WEST FROM NEW JUNCTION



LOOKING NORTH UP MINDENHURST ROAD



LOOKING NORTH CYCLE/PEDESTRIAN LINK ADJACENT TO MINDENHURST ROAD OPP SCHOOL



LOOKING SOUTH DOWN MINDENHURST ROAD



LOOKING NORTH UP MINDENHURST ROAD TOWARDS SCHOOL



LOOKING NORTH MINDENHURST ROAD BY TRIVSELHUS DEVELOPMENT





LOOKING SOUTH MINDENHURST ROAD BY TRIVSELHUS DEVELOPMENT



LOOKING SOUTH MINDENHURST ROAD BY HALL AND WOODHOUSE SITE



EXTENSION TO BRUNSWICK ROAD



THE GREEN SWALE LOOKING NORTH





LOOKING WEST THE FOOTPATH LINK FROM MINDENHURST ROAD TO THE VILLAGE GREEN



THE VILLAGE GREEN LOOKING NORTH AND WEST



THE VILLAGE GREEN POND LOOKING SOUTH



THE VILLAGE GREEN LOOKING WEST FROM LINK BETWEEN TRIVSELHUS & HALL & WOODHOUSE SITES



LOOKING NORTH ACROSS VILLAGE POND AND PLAY AREA



THE GREEN SWATHE NORTH AND SOUTH VIEWS



THE GREEN SWATHE LINK TO SOUTHERN SUDS AREA



SOUTHERN SUDS HEADWALL TO CONCRETE CHANNEL DOWN TO BASINGSTOKE CANAL



SOUTHERN SUDS ATTENUATION BASINS A AND G





20/0752/FFU

**Reg. Date**

26 August 2020

Old Dean

<b>LOCATION:</b>	Land Between Larchwood Glade And Devonshire Drive, Camberley, Surrey, GU15 3UW,
<b>PROPOSAL:</b>	Erection of 3no two storey detached dwellings (1x 3bed and 2x4bed) with private amenity area, parking and access.
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr Arran Atkinson
<b>OFFICER:</b>	Miss Patricia Terceiro

**This application would normally be determined under the Council's Scheme of Delegation. However, it has been called in by Cllr Shaun Garrett, due to concerns over the proposal's detrimental impact on the environment, wildlife and biodiversity of the area.**

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 The application site comprises a wooded piece of land which is covered by an area Tree Preservation Order. It is located in the settlement area of Camberley, between Devonshire Drive and Larchwood Glade. The proposal is to erect three detached dwellings on this land, with associated garden space and parking. The southern sector of the site would be retained as a woodland. The application site lies within the Wooded Hills Character Area.
- 1.2 The proposal would result in the loss of a significant number of trees and, as a consequence, the amenity value of the woodland would be significantly reduced. The loss of a substantial proportion of trees would fragment the current woodland and depart from the verdant character of the area. Further objections are raised in regards of the proposed layout, which would appear cramped with the dwellings clustered in the central area of the site. The proposal would also fail to provide adequate private amenity space for its future occupiers, as the rear gardens would be heavily overshadowed and this would lead to future pressure to prune and fell trees in favour of light and usable space. The financial contribution towards SAMM has not been paid for and therefore the proposal has failed to mitigate against its impacts on the Thames Basin Heaths SPA. For these reasons, the proposal is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site is located south of the A30 within the defined settlement area for Camberley. The site is bordered on most sides by residential properties. Devonshire Drive is located to the west of the site and Larchwood Glade to the east. Directly to the south of the site there is a railway line.
- 2.2 The site currently comprises a wooded piece of land which is covered by an area Tree Preservation Order (TPO 7/71, A7). The site lies within the Wooded Hills Character Area.

### **3.0 RELEVANT HISTORY**

3.1 FRI 2460. Outline application to erect 14 dwellings. Refused, 1958.

### **4.0 THE PROPOSAL**

4.1 Full planning permission is sought for the erection of 3 no two storey detached dwellings (1x 3bed and 2x4bed) with private amenity area, parking and access.

4.2 The main material for the new buildings would be a buff / natural stock brick with pre-weather timber details to the walls with the roofs to be finished in natural slate arranged in a diamond pattern. The windows would be powder coated aluminium.

4.3 The proposed dwellings would be located in the central area of the site and be accessed off Devonshire Drive. There would be one visitor parking space provided near the site entrance.

4.4 Plots 1 and 2 would be of a similar design. Both dwellings would have a pitched roof design with a front gabled projection. They would be provided with 2 no parking spaces each (one garage space and one driveway space), as well as a private garden. Each dwelling would measure 12m in width, 12.5m in depth, 5.7m in height to the eaves and 9.3m in ridge height. The internal layout would comprise the following:

- Ground floor: study, coats, WC, hallway, open plan kitchen / living / dining, single garage;
- First floor: 4 no bedrooms (2 no of which with en-suite), family bathroom and landing.

4.5 Plot 3 would have a pitched roof design. It would be provided with two tandem driveway parking spaces and a private garden. It would measure 10.7m in width, 7.5m in depth, 5.7m in height to the eaves and 9.3m in ridge height. Its internal layout would comprise the following:

- Ground floor: utility, open plan kitchen / dining area, coats, hallway, WC, study, living room;
- First floor: 3 no bedrooms (one of which with en-suite), family bathroom and landing.

4.6 The applicant has submitted a number of documents in support of this application as follows and reference will be made to these in Section 7 of the report where relevant:

- Design and Access Statement
- Planning Support Statement
- Technical Transport Note
- Daylight, Sunlight And Overshadowing Assessment
- Tree Report
- Landscape Strategy Plan
- Bat Report
- Ecological Report
- Foul Water Drainage and Utilities Assessment

### **5.0 CONSULTATION RESPONSES**

5.1 Surrey County Highway Authority No objections, subject to planning conditions (see Annex A for consultation response)

5.2	Tree Officer	<p>The former Tree Officer responded in October 2019 and had no objection subject to conditions, including securing an agreeing a Woodland Management Plan for 15-20 years in advance of works, and placing a Woodland Tree Preservation Order on the retained trees.</p> <p>The current Tree Officer was also consulted and raised objection. He comments that a landscaping scheme would not adequately replace the trees lost, the proposal does not provide biodiversity net gain and a detailed Woodland Management Plan would not mitigate the significant loss of tree coverage nor the urbanising effect to any great degree. He also raises concerns about post development pressures on trees (see Annex B for both consultation responses).</p>
5.3	Surrey Wildlife Trust	Advises regarding planning conditions, should the application be recommended for approval
5.4	Joint Waste Solutions	No objections
5.5	Environmental Health	No objections

## 6.0 REPRESENTATION

6.1 At the time of preparation of this report 122 no representations have been received which raise the following summarised issues:

### Impact on the character of the area [See section 7.4]

- The design of the proposed dwellings is modern would not be in keeping with the local housing;
- The loss of 46 trees and the introduction of a new access road off Devonshire Drive would fail to respect the character and appearance of the area;

### Nature Conservation (trees and biodiversity) [See sections 7.4 and 7.7]

- the Ecological Report submitted does not convey the importance of the woodland to the support of Biodiversity in the part of Old Dean Ward that is South of the A30. The loss of a large central segment to this development would effectively form a barrier to movement with a significant loss of biodiversity;
- the development would result in a lit area forming a barrier to movement by bats;
- the proposed development would form a significant barrier to movement of badgers and hedgehogs;
- Newts, slow worms, owls and population of Willow Tits (a Red List species) are present in the area;
- Threat to local wildlife and birds through removal of trees;
- The proposal makes no clear commitment to replace the trees to be felled or to the level of maturity of the replanting;
- The proposal would result in the removal and destruction of a substantial number of well-established trees and would impact on any natural wildlife;
- The applicant has not proposed any mechanism to secure the biodiversity measures outlined in the Ecological Report;
- The trees on site have been damaged on purpose;
- There is no clear plan to ensure the future of the woodland;
- There should be a Woodland TPO covering the entire woodland area on all four sides of the proposed development;

- The A30 traffic creates multiple pollutants and removing any forest equates to a loss of a 'green lung' to absorb said traffic pollutants;
- There is no lawful and effective mechanism to secure the ongoing woodland maintenance regime.

#### Residential amenity [See section 7.5]

- The proposal would generate noise, dust and fumes;
- The proposed development would fail to secure an adequate quality of private amenity space for future occupiers without losing yet further trees;

#### Highways [See section 7.6]

- The proposal would increase the volume of traffic leading to Middleton Road and threaten the safety of pedestrians using this road;
- The proposed development above would lead to further increases in traffic in and around the Glade and down Gibbet Lane and be detrimental to pedestrian safety;
- The above proposal would definitely lead to an increase in the number of cars driving up and down Larchwood Glade, which would increase the chances of accidents;
- Should Larchwood Glade and Devonshire Drive be joined together it would create a rat run from the A30 via Gibbet Lane down to Camberley centre [*Officer Comment: this is not a part of the current proposal*];
- There should be no vehicular access to the development through Larchwood Glade;
- There is mention that the woodland will benefit the community and provide a possible place of interest for scouts and guides. However, there is no parking provision for this;
- There is insufficient access for a refuse vehicle to enter, turn and exit the development. In order to do so the lorry would go over newly planted trees and front lawns;
- The entrance to the development is less than that deemed necessary for fire trucks;
- The provision for vehicle parking, including visitors parking, is insufficient;
- Vehicle parking during construction;
- Matters related to poor visibility and sight lines.

#### Thames Basin Heath SPA [Section 7.9]

- The proposed development falls within the 5km Zone of Influence of the Thames Basin Heaths Special Protection Area ("SPA"), without a lawful and effective mechanism to avoid an adverse effect on the integrity of the SPA.

#### Other matters

- The applicant does not own the access point from Devonshire Drive [*Officer Comment: the applicant has signed Certificate B of the Application Form, so the LPA is satisfied in regards to this matter. Any matters relating to access would constitute civil matters that fall outside the remit of planning*];
- This proposal would impact on the local community;
- There is no public access provided from Larchwood Glade which would substantially reduce the value to the community of the woodland space proposed;

- The proposal would result in a potential significant increase in number of properties to be built on the site [*Officer Comment: each application is assessed on its own merits and, as such, future planning applications which may or not be forthcoming would not be of consideration*];
- The documents suggest that the proposed woodland area is to be retained as public access but there is no mention of who will own it and manage it in the long term [*Officer Comment: in the event of an approval, this could be considered under a Section 106 agreement*];
- The ownership of the woodland should be transferred into an arrangement which provides for long term management [*Officer Comment: in the event of an approval, this could be considered under a Section 106 agreement*];
- The proposal would lead to additional routes in and out of Larchwood Glade and Devonshire Drive and create a number of escape routes for any criminals thus putting the nearest houses at enhanced risk of burglary/petty crime [*Officer Comment: there is no proposed access off Larchwood Glade*];
- Removing the woodland would create an enhanced risk of flooding [*Officer comment: the proposal is located within Flood Zone 1, at low risk of flooding*].

#### Matters that fall outside the remit of planning

- It is not clear from the proposal how the utilities and drainage for the proposed properties will be provided [*Officer comment: for a minor development this matter would fall under building regulations*];
- The proposal would result in the devaluation of the surrounding housing;
- Middleton Road is an un-adopted Road and maintained by the residents. The proposal would give rise to additional traffic and in particular construction vehicles making use of the road for passage and lead to unnecessary damage of this road;
- Damage to property during construction works;
- Matters related to typo's on the details submitted with the application;
- Financial viability of the proposed development;
- Matters related to inconsiderate parking.

6.2 At the time of preparation of this report one representation has been received in support of the application, as the development would benefit the area and define a service management company with a clear ownership and accountability of the land.

## **7.0 PLANNING CONSIDERATION**

7.1 The application site is located in a residential area within a defined settlement, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14B, DM9 and DM11 of the CSDMP. The Residential Design Guide (RDG) SPD 2017 as well as the Western Urban Area Character (WUAC) SPD 2012 also constitute material planning considerations.

7.2 The main issues to be considered within this application are:

- Principle of development
- Impact on character and appearance of the surrounding area, including trees
- Residential amenity
- Transport and highways considerations
- Ecology

- Impact on infrastructure
- Impact on the Thames Basin Heaths SPA

### **7.3 Principle of development**

- 7.3.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This Policy states that Camberley has scope for residential development across the area. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028 and Policy CP6 promotes a range of housing types and tenures.
- 7.3.2 The site is located in a residential area that is within a defined settlement. The proposal would provide three additional dwellings to contribute to the housing supply within the Borough and, in addition, the site is located in an accessible location near public transport links. Furthermore, the Council cannot demonstrate a five year housing supply. As a result, the proposed development is considered acceptable in principle, subject to no adverse impact on the character and appearance of the surrounding area, amenity of neighbouring occupiers, highway safety etc. These matters are assessed below.
- 7.3.3 It is therefore considered that the proposal would be acceptable in principle and would be in line with Policies CP1, CP3 and CP6 of the CSDMP.

### **7.4 Impact on character of area**

- 7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. This Policy further states that development should be designed to protect trees and other vegetation worthy of retention and provide high quality hard and soft landscaping where appropriate. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments.
- 7.4.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 states that new residential development will be expected to respond to the shape and rhythm of surrounding plot layouts. Principles 6.7 and 7.8 support, respectively, high quality parking layouts and good architectural design. Principle 7.4 goes on to say that new residential development should reflect the spacing, heights and footprints of existing buildings.
- 7.4.3 The Guiding Principles for development within the Wooded Hills Character Area as defined within the WUAC 2012 seek to protect its spaciousness and verdant character. Guiding Principle WH1 advises that new development should be set in spacious, irregularly shaped plots which provide for extensive space and maintenance of a verdant character. Guiding Principle WH2 seeks to resist development with closely set buildings, cramped appearances and minimal provision of side gardens. Guiding Principle WH3 advises against development that erodes the soft green semi-rural character of the area. Guiding Principle WH6 supports high quality design that reflects the wooded character of the area and welcomes contemporary design. The SPD further identifies a key pressure on this character area as being the urbanisation of the semi-rural character through the loss of the dense vegetative cover. This is particularly damaging where the green enclosure is eroded or lost and Guiding Principle WUA3 seeks to resist development that adds to the existing pressures. The soft green character of the area is identified as a positive feature of the Wooded Hills which Guiding Principle WUA2 aims to protect.
- 7.4.4 The application site belongs to a ribbon of the Wooded Hills Character Area, which is adjacent to the Hedged Estates to the west (i.e. Devonshire Drive) and to the Post War Open Estate to the east (i.e. Larchwood Glade). Given the siting of the proposal, it would be more visible in the context of the Hedged Estates. Guiding Principle HE1 states that new development in this area should be set in spacious plots, which provide for space between and around buildings. Guiding Principle HE2 goes on to say that developments with closely

set buildings, cramped or overly prominent appearances will be resisted. Guiding Principle HE3 seeks to protect the soft, green character of the area. Notwithstanding this context, it is considered that although surrounded by different character areas, the site's character as a part of the Wooded Hills still needs to be protected as such.

- 7.4.5 The proposal would create a cul-de-sac type of development with access off Devonshire Drive. Other cul-de-sacs can be found in the vicinity. However, it is considered that the proposed arrangement, with the closely set buildings directly facing each other would appear tight and would fail to respond to the layout that can be seen on surrounding cul-de-sacs. The proposed plot size would be much smaller than those to the north which form part of the Wooded Hills. This would also be the case when compared to the closest plots at Devonshire Drive, which belong to the Hedged Estates. As such, it is considered that the proposed plot size would appear out of context with the surrounding character, including both the Wooded Hills and Hedged Estates character areas.
- 7.4.6 The flank walls of plots 2 and 3 would retain a short separation distance of about 1.8m. Plot 1 would directly face plot 2 and the distance between both dwellings would be of approximately 6.4m at its closest point. The dwellings would cluster within the site's central area and, given the short separation distances between themselves and absence of meaningful side gardens, it is considered that the development would give rise to a cramped appearance, out of keeping with the spacious character of the area, including both character areas.
- 7.4.7 Despite standing at 9.3m in ridge height, the proposed dwellings would be traditional in form and broadly in keeping with the surrounding vernacular. The proposed design response would use contemporary detailing and materials, which would create a modern appearance. The proposed amount of hardstanding would cover only the necessary space for access and parking and there would be some space within the property's frontages to provide for soft landscaping, which would soften the proposed built form. These aspects of the proposal, in isolation, would therefore be considered acceptable.
- 7.4.8 The application site is currently occupied by a localised compartment of trees that has attained over many years a wooded characteristic. There are several trees which are particularly prominent in the streetscape, mainly those that occupy the site's boundaries and can be seen from Devonshire Drive and Larchwood Glade. Other trees on the interior of the woodland are not so easily distinguishable in the public view. Nevertheless, as a group, by reason of their size and spread across the application plot, the trees on site are considered to make a strong and positive contribution to the verdant and sylvan character of the area.
- 7.4.9 The application has been accompanied by an Arboricultural report, which advises that a significant number of trees (46 trees) would be removed to facilitate the proposals. Of these, nine are 'C' category and two 'U' category classification. Although these would be considered poor specimens individually, the majority of trees marked for removal are considered B class trees. It is acknowledged that many of the visually more important trees are around the edge of the site and are intended for retention. However, despite their location within the interior of the site, these trees also make an important contribution to the group. However, the loss of tree stock is significant with and the wooded compartment would be significantly fragmented, with bands remaining only to the perimeters of the site and to the southern section. It is considered that the site's appearance would change from that of a dense block of vegetation to a semi-wooded residential plot as a result of the proposal. The loss of these trees would reduce the positive contribution that this wooded compartment has on the verdant and mature local landscape.
- 7.4.10 As part of the pre-application process the former Tree Officer visited the site and met with the applicant's consultants. He stated in his response (see Annex B) that the woodland has suffered from a lack of past management and failure to start to offset and minimise the progressive deterioration will result in its terminal decline. The development of the northern section would provide an opportunity to retain the woodland in a managed state, albeit in a reduced form. He therefore recommended securing a Woodland Management Plan of 15-20 years if approval is given.

- 7.4.11 The current Tree Officer does not agree with this approach and raises objection stating that this would not mitigate the significant loss of tree coverage nor the urbanising effect to any great degree. In the case officer's opinion just because this land has suffered from poor management in the past this is not a justification for housing to facilitate this, particularly when the urbanisation of woodland is one of the main pressures on the character area. It has not been explained why housing is the only solution to manage this land. Even if it is accepted that housing is needed to manage the woodland, then concerns remain over the deliverability of any plan. As noted by a representation, although this could be secured by a Section 106, such planning obligation requiring ongoing maintenance of the woodland to be borne by the three residential properties would likely be too onerous to be successfully delivered. In this case, the Woodland Management Plan would no longer be effective, which would negate any benefits to the trees by permitting this proposal.
- 7.4.12 The applicant also proposes additional planting. However, it is not considered that the number of trees lost to this development could be adequately replaced through such a measure, nor has it been demonstrated that the proposal would provide a biodiversity net gain for the site (as discussed in Section 7.7 below). The former Tree Officer suggests that a Woodland TPO is put on the retained trees on site, should planning consent be granted for the proposal. However, this would not account for the significant amount of tree loss with this proposal (also potential post development pressures on the remaining trees, see Section 7.5 below) which would fragment this wooded compartment, be detrimental to the visual amenities of the area and add to the identified pressures on the Wooded Hills Character Area by harming its verdant character.
- 7.4.13 In summary, it is considered that the proposal would be harmful to the character of the area. The proposed cul-de-sac would be tight and give rise to a cramped development that would fail to relate to the spacious character of the area. More importantly, the loss of tree cover associated with the proposal would be unduly harmful to the amenity value of this protected pocket of trees and the character of the area. Trees and greenery are an important feature of the Wooded Hills Character Area and this is recognised in the WUAC SPD. Whilst each proposal is assessed on its own merits, the Council has recently experienced pressure for releasing woodland sites elsewhere within the Wooded Hills. These applications have been resisted, as releasing this land would harm the integrity of the Character Area, a position that has been successfully defended at appeal. The proposal would be accessed off Devonshire Drive and the loss of trees would also erode the verdant character of the Hedged Estates. For these reasons, the proposal would be considered contrary to Policies CP2 and DM9 of the CSDMP, Principles 6.6 and 7.4 of the RDG and Guiding Principles WUA2, WUA3, WH1, WH2, WH3, H1, H2 and H3 of the WUAC SPD and Policies CP2 and DM9 of the CSDMP.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Principles 8.1 and 8.3 state that new development should seek to protect the privacy and light levels that current neighbours currently enjoy. Principle 7.6 advises that new housing developments should comply with the national internal space standards, whereas Principle 8.4 sets out the outdoor space standards. Principle 8.2 goes on to say that habitable rooms in new developments should be provided with adequate outlook.
- 7.5.2 Plot 1 would be adjacent to no 16 Devonshire Drive to the rear. At its closest point there would be a separation distance of approximately 11.7m between Plot 1's rear elevation and the common boundary with no 16, which would increase to about 27.7m to no 16's rear elevation. Section 8 of the RDG advises that a separation distance of 20m is a generally accepted guideline for there to be no material loss of privacy between the rear elevation of two buildings and the proposal would comply with this. At this distance, and given Plot 1's size and scale it is not considered it would be unduly overbearing or overshadow these residents.



- 7.5.3 At its closest point Plot 1 would retain a separation distance of about 24.4m to the dwelling at no 15 Devonshire Drive. Owing to this distance, as well as to the relationship between both dwellings, it is not considered Plot 1 would unacceptably impact on the residential amenities currently enjoyed by these residents.
- 7.5.4 The rear elevation of Plot 2 would be sited at about 28.8m from the rear boundary of no 27 Larchwood Glade, whereas the rear elevation of Plot 3 would retain a distance of approximately 30.1m from this same boundary. At these separation distances, it is not considered the proposal would significantly erode the residential amenities currently enjoyed by these neighbours.
- 7.5.5 The side elevation of Plot 1 would retain a separation distance of approximately 27.3m to the common boundary with no 29 London Road, whereas Plot 3's flank wall would retain a separation distance of about 17.5m to the common boundary with this neighbouring property. At this distances, the proposal would be considered to sufficiently respect the residential amenities currently enjoyed by the occupants of no 29.
- 7.5.6 Turning into the residential amenities of the development's future occupiers, the gables belonging to Plots 1 and 2 would retain a separation distance of about 6.5m between them. These gables would contain first floor flank windows facing each other, however these would be secondary sources light to the rooms they serve and could be secured to remain obscure glazed and fixed shut below an internal height of 1.7m, in the interests of privacy. The other front windows would retain a separation distance of about 15.8m between themselves, and this distance would be considered sufficient to avoid overbearing, overshadowing or privacy impacts.
- 7.5.7 Plot 2 and Plot 3 would retain a separation distance of about 1.8m between their flank elevations. Their window position is such that there would not be mutual overlooking between both properties and, giving the side by side relationship of both dwellings, they would also be considered acceptable in terms of overbearing and overshadowing impacts.
- 7.5.8 All dwellings would be provided with an internal space in excess of the national standards and the habitable rooms of each dwelling would be provided with adequate outlook. The application site is adjacent to a railway to the south. The Environmental Health Officer has been consulted on the proposal and advises that the railway noise is unlikely to breach any noise standards due to the distance from the proposed, the noise of the trains, and the line being within a cutting. The proposal is therefore considered acceptable in this regard.
- 7.5.9 The 'Daylight, Sunlight and Overshadowing Assessment' submitted in support of this application notes that there would be sufficient daylight within each room throughout the development. However, this assessment also concludes that due to the presence of the retained trees and their orientation in relation to the sun, the garden areas to the east of the site would fail to receive adequate sunlight. Plot 2, for instance, would not receive any direct sunlight on 21 March. This is reflected on page 13 of the report, which concludes that *'Figures 13-14 show that some of the proposed garden/amenity areas on site will receive sunlight above the BRE criteria on the 21st March with the Development in place. Due to the presence of the retained trees and their orientation in relation to the sun, garden/ amenity areas to the east of the site will be below the recommended criteria, however all gardens will receive some sunlight'*.
- 7.5.10 In terms of their size, screening and access, the size of the proposed gardens would comply with the standards recommended by the RDG. However, Guiding Principle 8.4 recommends that gardens receive direct sunlight and are not heavily overshadowed by trees and tall hedges. The number of trees shown on the proposed site plan to be retained within the rear gardens of the proposed dwellings would render them virtually unusable from an amenity perspective.

- 7.5.11 Considering the size of the rear gardens, the retained trees would cast a heavy semi-permanent shadow across them and limit the private outdoor garden space where future occupiers could sit out and have direct access to sunlight. This would be considered to lead to post development pressure to detrimentally prune or even remove trees to increase amenity space, allow more sunlight into the buildings/gardens, reduce or remove any perceived over-dominance as well as fear of tree/branch failure and to abate minor seasonal nuisances such as falling debris (twigs, leaves, bird droppings etc). As such, it is considered that the proposal would fail to provide adequate and private amenity space for the future occupiers.
- 7.5.11 Concerns have been raised in regards to noise, dust and fumes that would be generated by the proposal. It is noted that the Environmental Health Officer did not raise any concerns in regards of this matter. In any event, as the proposed development would be minor in nature the construction phase would not be expected to last for a significant period of time. The proposal would therefore be considered acceptable in this regard.
- 7.5.12 The proposal would not be considered to affect the residential amenities of the neighbouring properties. However, it would fail to provide adequate garden space to the dwellings' future occupiers and, as such, the proposal would not comply with Policy DM9 of the CSDMP and Principle 8.4 of the RDG, which states that private outdoor gardens space should, amongst other things, not be heavily overshadowed by trees.

## **7.6 Parking and access**

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 The submitted Technical Transport Note has demonstrated using the approved TRICS methodology that the proposed development of 3 dwellings would generate a daily total of 13 additional car trips with 2 of these being in the AM peak hour and 1 in the PM peak. The County Highway Authority (CHA) accepts that such an increase is very small in the context of the wider highway network and would not constitute a severe impact in terms of capacity and congestion. The CHA is satisfied that safe access for 3 dwellings can be provided from Devonshire Drive.
- 7.6.3 The CHA notes that vehicle tracking for a refuse vehicle indicates the swept path would pass outside of the area of carriageway and potentially into areas of planting and amenity. However, an alternative would be for refuse collection to take place from the end of Devonshire Drive, with a bin collection point created within the site enabling the refuse collection vehicle to get within 25m of the collection point, in accordance with Manual for Streets guidance. The provision of such collection point could be secured by planning condition.
- 7.6.4 The swept path drawings have shown that each of the proposed parking spaces, including the additional visitor parking bay, can each be accessed and allow for vehicles to turn within the site. The CHA is satisfied that a Fire tender could access to within 45 metres of the entrance to each of the proposed dwellings as required. The CHA therefore raises no objection to the proposal, subject to planning conditions. One of these conditions requires the submission of a Construction Transport Management Plan, which would address concerns raised in respect of vehicle parking during construction.
- 7.6.5 The proposal is therefore in line with Policy DM11 of the CSDMP.

## **7.7 Ecology**

- 7.7.1 Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath. Where appropriate, new development will be required to contribute to the protection, management and enhancement of biodiversity.

- 7.7.2 The Surrey Wildlife Trust has been consulted on the proposal and advises that the site is identified by Natural England as Deciduous Woodland Habitat of Principal Importance (HPI) for the purpose of conserving biodiversity in England, in line with the provisions of Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. However, the Trust advises that it would appear from the arboricultural report and ecological report that this is not in fact the case as the site is dominated by Scots Pine, albeit there are broadleaf trees present on site. Notwithstanding this, the wooded compartment would be significantly fragmented as a result of the proposal and it is not considered that the mitigation measures would adequately compensate for this loss of this area.
- 7.7.3 The Trust further recommends that, should permission be granted for the development, the provision of a Woodland Management Plan is secured by planning condition. However, as discussed in Section 7.4 above, it is not considered that this would adequately mitigate against the loss of trees.
- 7.7.4 An Ecological Report and Supplementary Bat Report have been submitted with the current application. The site is well-treed, making it suitable for foraging and commuting Bats. The Arboricultural report assessed the site as having hundreds of trees which in accordance with the ecology report have negligible or low roost suitability. Four Scots Pine trees were considered to have moderate roost suitability and it is understood that these trees would be felled as part of the current proposals. The Supplementary Report, recommends a precautionary approach to felling. Accordingly a planning condition securing construction works to be undertaken in accordance with the Supplementary Bat Report could be added in the event planning permission is granted for the proposal. A Sensitive Lighting Management Plan could also be secured by planning condition, should planning permission being granted for the proposal.
- 7.7.5 The Trust further advises that invasive species should be eradicated using qualified and experience contractors. In respect of reptiles, the Trust recommends that works should cease immediately should these be found on site. Construction activities on site should have regard to the potential presence of Badger and other mammals to ensure that such species do not become trapped in trenches, culverts or pipes. Development activities such as vegetation or site clearance should be timed to avoid the Bird nest season of early March to August inclusive. This is all detailed within section 4.0 Discussion and Recommendations of the Ecological Report and therefore a planning condition could be added to any granted consent securing works to be undertaken fully in accordance with the Ecological Report.
- 7.7.6 The Trust further notes that if closed fencing is to be erected as part of the proposals, this should include 13cm x 13cm holes for Hedgehog and 20cm x 20 cm for Badger in the base to allow the free movement of mammals over the development site. This could be requested as a part of the landscaping condition, should planning permission be granted for the development.
- 7.7.7 The Surrey Wildlife Trust is generally supportive of the Ecological Report and of the Supplementary Bat Report submitted with this application and considers that the proposal would offer opportunities to restore or enhance biodiversity on site in accordance with para 175 of the NPPF. The Trust further advises that the application should demonstrate a measureable biodiversity net gain at the site secured as a result of the proposed development. Whereas this has not been demonstrated during the live period of this application, the Trust did not recommend refusal of this application. As such, an informative has been added to this recommendation advising the applicant that any future re-submission of this scheme should demonstrate that a biodiversity net gain can be achieved on site.
- 7.7.8 A representation received in respect of this application notes that newts, slow worms and population of Willow Tits (a Red List species) are present in the area. It is, however, noted that the Surrey Wildlife Trust did not raise any concerns in respect of these.
- 7.7.9 It is therefore considered that the proposed development would be fail to comply with policy CP14A of the CSDMP.

## **7.8 Impact on infrastructure**

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.
- 7.8.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.
- 7.8.3 As the proposed development would involve the provision of three additional residential units totalling 506.7m<sup>2</sup> of floorspace, the development would be CIL liable. The site falls within the Western Charging Zone, for which the charge is £180 per m<sup>2</sup>, for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

## **7.9 Impact on Thames Basin Heaths SPA**

- 7.9.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.
- 7.9.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2019) 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 financial contribution towards SANGS.
- 7.9.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.9.4 Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).
- 7.9.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £2325 which has not been paid by the applicant.
- 7.9.6 It is therefore considered that the proposal would fail to comply with Policy CP14B of the CSDMP and with the Thames Basin Heaths SPD.

## **7.10 Other third party comments**

- 7.10.1 Given the size of the proposed development and considering it falls within Flood Zone 1, there is no requirement for drainage details to be provided. This matter will be assessed under building regulations.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 The proposal would seek to boost the supply of housing in the context that the Council cannot currently demonstrate a deliverable five-year supply of housing land. However, the proposal is for only three new dwellings. Consequently, the modest contribution that the proposal would make in housing supply terms is a matter that weighs in its favour to only a limited degree.
- 9.2 One of the main pressures on the Wooded Hills Character Area is the urbanisation of the semi-rural character through the loss of woodland. In recent years, the Council has successfully defended this happening on appeal, for other sites within the Wooded Hills. Similarly, development on this site would result in the loss of a valuable tree pocket, erode the soft and green character of the area and harm the overall integrity of the Wooded Hills. It is also considered that the proposed cul-de-sac would fail to respect surrounding pattern of development, not provide adequate living conditions for future occupiers, and has failed to mitigate against its adverse effect upon the integrity of the Thames Basin Heaths SPA.
- 9.3 Although the proposal would be acceptable in terms of its impact of the residential amenities of the adjacent neighbours and highway safety, it is not considered that the identified adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.
- 9.4 The application is therefore recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reasons:

1. The proposed development would erode the tree compartment located between Larchwood Glade and Devonshire Drive and result in the loss of a significant number of trees that make a positive contribution both as a group and individually to the surrounding environment. The harm to this part of the defined Wooded Hills Character Area, for which its soft and green character is a key characteristic, could not be mitigated through replacement planting. The proposed development is therefore contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Guiding Principles WUA2, WUA3, WH1, WH3 and HE3 of the Western Urban Area Character Supplementary Planning Document 2012 and the National Planning Policy Framework.

2. The proposed development, by virtue of the plot sizes and closely set buildings, would give rise to a cramped form of development that would fail to respond to the layout that can be seen on surrounding cul-de-sacs and be contrary to the prevailing spacious character of the area. As such, the proposal would fail to integrate into its surrounding context, respect and enhance the character and quality of the area, including the Wooded Hills Character Area and would be contrary Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Guiding Principles WH1, WH2, HE1 and HE2 of the Western Urban Area Character Supplementary Planning Document 2012 and Principles 6.6 and 7.4 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
3. The proposal would fail to provide an acceptable level of usable amenity space to its future occupiers due to the significant overshadowing of the garden area which would arise due to proximity and size of retained trees covered by a Tree Preservation Order (TPO 7/71) located on the site. Moreover this arrangement would be likely to give rise to pressure for the pruning or felling of these trees, which would add to the identified harm to the character of the area (reason for refusal 1). The proposal would therefore be detrimental to the residential amenities of its future occupiers, contrary to Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principle 8.4 of the Residential Design Guide Supplementary Planning Document 2017 and the National Planning Policy Framework.
4. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2019).

### **Informative(s)**

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.
3. The applicant is advised that any future re-submission of a residential scheme on this site should clarify that there will be a measureable biodiversity net gain at the site secured as a result of the proposed development. The applicant may wish to use an appropriate metric such as the DEFRA Biodiversity Metric 2.0 to demonstrate how the site will provide biodiversity net gain.
4. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.



<b>APPLICATION NUMBER</b>	<b>SU/20/0752</b>
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**DEVELOPMENT AFFECTING ROADS**  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Mr Arran Atkinson

**Location:** Land Between Larchwood Glade And Devonshire Drive Camberley Surrey GU15 3UW

**Development:** Erection of 3no two storey detached dwellings (1x 3bed and 2x4bed) with private amenity area, parking and access.

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	3 September 2020	<b>Response Date</b>	12 February 2021
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

**CONDITIONS**

- 1) No part of the development shall be commenced unless and until the proposed vehicular access to Devonshire Drive has been constructed in accordance with the approved plans.
- 2) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.
- 3) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.
- 4) No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) HGV deliveries and hours of operation
- (e) vehicle routing
- (f) measures to prevent the deposit of materials on the highway
- (g) on-site turning for construction vehicles

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

### REASON

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2019.

### POLICY

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

### HIGHWAY INFORMATIVES

- 1) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.

[www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs)

- 2) The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 3) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 4) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a



site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

- 5) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
- 6) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:

<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html>

for guidance and further information on charging modes and connector types.

Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment: <https://www.theiet.org/resources/standards/cop-electric.cfm>

#### NOTE TO PLANNING OFFICER

The submitted Technical Transport Note has demonstrated using the approved TRICS methodology that the proposed development of 3 dwellings would generate a daily total of 13 additional car trips with 2 of these being in the AM peak hour and 1 in the PM peak. The County Highway Authority (CHA) accepts that such an increase is very small in the context of the wider highway network and would not constitute a severe impact in terms of capacity and congestion. The CHA is satisfied that safe access for 3 dwellings can be provided from Devonshire Drive, but reserves the right to amend its response for any future proposed development on this site.

The CHA notes that vehicle tracking for a refuse vehicle indicates the swept path would pass outside of the area of carriageway and potentially into areas of planting and amenity. However, an alternative would be for refuse collection to take place from the end of Devonshire Drive, with a bin collection point created within the site enabling the refuse collection vehicle to get within 25m of the collection point, in accordance with Manual for Streets guidance.

The swept path drawings have shown that each of the proposed parking spaces, including the additional visitor parking bay, can each be accessed and allow for vehicles to turn within the site.

The CHA is satisfied that a Fire tender could access to within 45 metres of the entrance to each of the proposed dwellings as required.

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## ARBORICULTURAL AND LANDSCAPE CONSULTATION

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**TO:** PATRICIA TERCEIRO  
**FROM:** PAUL S WATTS  
**SUBJECT:** 20/0752 - LAND BETWEEN LARCHWOOD GLADE AND  
DEVONSHIRE DRIVE CAMBERLEY GU15 3UW  
**DATE:** 20 OCTOBER 2020

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Patricia

Further to the current development application in relation to the above location, the following observations and comments are made in relation to Arboricultural and landscape matters:

- The proposals are for the erection of 3no two storey detached dwellings (1x 3bed and 2x4bed) with private amenity area, parking and access.
- An Arboricultural report has been prepared in this instance by SMW Tree Consultancy [Steve Wood] and dated 23 June 2020. The report is BS5837:2012 compliant and includes an Impact Assessment, Method Statement and a Tree Protection Plan / Tree Constraints Plan and complies with the local validation requirements.
- There are extant statutory controls in relation to the trees currently located on or immediately adjacent the property by way of TPO 07/71 and which is currently an Area Order.



- The Arboricultural Report advises many trees [201] within a clearly defined and localised compartment that has attained over many years, a wooded characteristic. There are significant individual trees and understorey in relation to the property which falls towards a railway cutting to the south. The site has had little in the way of any appropriate management for a considerable period other than some minor health and safety works approximately 2 years ago. The failure to maintain this area has resulted in a slow but progressive decline in the “woodland” structure and appearance.

The report advises that 46 trees would be removed to facilitate the proposals or require facilitation pruning works. Additional tree management surgery works have been specified and are acceptable. All tree works should be undertaken by a professionally qualified and appropriately insured specialist contractor in accordance with BS3998:2010 – Tree Works.

- Tree and ground protection measures have been detailed within the report and plan which are appropriate for the location and acceptable and must be a Condition of any consent granted.

Special attention and emphasis have been placed on the provision of access and associated wearing surfaces to ensure a minimal intrusion and potential impact on the retained trees.

- The report advises minor intrusions within the RPA of retained trees in relation to Plot 1 only which amounts to 3.5% and significantly below the British Standard threshold. The current British Standard states that **‘The default position should be that structures are located outside the RPA’s of trees to be retained’** and **‘However, where there is an overriding justification for construction within the RPA, technical solutions might be available that prevent damage to trees.’** This would typically involve the use of above ground pile and beam footings or hand excavated localised concrete support pads etc. The project arboriculturist has adequately:

**a) demonstrated that the tree(s) can remain viable**

**b) proposed a series of mitigation measures to maintain or improve the soil environment that is used by the tree for growth.**

N.B. The 2012 revision of the BS5837 removed the up to 20% offsetting of root protection areas in a simplistic and arbitrary manner. The only opportunity under the current standard to adjust an RPA is through informed evidential interpretation and justification. The consultant has correctly and appropriately chosen not to offset RPA’s due to the wooded nature of the location.

- Local geology is reported as being:

**Bedrock geology description:** *Camberley Sand Formation - Sand. Sedimentary Bedrock formed approximately 34 to 56 million years ago in the Palaeogene Period. Local environment previously dominated by shallow seas.*

*Setting: shallow seas. These rocks were formed in shallow seas with mainly siliciclastic sediments (comprising of fragments or clasts of silicate minerals) deposited as mud, silt, sand and gravel.*

Vegetation related clay shrinkage subsidence has not been reported as an issue within this general area in the past and it is unlikely therefore that subsoils would be prone to volumetric change in the presence of significant vegetation.

Tree roots grow in the direction of least resistance and where they have the best access to water, air and nutrients. Root growth can cause physical damage to structures by simply pushing the ground apart and should be a consideration with regards to foundation provision.

- Landscape planting / Replacement planting is most definitely a requirement in this instance. Due consideration will need to be given to appropriate species selection. As part of a woodland management plan, a proportion of the pernicious and undesirable understorey will need to be removed [Holly, Rhododendron and Laurel] as part of good practice. This will add to planting opportunities and the introduction of differing age classifications with various sized replacement/restocking vegetation. The long-term aim should be the phased removal of the dominant Scots Pines which are approaching end of life viability and to replace these with broadleaf deciduous trees to reflect the local and wider landscape profile of the area.
- The current BS5837:2012 requires there to be an auditable system of Arboricultural site monitoring with direct on-site supervision of activities close to or within any RPA of retained trees. The frequency of site visits is to be agreed in writing in advance of the commencement of development.
- There is reference within the Arboricultural Report to a pre commencement site meeting. This will be an essential element of any consent should members choose to approve the scheme.

*The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by SMW Tree Consultancy [Steve Wood] and dated 23 June 2020. No development shall commence until digital photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of any facilitation tree works and the physical tree and ground protection measures having been implemented and maintained in accordance with the Arboricultural Report. The tree protection measures shall be retained until completion of all works hereby permitted.*

**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.*

## **Conclusion.**

The proposal to build within this area has been looked at on a number of occasions in recent years and a good deal of effort has been made by many parties to discuss and identify a minimal scheme that would fit within the northern sector of the site and retain the southern half as a compact woodland compartment.

The woodland has suffered from a lack of past management and failure to start to offset and minimise the progressive deterioration will result in its terminal decline. The development of the northern section would provide an opportunity to retain the woodland in a managed state albeit in a reduced form.

To that end, should approval be considered for these proposals, a comprehensive woodland management plan of 15-20 years should be submitted and agreed in advance of any commencement of works. This should include details on planting as well as regular management to trees and the containment of pernicious species. The funding for such a plan would need to be detailed and submitted.

Details will also be required for replacement/landscape planting proposals within the development. Species selection should complement the local landscape but may include cultivated varieties such as those with fastigate forms that will not spread and outgrow the location. The use of high ornamental species should not be approved. Landscape planting within the development area should comprise semi mature stock.

Lastly, the woodland is currently subject to an Area TPO. Should approval be granted for the current proposals, a new Woodland Order should be made to add additional protection to the southern sector as this would protect not only the retained trees but also any new planting and self-set seedlings and saplings. The northern sector should then have a new tree specific Order put in place to cover existing retained trees and new

landscape planting trees. The current tree plan would provide the basis for a new tree specific Order.

Subject to the above observations, recommendations and proposed Conditions, I would raise no tree or landscape related objections to the proposals at this stage.

I trust this information is of assistance to you.

**Paul S Watts**

**Arboricultural Officer**

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**TREE COMMENTS: LAND BETWEEN LARCHWOOD GLADE AND DEVONSHIRE DRIVE CAMBERLEY GU15 3UW**

**Application No: 20/0752**

**DATE: 02/2/2021**

**Terminology:**

Tree preservation order (TPO), root protection radius (RPR), root protection area (RPA), tree protection fencing (TPF), ground protection (GP), construction exclusion zone (CEZ), arboricultural impact assessment (AIA), tree constraints plan (TCP), arboricultural method statement (AMS), tree protection plan (TPP). British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations (BS5837:2012).

- The area is Characterised by hilly areas, large irregular plots, winding roads/lanes, heavy vegetation and a scattering of Victorian/Edwardian buildings, this area has a semi - rural residential character
- Dense vegetation is one of the key characteristics. Large trees, hedges and dense mature vegetation give the area a dominant soft, green character. A large number of trees are protected by TPO's. In many places vegetation is of a density and stature to create green tunnels along the roads.

the proposed site for the development is what is likely a remnant of this heavily vegetated woody area.

An arboricultural report was submitted from SMW trees dated: 23<sup>rd</sup> June 2020

A significant number of trees are proposed for removal (46) which have been classified individually using the tree categorization method of BS5837. As a woodland it should be classified as either B2 or A2 as this is the most appropriate category which looks at the landscape quality as a collective rather than the individual tree. Although some trees are considered poor specimens individually the majority are considered B class trees. I consider them collectively to be important because of the contribution they make as a group to the local sylvan environment. Their loss would diminish the positive contribution the trees on the site make to the verdant and mature local landscape and trees that are present in numbers such as these would attract a higher score than they might as individuals and I consider then to fall within the B2 category of 4.5 (Table 1) of BS 5837.

- The removal of trees with inherent defects, decay or features likely to attract wildlife will inherently reduce the ecological value of this woodland.

Although the applicants have suggested that additional planting would take place (landscaping scheme) The number of trees lost to this development could not be adequately replaced through such a measure nor does the proposal provide a biodiversity net gain for the site. A detailed Woodland Management Plan is proposed and should planning permission be granted this would not mitigate the significant loss of tree coverage nor the urbanising effect to any great degree.

5.3.1 BS 5837. States that the default position should be that any new structures (including surfacing) should be located outside the minimum root protection area of trees to be retained. Due allowance and space should also be given for the future growth and maintenance of existing trees. If structures (including hard surfacing) are proposed within the root protection area of retained trees it will require an overriding justification. (5.3.1 of BS5837). The project arboriculturist would need to:

- demonstrate that the trees can remain viable,

## Annex B

- the area lost to encroachment can be compensated for elsewhere contiguous with the root protection area (RPA) and
- mitigation measures provided to improve the soil environment of the trees can be implemented.

The applicants have not provided an overriding justification for planned incursions into the RPA of protected trees and it has not been demonstrated that the trees affected by the development can remain viable, nor the area lost to encroachment can be compensated elsewhere contiguous with the RPA.

### **Utilities**

Details of the alignment of existing and proposed overhead and underground utility services including drainage and soakaways and their associated structures (e.g. manhole covers, meters, access points, vertical supports) have not been provided. With the current confines of the site it is unlikely that this can be achieved without further impact on trees. I am therefore unable to assess the impact utilities/service runs would have upon on/off-site trees.

7.7.1 of BS5837: where underground apparatus is to pass within the RPA, detailed plans showing the proposed routing should be drawn up and, in such cases, trenchless insertion methods should be used. It should, however, be established that these methods of installation are possible on this site before they are relied upon. As no plans have been provided it is impossible to tell what the likely impacts or feasibility of the installation of utilities will be.

### **Post development**

There will be a need for hard surfacing around the properties (patios/open spaces) including the rear gardens post development. The increase of hard surfacing within the trees root protection areas will have an impact on their ability to access rainwater, exchange carbon dioxide and oxygen, and assimilate micro and macronutrients within the soil, which is key to their survival.

The number of trees shown to be retained within the back gardens of these properties will make them almost unusable from an amenity stand point. Considering the size of the rear garden, the retained trees will cast a heavy semi-permanent shadow across the rear elevation and garden. This will lead to certain post development pressure to detrimentally prune or even remove trees to;

- increase amenity space,
- allow more sunlight into the buildings/gardens,
- reduce or remove any perceived over-dominance as well as fear of tree/branch failure,
- and to abate minor seasonal nuisances such as falling debris (twigs, leaves, bird droppings etc.).

Overshadowing will most likely result in a decrease of the residents' amenity and the size and proximity to the trees is likely to cause unreasonable interference with residents' prospects of enjoying their property. Garden space is an important part of a family dwelling and the amenity value of plots 1, 2 and 3 would be largely negated by the domineering presence of the retained trees as the trees are either mature or reaching full maturity.

Whilst protection afforded by the TPO would enable the Council to control any future tree work, it would be difficult to refuse an application to significantly cut-back or even remove a tree that was threatening the safety of the occupiers, or having a harmful effect on their enjoyment of the property. There can be no certainty that such pressures could be reasonably resisted. Trees protected by a TPO merit special care, and this woodland is no exception. Even with such permission the surrounding vegetation would still shade the gardens of the property such is the closeness of the site, the gardens lay east/west and there would be an expectation they would receive at least some sun during the day.

## Annex B

Where tree retention is proposed in conjunction with nearby construction, the objective should be to achieve a harmonious relationship between trees and structures that can be sustained in the long term, there should also be consideration for the future height and spread of these trees which has not been considered. 5.2.4 of BS5837: Particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development (see 4.5.11). Where such trees are retained, adequate space should be allowed for their long-term physical retention and future maintenance.

with the above in mind I consider there to be insufficient space within the site to accommodate the buildings in the position shown without resulting in an unacceptable relationship between the trees and the built development and thereby directly compromising the long-term health and retention of protected trees.

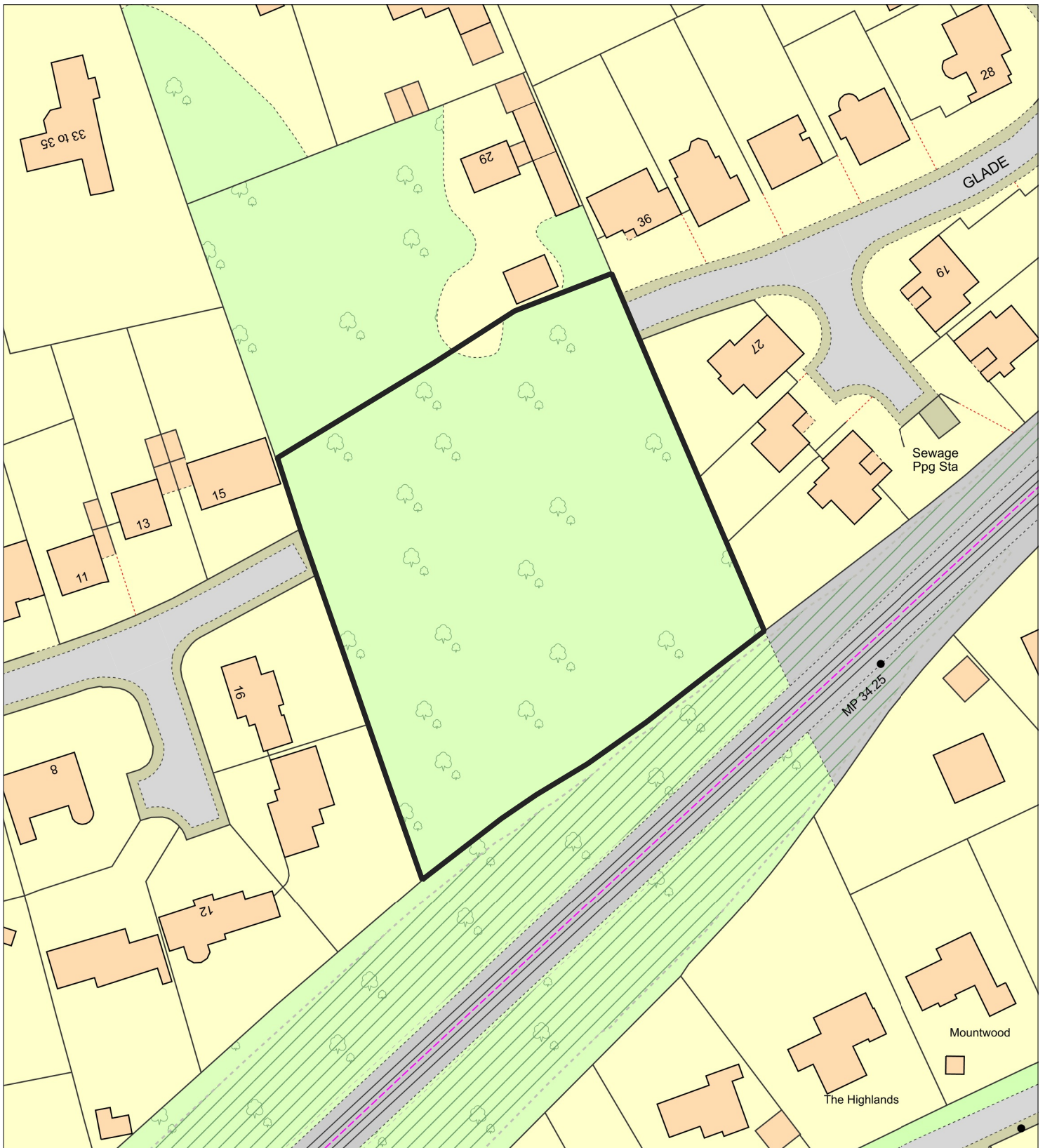
The juxtaposition between the protected trees (woodland) and the proposed dwellings is unsatisfactory and would not meet the NPPF's core planning principle Section 175 (c) of the revised NNPPF which states 'development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons e.g. infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat and a suitable compensation strategy exists. **The application site and planned development would not meet these criteria.**

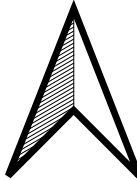
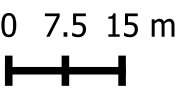

## CONCLUSION

If the numbers of trees proposed were removed along with the foreseeable likely loss of trees post development, the amenity value of the woodland would be significantly diminished and the appearance of surrounding area would suffer as a result, this would unacceptably harm the sylvan character of the area and so overall, I therefore consider that the loss of a substantial proportion of trees would fragment the current woodland. This would have an urbanising effect and would cause significant harm to the character of the area.

Given the above and the significant loss of so many trees that are collectively considered high amenity features within the local and wider landscape the proposal fails to adequately secure the protection of important protected trees which contribute positively to the character and appearance of the area. I therefore recommend refusal of the application under policies DM9.

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<b>Title</b>	Planning Applications		
<b>Application number</b>	20/0752/FFU	  0 7.5 15 m	<b>Scale @ A4</b> 1:1000
<b>Address</b>	Land Between Larchwood Glade And Devonshire Drive Camberley Surrey GU15 3JW		<b>Date</b> 24 Feb 2021
<b>Proposal</b>	Erection of 3no two storey detached dwellings (1x 3bed and 2x4bed) with private amenity area, parking and access.		
Page 93 Version 5      © Crown Copyright. All rights reserved. Surrey Heath Borough Council 100018679 2021      Author: DE			

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20/0752/FFU – LAND BETWEEN LARCHWOOD GLADE AND DEVONSHIRE DRIVE,  
CAMBERLEY, GU15 3UW

Location Plan



Block plan



Plot 1: Proposed elevations and floor plans



East Elevation



West Elevation

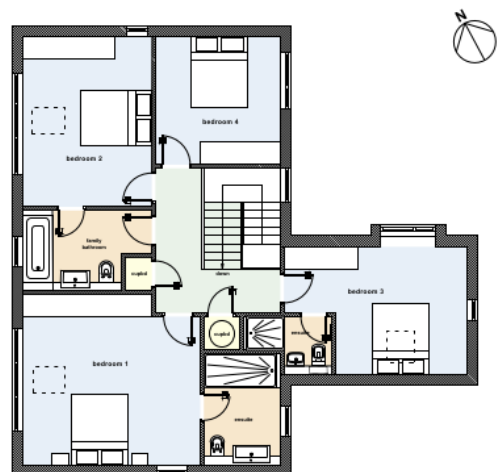
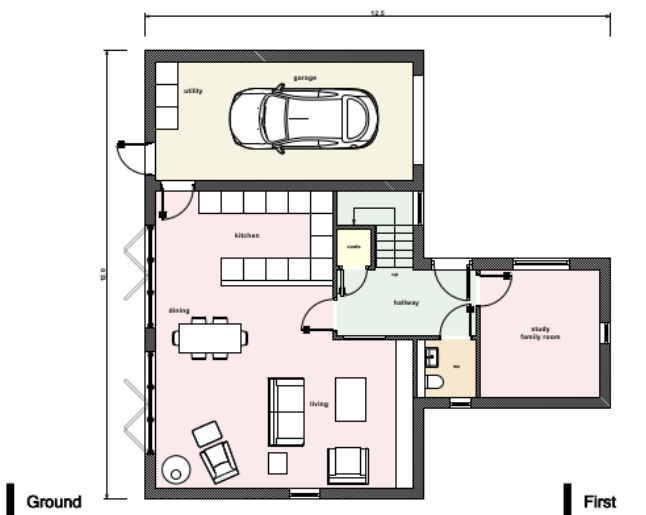
- Materials
1. Buff brickwork
  2. Engineered timber cladding
  3. Diamond pattern roof tiles
  4. PPC aluminium windows



South Elevation



North Elevation





Plot 2: Proposed elevations and floor plans



East Elevation



West Elevation

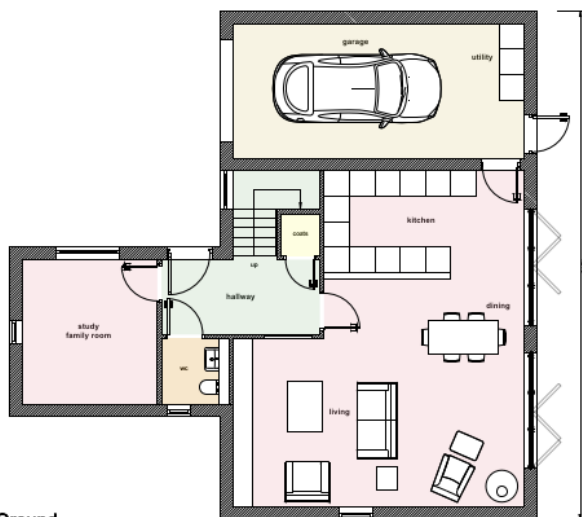
- Materials
1. Buff brickwork
  2. Engineered timber cladding
  3. Diamond pattern roof tiles
  4. PPC aluminium windows



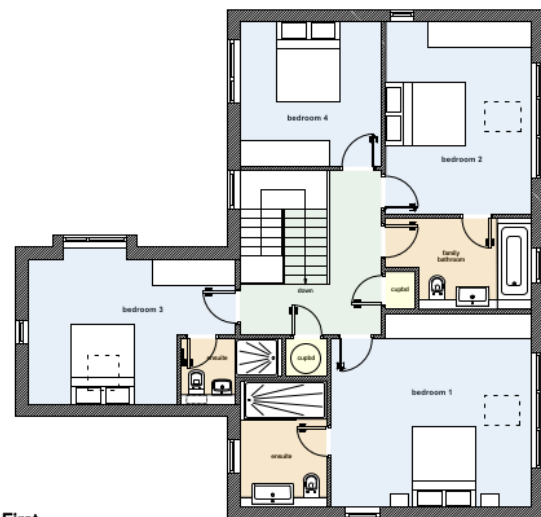
North Elevation



South Elevation



Ground



First

Plot 3: Proposed elevations and floor plans



West Elevation



South Elevation

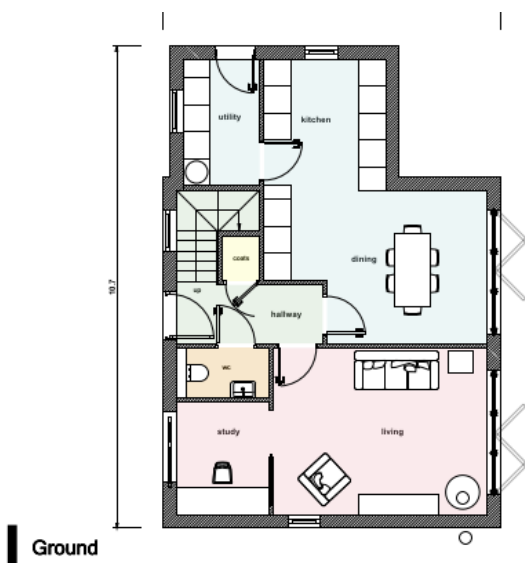
- Materials:
1. Buff brickwork
  2. Engineered timber cladding
  3. Diamond pattern roof tiles
  4. PPC aluminium windows



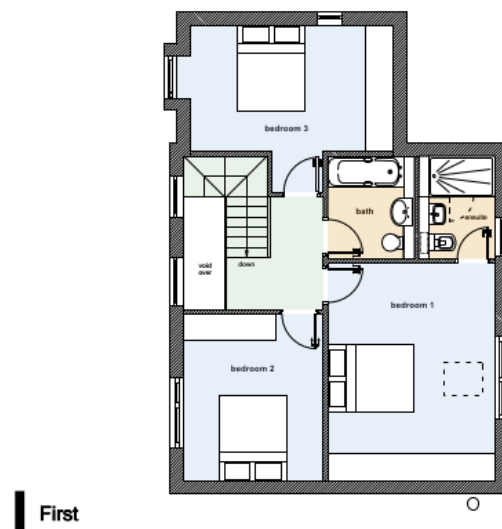
East Elevation



North Elevation



Ground



First

Site Photos: application site as seen from Devonshire Drive





<b>LOCATION:</b>	Matthews Corner Garage, Matthews Corner, Church Road, Windlesham, Surrey, GU20 6BH,
<b>PROPOSAL:</b>	Erection of 6 no. dwellings in the form of 2 no. two storey terraced buildings (comprising 3 no. 2 bed and 3 no. 3 beds), associated parking and landscaping following demolition of the existing buildings on site (Existing dwelling of Shanklin to be retained).
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Cavalier City Ltd
<b>OFFICER:</b>	Miss Patricia Terceiro

**This application would normally be determined under the Council's Scheme of Delegation. However, it is being reported to the Planning Applications Committee at the request of Cllr Pat Tedder, on the grounds that this application addresses the previous reasons for refusal.**

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 The application site is located on the eastern side of Church Road, outside the settlement areas of Windlesham, and within the Green Belt and the Church Road Conservation Area. The application site currently comprises a commercial car sales business. The site faces open land on the other side of Church Road. The proposal is to replace the existing business with six dwellings in the form of two terraced buildings.
- 1.2 The proposal is considered to be inappropriate and harmful development in the Green Belt, meeting none of the exceptions for new buildings within the Green Belt, and would be harmful to openness due to the quantum of built form proposed. In addition, the proposal would be detrimental to the spacious character of the area. It is not considered that the factors advanced by the applicant amount to very special circumstances to outweigh the identified Green Belt harm and other harm caused. The proposal is therefore recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 Matthews Corner Garage is located on the east side of Church Lane, close to its junction with Kennel Lane. The irregularly shaped application site currently comprises the car sales business historically known as 'Matthew's Corner Garage' and the adjoining residential property within the same ownership known as 'Shanklin'. The application site has frontages to Kennel Lane to the north and to Church Road to the west, which gives vehicle access to the site.

- 2.2 Surrounding development mostly comprises of detached dwellings, of varied architectural styles, though there are also some semi-detached cottages. On Kennel Lane, further to the east, there is also a row of terraces. The plot sizes and building lines also vary, though most have generous gardens. To the opposite side of the Church Road there is open land.
- 2.3 The application site lies within Green Belt land and forms part of the Church Road, Windlesham Conservation Area. Walnut Tree Farm, a Grade II listed building sits to the north of the application site.

### 3.0 RELEVANT HISTORY

- 3.1 10/0556 Erection of 5 detached dwellings comprising of 4 detached two storey dwellings with roofspace accommodation and 1 chalet bungalow, and two detached double garages with associated parking and access. Refused, 2010 for the following five reasons summarised below:
- Reason 1 refers to inappropriate development in the Green Belt which would conflict with the purposes of including land with it and would be detrimental to its openness.*
- Reason 2 refers to character of the area. The development proposed, by virtue of the scale, siting and massing of the proposed houses would result in a visually cramped form of development which would have an urban, regimented and formal appearance and would be incongruous in this rural location which is characterised by spacious low density residential development.*
- Reason 3 refers to direct overlooking from bedroom windows in Plot one to Matthews Corner.*
- Reasons 4 and 5 refer to the proposal's impact on the Thames Basin Heaths SPA.*
- 3.2 10/0590 Certificate of Lawful Development for the existing use of land and garage for parking, storage and valeting of motorcars (Sui Generis) in conjunction with adjacent motorcar sales site. Agreed, 2010.
- 3.3 19/0489 Erection of a terrace of 3 no two storey dwellings and one detached building to accommodate 5 no flats with associated bin store, parking and landscaping, following demolition of existing buildings on site.
- This application was presented to Planning Committee on 12 September 2019 with an Officer recommendation to refuse and was refused for the following reasons:
- 1 - The proposal constitutes inappropriate and harmful development in the Green Belt not meeting any of the exceptions under paragraph 145 of the National Planning Policy Framework. By reason of the quantum of built form and the spread of development the proposal would cause further harm to the openness of the Green Belt and conflict with its purposes and cause other harm as identified in reasons 2 -4. There are no very special circumstances that would amount to outweigh the identified harm. The proposal is therefore contrary to the National Planning Policy Framework.*
- 2 - The proposed development, by virtue of its layout, plot size, scale, massing and building height would result in an excessive quantum of development that would appear over dominant and visually cramped in this rural location, which is characterised by spacious low density residential development. The proposal is therefore contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 6.6, 7.3, and 7.4 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017, Policy WNP2.1 of the Windlesham Neighbourhood Plan and the National Planning Policy*

*Framework.*

*3 - The level of parking proposed is insufficient to meet the needs of the 1 and 3 bed dwellings and could result in overspill parking onto local roads and, by association, may rise to conditions prejudicial to highway safety and the free flow of traffic contrary to Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy WNP4.2 of the Windlesham Neighbourhood Plan 2018-2028.*

*Reason 4 refers to the Thames Basin SPA.*

- 3.4 19/2309/FFU Erection of a terrace of 3 two storey dwellings and one detached building to accommodate 4 flats with associated bin store, parking and landscaping following demolition of existing buildings on site (Existing dwelling of Shanklin to be retained).

This application was presented to Planning Committee on 30 April 2020 with an Officer recommendation to refuse and was refused for the following reasons:

*1 - The proposal constitutes inappropriate and harmful development in the Green Belt not meeting any of the exceptions under paragraph 145 of the National Planning Policy Framework. By reason of the quantum of built form and the spread of development the proposal would cause further harm to the openness of the Green Belt and conflict with its purposes and cause other harm as identified in reasons 2 and 3. There are no very special circumstances that would amount to outweigh the identified harm.*

*2 - The proposed development, by virtue of its layout, plot size, scale, massing and building height would result in an excessive quantum of development that would appear over dominant and visually cramped in this rural location, which is characterised by spacious low density residential development.*

*Reason 3 refers to the Thames Basin SPA.*

#### **4.0 THE PROPOSAL**

- 4.1 Full planning permission is sought for the erection of 6 no. dwellings in the form of 2 no. two storey terraced buildings (comprising 3 no. 2 bed and 3 no. 3 beds), associated parking and landscaping following demolition of the existing buildings on site. The existing dwelling of Shanklin would be retained on a reduced curtilage.
- 4.2 Plots 1-3 would face Church Road. The building would have a hipped roof and measure 16.4m in width, 10.7m in depth, 5.3m in height to the eaves and 7.5m in ridge height. The proposed internal layout would be as follows:
- Ground floor: open plan kitchen / living and dining area, WC, hallway
  - First floor, Plots 1 and 2: landing, one bedroom with en-suite, two bedrooms, family bathroom
  - First floor, Plot 3: landing, communal bathroom, two bedrooms.
- 4.3 Plots 4 -6 would face Kennel Lane. The building would have a hipped roof and measure 16.4m in width, 10.7m in depth, 5.3m in height to the eaves and 8.1m in ridge height. The proposed internal layout would be as follows:
- Ground floor: open plan kitchen / living and dining area, WC, hallway
  - First floor, Plot 6: landing, one bedroom with en-suite, two bedrooms, family bathroom
  - First floor, Plots 4 and 5: landing, communal bathroom, two bedrooms.

- 4.4 The development would benefit from a communal parking area located in the central area of the site, with capacity to accommodate 17 no parking spaces, 2 no of which would serve Shanklin. This would be accessed off Church Road through a long driveway that would be shared with Shanklin. All plots would have garden areas to the rear.
- 4.5 The proposal would be externally finished in painted bricks to the walls and natural slate roof tiles, as stated on the application form.
- 4.6 Compared to the 2019 refused application (19/0489), the proposal would provide less two residential units and compared to the 2020 refused application (19/2309/FFU) the proposal would provide one less residential unit. The proposed number of residential units on site has therefore been reduced from eight to six. This current scheme does not comprise flats as the previous schemes did. Parking would continue to be provided in the central area of the site. Therefore, this assessment focuses on whether or not this revised scheme has overcome the previous reasons for refusal.

## 5.0 CONSULTATION RESPONSES

- |     |                                 |   |
|-----|---------------------------------|---|
| 5.1 | Surrey County Highway Authority | No objections (See Annex A).  |
| 5.2 | Environmental Health            | No objections.  |
| 5.3 | Joint Waste Solutions           | No objections.  |
| 5.4 | Windlesham Parish Council       | No objections, provided that the proposal does not adversely impact the Green Belt.   |
| 5.5 | The Windlesham Society          | <p>Objects to the proposal on the following grounds:</p> <ul style="list-style-type: none"> <li>- the proposal would fail to respect the policies of the Windlesham Neighbourhood Plan (notably WNP2.1 and WNP2.2) and of both Conservation Area and Green Belt;</li> <li>- the proposal would result in an increase of over 300% in built volume when compared to the current built volume on site.</li> </ul> |
| 5.6 | Conservation Officer            | No objections, subject to planning conditions.  |
| 5.7 | Surrey Wildlife Trust           | No objections, subject to planning conditions.  |

## 6.0 REPRESENTATION

- 6.1 At the time of preparation of this report 9 no written representations have been received which raise the following issues:
- Cars are not a permanent structure and therefore should not be included in the calculation of existing footprints;
  - The proposals again fail to meet national and local planning policies & criteria including those in Green Belt legislation, the Church Road Windlesham Conservation Area designation and the 2018-2028 Windlesham Neighbourhood Plan;
  - The housing density is too high for the plot. The proposal would represent overdevelopment of the site and appear cramped;
  - The proposed plot sizes would be modest in size;
  - The proposed quantum of built form would be similar to previous applications and the dwellings would appear over-dominant in the streetscene;
  - The proposed design/style is driven by a level of density suited to a town centre not this semi-rural Green Belt area;



- The hedge fronting Kennel Lane is shown as continuous however, if this were to be built, it is likely that within a short time the hedge would be broken up to create pedestrian accesses to the front of the houses from Kennel Lane;
- The proposed development comprises two apparently identical terraces of houses which, by their uniformity, would detract from the surrounding informal development that surrounds it;
- The proposal would result in additional vehicles parking on Kennel Lane [*Officer comment: the proposal would be provided with adequate parking in the parking court to the rear. Any inconsiderate parking would be a police matter that falls outside the remit of planning*].

6.2 At the time of preparation of this report 7 no written representations have been received in support of the application as follows:

- The proposal would be a welcome addition to Windlesham and Church Road that would improve the appearance of the area;
- This small attractive development with off road parking can only be an improvement to the old, busy car sales site it is now which is out of keeping with the location;
- The proposal would reduce daily vehicle movements and therefore will make Church Road and it's junction with Kennel Lane safer.

## 7.0 PLANNING CONSIDERATION

7.1 The application site is located in the Green Belt, as set out in the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). In this case, consideration is given to Policies CP1, CP2, CP3, CP6, CP12, CP14, DM9, DM11 and DM17 of the CSDMP. The Residential Design Guide (RDG) SPD 2017, as well as the Windlesham Neighbourhood Plan (2019) also constitute material planning considerations. Finally, the proposal will also be considered against the principles of protecting the Green Belt land, in accordance with Section 13 of the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered within this application are:

- Principle of development
- Impact on character and appearance of the surrounding area, including Conservation Area
- Residential amenity
- Transport and highways considerations
- Biodiversity
- Impact on infrastructure
- Impact on the Thames Basin Heaths SPA
- Other matters: housing mix, contaminated land, waste management
- Very Special Circumstances

### 7.3 Principle of development

7.3.1 Policy CP1 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 seeks sustainable development within the Borough. This policy states that new development will come forward largely through redevelopment of previously developed land. Policy CP3 sets out the overall housing provision targets for the Borough for the period 2011-2028.

- 7.3.2 Paragraph 143 of the NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, except in very special circumstances. Therefore, and as per paragraph 144, the Local Planning Authority should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 7.3.3 Paragraph 145 of the NPPF states new buildings are inappropriate in the Green Belt but lists exceptions to this. In particular, bullet point g) notes that limited infilling or the re-development of previously developed land (excluding temporary buildings) is not inappropriate development within the Green Belt, provided that it would not have a greater impact on the openness of the Green Belt than the existing development.
- 7.3.4 The application site is occupied by a car sales and is virtually laid to hardstanding. It contains one single storey building used as office and 4 no smaller outbuildings, also single storey. The application is therefore considered to form previously developed land and, consequently, its re-development would benefit from support of para 145 of the NPPF, provided that it would not have a greater impact on the openness of the Green Belt than the existing development. The following tables indicate these differences in floor space, footprint, volume, height and hardsurfacing, in comparison with the existing situation:

	Existing	19/0489 (refusal)		19/2309/FFU (refusal)	
		Proposed	Difference	Proposed	Difference
<b>Floor space</b>	152m <sup>2</sup>	698m <sup>2</sup>	+546m <sup>2</sup> (359%) increase	688m <sup>2</sup>	+536m <sup>2</sup> (353%) increase
<b>Footprint</b>	152m <sup>2</sup>	379m <sup>2</sup>	+227m <sup>2</sup> (149%) increase	357m <sup>2</sup>	+205m <sup>2</sup> (135%) increase
<b>Volume</b>	488m <sup>3</sup>	2137m <sup>3</sup>	+1649m <sup>3</sup> (338%) increase	2112m <sup>3</sup>	+1624m <sup>3</sup> (333%) increase
<b>Maximum height</b>	4.9m	8.2m	+3.3m	8.1m	+3.2m
<b>Hardstanding</b>	2023m <sup>2</sup>	550m <sup>2</sup>	-1473m <sup>2</sup> (73%) decrease	822m <sup>2</sup>	-1201m <sup>2</sup> (59%) decrease

	Existing	This proposal (20/1114/FFU)	
		Proposed	Difference
<b>Floor space</b>	152m <sup>2</sup>	700m <sup>2</sup>	+548m <sup>2</sup> (361%) increase
<b>Footprint</b>	152m <sup>2</sup>	350m <sup>2</sup>	+198m <sup>2</sup> (130%) increase
<b>Volume</b>	488m <sup>3</sup>	2161m <sup>3</sup>	+1673m <sup>3</sup> (343%) increase
<b>Maximum height</b>	4.9m	7.5m and 8.1m	+2.6m and +3.2m
<b>Hardstanding</b>	1944m <sup>2</sup>	753m <sup>2</sup>	-1191m <sup>2</sup> (61% decrease)

- 7.3.5 Case law has established that 'openness' is open-textured and a number of factors are relevant when it comes to applying it to the particular facts of a specific case. This includes both spatial and visual impacts.
- 7.3.6 The tables above compare the various development proposals at the site with the existing situation. The figures show that, despite the reduced footprint, this proposal has been increased in terms of floor space and volume when compared to both previous applications. This current revised scheme would still include a ridge height increase of +3.2m, 361% increase in floor space, 343% increase in volume and provide first floor accommodation. The scale, volume and design of the proposal would be significant and spatially would lead to a greater impact on openness than the existing modest buildings on site. In addition, it is not considered that the 61% reduction in hardstanding would mitigate the impact of this additional built form upon the openness of the Green Belt, as hardstanding is a less conspicuous form of development. In comparison it is considered that this revised scheme would be more harmful to the openness of the Green Belt than the previous schemes, as it would introduce a greater amount of built form on site.
- 7.3.7 The existing buildings on site are modest in size and height and sit within the central area of the site. The proposal would spread development across the site and push built form towards its boundaries and, given its two storey nature, scale and volume the proposal would result in a visual harm to openness.
- 7.3.8 As a result, it is concluded that the amount of development proposed would be harmful to the Green Belt, both in spatial and visual terms. Due to the spread of development, it is considered that the proposal by association would have an adverse impact on the purpose of including land within the Green Belt and fail to safeguard the countryside from encroachment. This conflict with the purposes of the Green Belt is consistent with the approach taken with the 2019 refusals. The applicant suggests that there are existing Very Special Circumstances (VSC) to clearly outweigh the harm to the Green Belt and any other harm. Whether there is any other harm arising will be considered in the sections below, with VSC considered at the end of the report.

#### **7.4 Impact on character of area**

- 7.4.1 Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies Document (CSDMP) 2012 promotes high quality design. Development should respect and enhance the character of the local environment and be appropriate in scale, materials, massing, bulk and density. Policy CP2 states that new development should use the land efficiently within the context of its surroundings and respect and enhance the quality of the urban, rural, natural and historic environments. Policy DM17 states that development which affects any Heritage Asset should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting.
- 7.4.2 The RDG provides further guidance relating to the design of residential developments. In particular, Principle 6.6 sets out that new residential development will be expected to respond to the size, shape and rhythm of surrounding plot layouts. Proposals with plot layouts that are out of context with the surrounding character will be resisted. Principle 7.4 refers that new residential development should reflect the spacing, heights and building footprints of existing buildings. Principle 7.3 advises that buildings heights should enable a building to integrate well with its surrounding context. Principle 7.1 goes on to say that setbacks in new development should complement the streetscene. Principle 8.4 sets out the minimum outdoor amenity space standards for dwellings.
- 7.4.3 Policy WNP2.1 of the Windlesham Neighbourhood Plan state that proposals for new housing developments should respond positively and protect the built and natural character features of their setting.

- 7.4.4 The Windlesham Conservation Area Character Appraisal (CAA) states that the purpose of this designation is to help retain the existing character and prevent unsympathetic alterations to the area which would harm its setting. It describes the overall characteristic of the Conservation Area as rural, being largely surrounded by fields and that housing and other buildings follow the line of established roads. The CAA points out the application site as a building of lesser quality that is insensitive to the area and it is agreed that this site would benefit from enhancement. However, the CAA emphasises that this should be subject to policy control, especially Green Belt.
- 7.4.5 The application site is located within an area which is rural in character and generally comprises low density residential development set within spacious and irregularly sized plots. Although there are some commercial uses with Matthews Corner and the Post House these uses are unobtrusive and fit well with the character of the area. The application site currently represents a significant departure from the pattern of development of the area and the unattractive buildings and the large volumes of parked cars significantly detract from the character and appearance of the area.
- 7.4.6 There is a sense of space on the stretch of Church Road where the application site is located, resulting from the wide plots which contain detached dwellings placed fairly set back from the highway verge. Previously refused 19/2309/FFU contained a block of flats facing this road, which was higher than the adjoining development and had a shallow frontage as it would be placed further forwards than the building line. This, in combination with the building's scale and massing, was considered to result in a dominant development that would fail to integrate into the surrounding area, which is spacious in character. The scheme currently under consideration now sees the block of flats being replaced with Plots 1 to 3. However, the row of terraces is of a similar height to the previous block of flats, would be wider at two storey height and have a similar siting, so it is not considered the revised scheme has addressed these previous objections.
- 7.4.7 Application 19/0489 comprised a row of terraces facing Church Road, which was considered out of keeping with its surroundings as this arrangement is not a feature of the streetscene in the vicinity. This application also considered that the building would retain a modest separation distance to its side boundaries and consequently little space would be left around it, to the detriment of the spacious character of the area. The proposed plots would have small frontages and be noticeably narrower and shallower than the immediate properties, disrupting the rhythm of existing plots and appearing out of context with the surrounding character. This remains the case and, as such, it is considered that this current application has failed to address these matters.
- 7.4.8 Plots 4 to 6 would face towards Kennel Lane, which in this area is characterised by properties with wide frontages. Similar to 19/2309/FFU, this proposal would comprise a row of terraces facing this road. It is noted that the size of the rear gardens has been enlarged, however they remain approximately 2m<sup>2</sup> short than the recommended 55m<sup>2</sup> for amenity spaces serving 2/3-bed properties predominantly south facing in line with Principle 8.4 of the RDG. Other than this minor increase in garden size, these plots are virtually identical to those refused under 19/2309/FFU so, similar to the assessment undertaken under that application, it remains that these proposed plots would be noticeably narrower than the immediate properties, and this would disrupt the rhythm of existing plots and appear out of context with the surrounding character. It remains that while this building would be higher than Matthews Corner, due to the separation distance between both it is considered the proposal would integrate with both neighbours in terms of height. The row of terraces would also respect the building line.
- 7.4.9 The parking arrangements on the central area of the site would be acceptable in character terms, as established by the assessments of the previous applications.

- 7.4.10 The Conservation Officer was consulted on the proposal and supports this current proposal, as the design contains features such as chimney stacks, fenestration sliding sashes, natural slate roofs, brick arches and cills, boundary hedges and gates. Whereas there may not be a basis to refuse the application on conservation grounds, it is not considered that this overrides the harm to character identified above.
- 7.4.11 In summary, whilst the proposal now comprises less residential units when compared to both schemes previously refused, it remains that the development is in many respects similar to the previous ones. The buildings remain in a similar siting, are of significant bulk and massing and the plots remain modest in size, with shallow frontages and in a terrace arrangement. All of this was objected to in the previous applications and, in the absence of material amendments to the proposal, it remains considered that the proposed quantum of development would be too high for this plot and consequently appear visually cramped in this rural location. As such, the revised proposal would not be considered to overcome the previous reason for refusal in character terms.
- 7.4.12 The proposal is therefore contrary to Policies CP2 and DM9 of the CSDMP, Principles 6.6, 7.1, 7.3 and 7.4 of the RDG, Policy WNP2.1 of the Windlesham Neighbourhood Plan.

## **7.5 Impact on residential amenity**

- 7.5.1 Policy DM9 of the CSDMP 2012 states that development should respect the amenities of the adjoining properties and uses. Section 8 of the RDG advises, through Principles 8.1 and 8.3, that new residential development should not have a significant adverse effect on the privacy, loss of daylight and sun access to neighbouring properties. Principle 7.6 recommends that new housing complies with the national internal space standards. Principles 8.4 set out the criteria regarding amenity space for dwellings.
- 7.5.2 The scale and siting of the proposed buildings would be fairly similar to the previous applications. No objection was raised in these applications regarding residential amenity. The proposal would therefore be considered acceptable in terms of overbearing and overshadowing. In addition, provided that the first floor flanks window on the end of terrace Plots (i.e., 1, 3, 4 and 6) are secured by planning condition to remain obscure glazed and fixed shut below an internal height of 1.7m, the proposal would not be considered to give rise to overlooking. Similar to previous applications, the proposed parking arrangements in the central area of the site would not warrant a refusal of the application in terms of noise and disturbance, given the current use of the site as a car sales.
- 7.5.3 All dwellings would be provided with private amenity space, which would be slightly below the standards recommended by Principle 8.4 of the RDG in Plots 3, 4, 5 and 6. However, this would be between 2 to 4m<sup>2</sup> below, so it is ultimately considered that the space provided would be acceptable. The proposed units would all comply with the recommended national internal space standards.

## **7.6 Parking and access**

- 7.6.1 Policy DM11 states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be supported by the Council, unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 Policy WNP4.2 of the Windlesham Neighbourhood Plan states that new residential development should provide, where space permits, on plot parking for 2 no vehicles for a 2-bed dwelling and 3 no vehicles for a 3+bed dwelling. The proposal would provide three 2-bed and three 3-bed dwellings and the proposed site plan shows provision for 15 no

vehicle parking spaces to serve the development, which would be in accordance with the policy requirements. The parking spaces would measure 2.9m by 5.5m, in line with Policy no WNP4.1 of the WNP.

- 7.6.3 The County Highway Authority (see Annex A for this consultation response) has been consulted on the revised layout plan and advises that the proposed dwellings are not located in a sustainable location. However, the proposed residential use is likely to generate less car trips compared to the existing use of the site as a car sales showroom. The proposed development would formalise a single access point and allow for two-way vehicle movements.
- 7.6.4 The proposed cycle parking provision of mountable cycle racks, as shown in the Design and Access Statement, would not meet the County Highway Authority's standards. The Authority notes that it must be possible to lock the frame of the bicycle (rather than a wheel) to a secure 'Sheffield stand' or similar and the cycle parking should be provided in a covered facility. There would be space within the rear garden of each dwelling for a cycle store to be provided and therefore a planning condition has been added requiring these details to be provided.
- 7.6.5 The Highway Authority therefore considers that the proposal is unlikely to have a material impact on highway issues, subject to planning conditions subject to the conditions added to this recommendation.
- 7.6.6 The proposal is therefore in line with Policy DM11 of the CSDMP.

## **7.7 Biodiversity**

- 7.7.1 Policy CP14A of the CSDMP states that the Council will seek to conserve and enhance biodiversity within Surrey Heath. Where appropriate, new development will be required to contribute to the protection, management and enhancement of biodiversity.
- 7.7.2 Similar to the previous applications, the Surrey Wildlife Trust raises no objection, subject to a number of planning conditions regarding lighting, precautionary working methods and biodiversity enhancements.
- 7.7.3 In light of the above, it is considered that the proposed development would be in line with policy DM9 of the CSDMP.

## **7.8 Impact on infrastructure**

- 7.8.1 Policy CP12 states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development. In the longer term, contributions will be via the Community Infrastructure Levy (CIL) charging schedule, in order to offset the impacts of the development and make it acceptable in planning terms. The Council's Infrastructure Delivery Supplementary Planning Document (2014) sets out the Council's approach to delivering the infrastructure required to support growth.
- 7.8.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted on 16 July 2014 and the CIL Charging Schedule came into effect on 1 December 2014. Regulation 123 CIL sets out the list of infrastructure projects that may be funded (either entirely or in part) through CIL. These include, for example, open spaces, community facilities or play areas. It is noted that these projects do not have to be directly related to the proposed development.

- 7.8.3 As the proposed development would involve the provision of an additional residential units, the development would be CIL liable. The site falls within the Eastern Charging Zone, for which the charge is £220 per m<sup>2</sup>, for residential development that does not provide its own SANG. As such, an informative has been added to this recommendation, should planning permission be granted for the proposal.
- 7.8.4 It is therefore considered that the proposal would be in accordance with Policy CP12 of the CSDMP.

## **7.9 Impact on Thames Basin Heaths SPA**

- 7.9.1 Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Special Protection Area (SPA) and Special Areas of Conservation (SAC) sited within the Borough. Furthermore, it states that no new net residential development will be permitted within 400m of the SPA. Proposals for all new net residential development elsewhere in the Borough should provide or contribute towards the provision of SANGs and shall also contribute toward strategic access management and monitoring (SAMM) measures.
- 7.9.2 The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD (2019) 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 financial contribution towards SANGS.
- 7.9.3 The proposed development would lie within the 5km buffer of the Thames Basin Heaths SPA. Provided that sufficient SANG capacity is available in the Borough, it can be allocated to minor development proposals and the financial contribution towards SANG is now collected as a part of CIL. There is currently sufficient SANG available and this development would be CIL liable, so a contribution would be payable on commencement of development.
- 7.9.4 Following an Executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years). In the event that the application is approved, it is recommended that the time limit for commencing works is set to this timeframe.
- 7.9.5 The development would also be liable for a contribution towards SAMM (Strategic Access Monitoring and Maintenance) of the SANG, which is a payment separate from CIL and would depend on the sizes of the units proposed. This proposal is liable for a SAMM payment of £3,711 which has not been paid by the applicant
- 7.9.6 It is therefore considered that the proposal would not comply with Policy CP14B of the CSDMP and with the Thames Basin Heaths SPD.

## **7.10 Other matters: housing mix, contaminated land, waste management**

- 7.10.1 Policy CP6 requires a mix of housing and suggests that 2-bed and 3-bed properties are the most in need. Policy WNP1.2 of the Windlesham Neighbourhood Plan states that planning applications should prioritise development of 2- and 3-bed dwellings. This development proposes a mix of this type of properties and, as such, would comply with this policy.
- 7.10.2 Similar to the previous applications, the Environmental Health Service advised that a scheme to deal with land contamination on site will need to be submitted and agreed prior to commencement of development by way of planning condition, should planning permission be granted.

7.10.3 The Council's Waste Services Manager has advised that each apartment will need to be provided with its own set of waste and recycling bins. This would be in accordance with Guiding Principle 9.2 of the RDG which advises regarding this matter and an informative has been added in regards of this.

## **7.11 Very Special Circumstances (VSC)**

7.11.1 Sections 7.3, 7.4 and 7.9 have concluded that the proposal would cause harm to Green Belt, to the character of the area and to the Thames Basin Heaths SPA. The applicant acknowledges that the proposed scale of development would be greater than that it would replace and therefore presents a number of arguments they consider to form 'very special circumstances', summarised below:

1. Removal of poor quality buildings and the unsightly display of cars specifically identified as having a negative impact upon the quality of the Church Road Windlesham Conservation Area;
2. Provision of 2-bed and 3-bed dwellings;
3. Reduction in hardstanding;
4. The scheme includes the provision of electric vehicle charging points;
5. The development would make use of renewable energy sources;
6. Reduction in noise and air pollution associated with the existing use;
7. Reduction in vehicle movements;
8. Housing land supply;
9. Provision of construction jobs;
10. Efficient use of brownfield land;
11. Opportunities for biodiversity net gain arising from the significant increase in soft landscaping and garden space.

7.11.2 Under point 1, it is accepted that removing buildings and vehicles from the site would undoubtedly improve the character and appearance of the Conservation Area. Paras 10 and 12 of the Windlesham Church Road Conservation Area Appraisal, advise that the site would benefit from enhancement. However para 12 highlights that this is subject to other policy controls, especially the Green Belt. The proposal would be considered inappropriate development in the Green Belt that would harm its openness. In addition, as discussed in Section 7.4 of this report, it is considered that the proposal would be harmful to the character of the area. As such, there would be little benefit in removing these cars in favour of this proposal. Furthermore, any residential scheme would be required to provide high quality accommodation. Similarly, points 2, 4, 5 and 11 would also be expected from any residential scheme. As such, these arguments are given very limited weight.

7.11.3 Under point 3, the reduction in hardstanding would be welcomed. However, as discussed in Section 7.3 above, this would be of limited benefit, as given its nature, it forms a less conspicuous feature. The proposal would result in a significant increase in floor space and volume over and above the existing buildings on site that a reduction in hardstanding would do very little to outweigh. As such, very limited weight is afforded to this argument.

7.11.4 In respect of point 6, the applicant has not submitted any Air Quality Report or Noise Report to demonstrate this and, in the absence of such reports, very limited weight is afforded to this argument.

7.11.5 Regarding point 7, the applicant contends that the proposal would result in a reduction in vehicular movements and this is acknowledged to weigh in favour of the proposal. However, the site is not considered to be in a sustainable location and therefore this benefit would be limited.



- 7.11.6 In respect of points 8, Surrey Heath does not have a 5 year housing land supply at present, and it is acknowledged that the NPPF seeks to boost significantly the supply of housing. However Policy CP1 directs housing to sustainable locations in the western side of the borough, and this rural location is considered to be less sustainable. In addition, the proposal would provide only six additional dwellings, and as such its impact on the 5 year housing land supply position would be limited. Again this reason is given very limited weight.
- 7.11.7 The proposal would be for only 6 dwellings, so in respect of point 9 it is not considered that this minor development would significantly contribute to the creation of construction jobs. As such, no weight is afforded to this argument.
- 7.11.8 Regarding Point 10, it is acknowledged that the proposal would constitute redevelopment of previously developed land. However, this does not automatically enable development and, as explained throughout this report, the proposal would fail to comply with a number of planning policies and guidance. Consequently, it is considered that only limited weight can be afforded to this argument.
- 7.11.9 In summary, it is considered that the benefits identified by the applicant would largely be secured simply by the removal of the car sales business. The benefits associated with the proposal would be expected from any new residential development that would occupy the site. As such, for the reasons explained above, it is not considered that the arguments put forward by the applicant would amount to VSC that would clearly outweigh the identified harm to Green Belt, character of the area and Thames Basin Heaths SPA associated with this proposal.

## **8.0 POSITIVE/PROACTIVE WORKING**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of 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.
  - c) Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
  - d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered to be acceptable in terms of its impact on residential amenity, highways, biodiversity and infrastructure. However, the proposal represents inappropriate development in the Green Belt not meeting any of the exceptions under paragraph 145 of the NPPF. By virtue of the quantum of built form and the spread of development it would also be harmful to the openness of the Green Belt and conflict with its purposes. Moreover, it is considered that the development would cause harm to the character of the area and no SAMM payment has been received. There are no very special circumstances to outweigh the identified harm and therefore the application is recommended for refusal.

## 10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposal constitutes inappropriate and harmful development in the Green Belt not meeting any of the exceptions under paragraph 145 of the National Planning Policy Framework. By reason of the quantum of built form and the spread of development the proposal would cause further harm to the openness of the Green Belt and conflict with its purposes and cause other harm as identified in reasons 2 and 3. There are no very special circumstances that would amount to outweigh the identified harm. The proposal is therefore contrary to the National Planning Policy Framework.
2. The proposed development, by virtue of its layout, plot size, scale, massing and building height would result in an excessive quantum of development that would appear over dominant and visually cramped in this rural location, which is characterised by spacious low density residential development. The proposal is therefore contrary to Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012, Principles 6.6, 7.1, 7.3, and 7.4 of the Surrey Heath Residential Design Guide Supplementary Planning Document 2017, Policy WNP2.1 of the Windlesham Neighbourhood Plan and the National Planning Policy Framework.
3. In the absence of a payment or a completed legal agreement under section 106 of the Town and Country Planning Act 1990, the applicant has failed to comply with Policy CP14B (vi) (European Sites) of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and Policy NRM6 (Thames Basin Heath Special Protection Area) of the South East Plan in relation to the provision of contribution towards strategic access management and monitoring (SAMM) measures, in accordance with the requirements of the Surrey Heath Borough Council's Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (2019).

### Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The applicant is advised that if this application had been acceptable in all other respects, the scheme would be Liable to the Community Infrastructure Levy (CIL) Schedule which came into effect on 1st December 2014. Therefore, if this decision is appealed and subsequently granted planning permission at appeal, this scheme will be liable to pay the Council's CIL upon commencement of development.
3. The decision has been taken in compliance with paragraphs 38-41 of the NPPF to work with the applicant in a positive and proactive manner. Please see the Officer's Report for further details.



<b>APPLICATION NUMBER</b>	<b>SU/20/1114</b>
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**DEVELOPMENT AFFECTING ROADS**  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1992

**Applicant:** Cavalier City Ltd

**Location:** Matthews Corner Garage Matthews Corner Church Road Windlesham Surrey GU20 6BH

**Development:** Erection of 6 no. dwellings in the form of 2 no. two storey terraced buildings (comprising 3 no. 2 bed and 3 no. 3 beds), associated parking and landscaping following demolition of the existing buildings on site (Existing dwelling of Shanklin to be retained)

<b>Contact Officer</b>	Richard Peplow	<b>Consultation Date</b>	17 December 2020	<b>Response Date</b>	11 January 2021
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The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who having assessed the application on safety, capacity and policy grounds, recommends the following conditions be imposed in any permission granted:

Please note that due to the Covid 19 outbreak, this advice is based upon a desk top assessment, using all available resources. Despite the absence of a site visit the Highway Authority is satisfied that the response adequately considers the highways and transport implications arising from the proposed development.

Conditions

- 1) No part of the development shall be first occupied unless and until the proposed modified access to Church Road has been constructed and provided with two-way vehicle access in accordance with the approved plans (Drawing No. 18-J2523-300 Rev A) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 0.6m in height.
- 2) The development hereby approved shall not be first occupied unless and until any redundant areas of dropped kerbing along the frontage of the site onto Church Road including the existing access to Shanklin have been raised and any footway fully reinstated.
- 3) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. 18-J2523-300 Rev A) for the parking of vehicles and for vehicles to turn so that they

may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

- 4) The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.
- 5) The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with parking for a minimum of two bicycles in a robust, secure enclosure in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority

and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

- 6) No development shall commence until a Construction Transport Management Plan, to include details of:
  - (a) parking for vehicles of site personnel, operatives and visitors
  - (b) loading and unloading of plant and materials
  - (c) storage of plant and materials
  - d) measures to prevent the deposit of materials on the highway
  - e) provision of boundary hoarding behind any visibility splays

has been submitted to and approved in writing by the Local Planning Authority.

Only the approved details shall be implemented during the construction of the development.

### Reason

The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

### Policy

Policies CP11 and DM11 of the Surrey Heath Core Strategy 2012 and the National Planning Policy Framework 2019.

### Highway Informatives

- 1) The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see

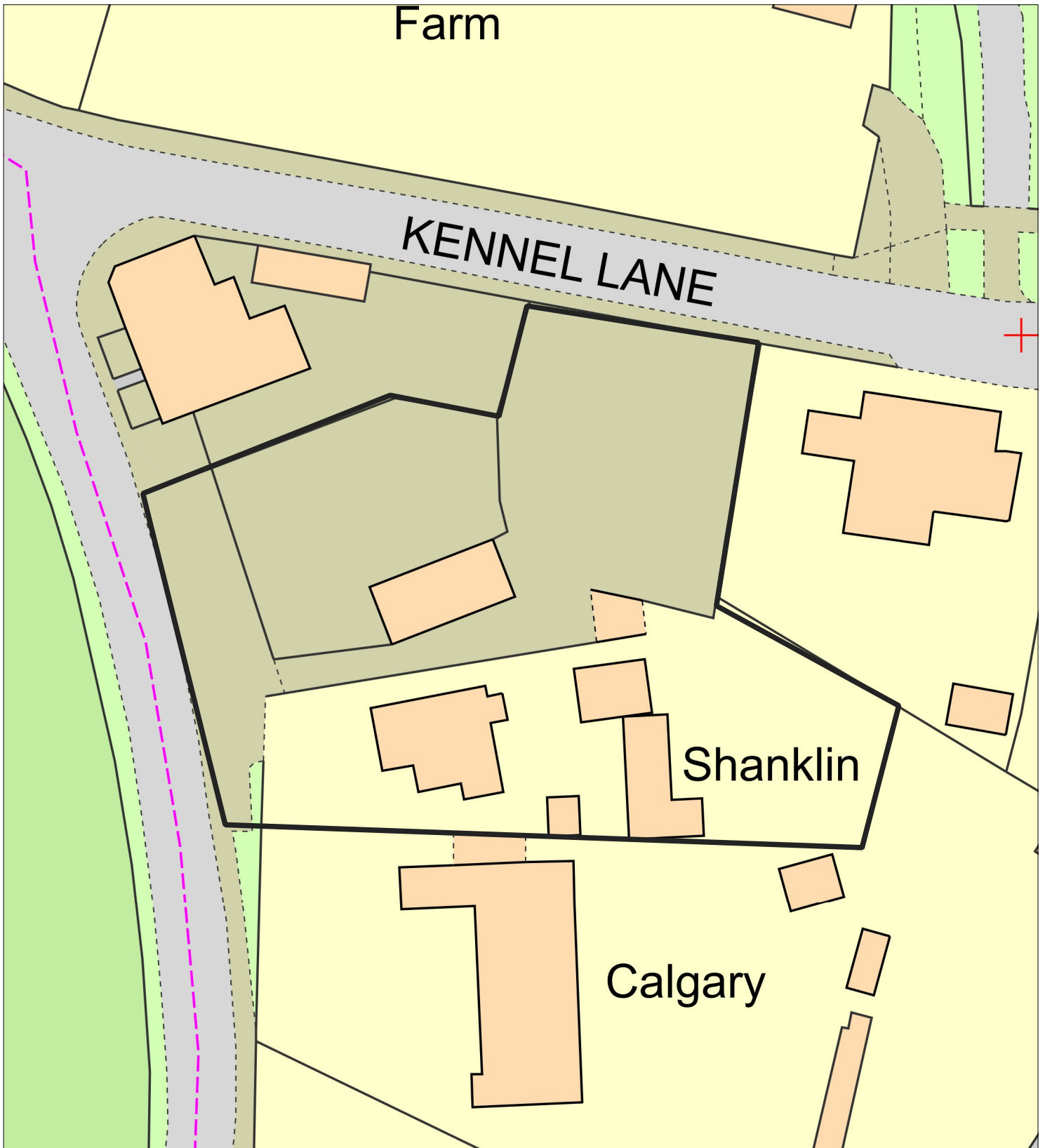
[www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).

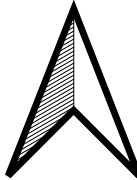
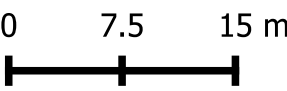
- 2) The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
- 3) 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 Highway Authority Local Highways Service 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 developer's expense.
- 4) It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to:  
  
<http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
- 5) The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
- 6) The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
- 7) Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
- 8) The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

#### Note to Case Officer

The proposed dwellings are not located in a sustainable location however the proposed residential use is likely to generate less car trips compared to the existing use of the site as a car sales showroom. The proposed development will formalise a single access point and allow for two-way vehicle movements. Conditions 4 and 5 have been included above to encourage sustainable travel to/from the site. The proposed cycle parking provision of

mountable cycle racks, as shown in the Design and Access Statement, does not meet the County Highway Authority's standards. It must be possible to lock the frame of the bicycle (rather than a wheel) to a secure 'Sheffield stand' or similar and the cycle parking should be provided in a covered facility. There should be space within the rear garden of each dwelling for a cycle store to be provided.



<b>Title</b>	Planning Applications		
<b>Application number</b>	20/1114/FFU	 	<b>Scale @ A4</b> 1:500
<b>Address</b>	Matthews Corner Garage Matthews Corner Church Road Windlesham Surrey GU20 6BH		<b>Date</b> 24 Feb 2021
<b>Proposal</b>	Erection of 6 no. dwellings in the form of 2 no. two storey terraced buildings (comprising 3 no. 2 bed and 3 no. 3 beds), associated parking and landscaping following demolition of the existing buildings on site (Existing dwelling of Shanklin to be retained).		
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		Author: DE	

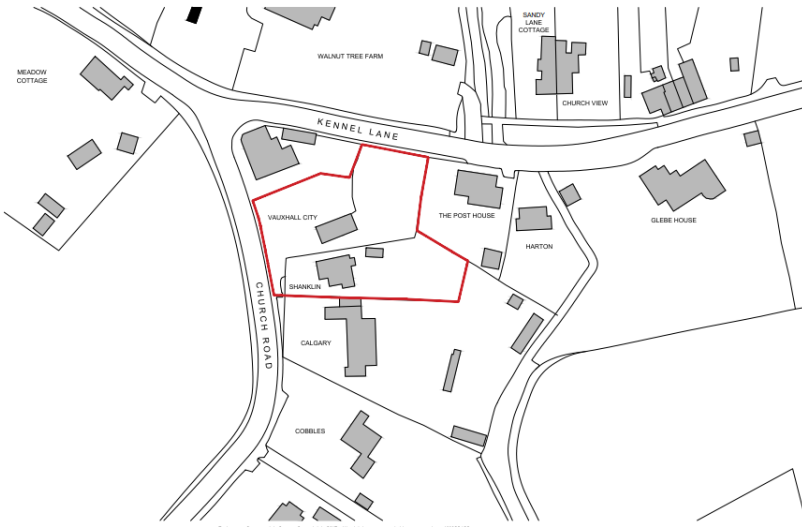


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20/1114/FFU – MATTHEWS CORNER GARAGE, MATTHEWS CORNER, CHURCH ROAD, WINDLESHAM, GU20 6BH

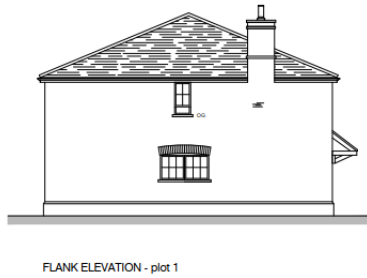
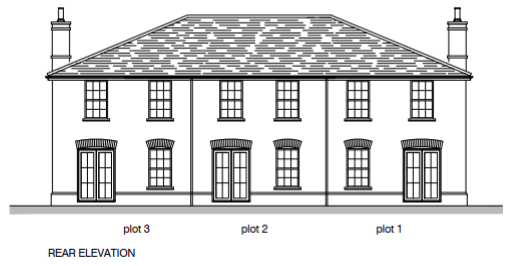
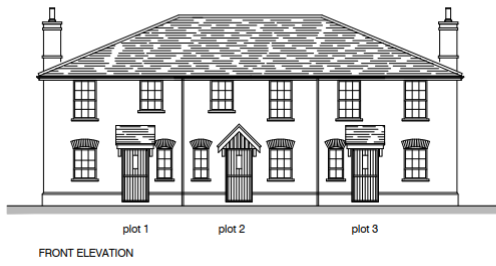
Location Plan



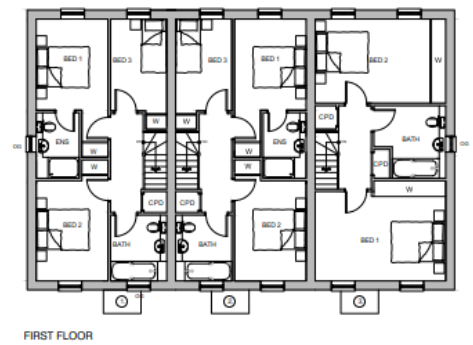
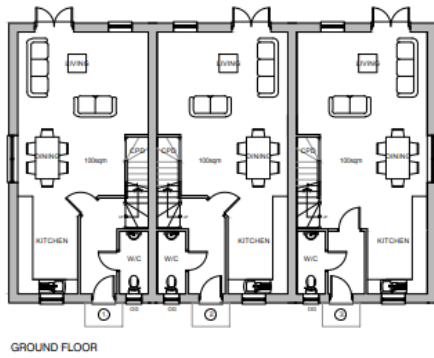
Block plan



Plots 1-3: Proposed elevations



Plots 1-3: Proposed floor plans



Proposed Streetscene: Church Road



Plots 4-6: Proposed elevations



FLANK ELEVATION - plot 6

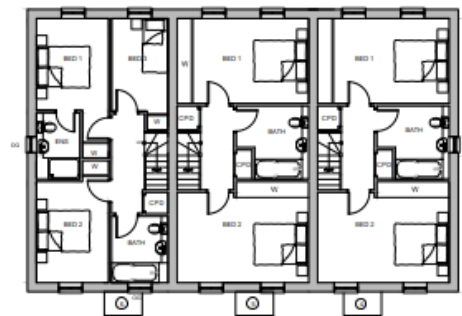


SIDE ELEVATION - plot 4

Plots 4-6: Proposed plans



GROUND FLOOR



FIRST FLOOR

Proposed Streetscene: Kennel Lane



THE POSTHOUSE  
STREET SCENE B - KENNEL LANE

PROPOSED

MATHEWS CORNER

Site Photos: Streetscene of Kennel Lane



Site Photos: Application site as seen from Church Road





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**APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR  
CONSIDERATION BY THE PLANNING APPLICATIONS COMMITTEE**

**NOTES**

**Officers Report**

Officers have prepared a report for each planning or related application on the Planning Committee Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Each report also includes a recommendation to either approve or refuse the application. Recommended reason(s) for refusal or condition(s) of approval and reason(s) including informatives are set out in full in the report.

**How the Committee makes a decision:**

The Planning Applications Committee's decision on an application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

**The Committee cannot base decisions on:**

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.

**Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995** (as amended) is summarised for information below:

<b>A1. Shops</b>	Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.
<b>A2. Financial &amp; professional Services</b>	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
<b>A3. Restaurants and Cafes</b>	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
<b>A4. Drinking Establishments</b>	Public houses, wine bars or other drinking establishments (but not nightclubs).
<b>A5. Hot Food Takeaways</b>	For the sale of hot food consumption off the premises.
<b>B1. Business</b>	Offices, research and development, light industry appropriate to a residential area.
<b>B2. General Industrial</b>	Use for the carrying on of an industrial process other than one falling within class B1 above.
<b>B8. Storage or Distribution</b>	Use for the storage or as a distribution centre including open air storage.
<b>C1. Hotels</b>	Hotels, board and guest houses where, in each case no significant element of care is provided.
<b>C2. Residential Institutions</b>	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
<b>C2A. Secure Residential Institutions</b>	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
<b>C3. Dwelling houses</b>	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
<b>C4. Houses in Multiple Occupation</b>	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
<b>D1. Non-residential Institutions</b>	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
<b>D2. Assembly &amp; Leisure</b>	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
<b>Sui Generis</b>	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.