

LOCATION:	22-30 Sturt Road, Frimley Green, Camberley, Surrey, GU16 6HY
PROPOSAL:	Erection of a residential development of 160 dwellings, including the conversion of the pumphouse building into residential dwellings, to provide 36 no one bedroom and 48 no two bedroom flats; 30 no two bedroom, 37 no three bedroom and 9 no four bedroom houses, along with associated estate roads and accesses onto Sturt Road, car parking, bin and cycle storage, local area of play and external landscaping following the demolition of all other buildings.
TYPE:	Full Planning Application
APPLICANT:	Berkeley Homes (Southern) Ltd.
OFFICER:	Mr Duncan Carty

This application is being reported to the Planning Applications Committee because it is a major development (10 or more dwellings).

SECOND UPDATE

RECOMMENDATION: GRANT subject to conditions and a legal agreement

- (i) This application was deferred from the Planning Applications Committee on 23 September 2021 by the Planning Application Committee to allow further clarification on a number of matters including density, amenity provision, car parking provision and management, management company arrangements and sustainability/energy efficiency. The applicant has responded to these requests and provided a detailed note which is appended to this report (see Annex 1). This note includes useful tables. Below is a summary of this note and the officer's conclusions.
- (ii) An amended layout plan (Drawing No. 29769A/100 Rev H10) has been provided and the only change on this drawing has been the indication of the private/public spaces for the amenity space around the flat blocks.
- (iii) Two further conditions are now proposed. These include the agreement (and provision) of external lighting details (Condition 33) and energy efficiency measures (Condition 34).

Density

- (iv) Paragraph 7.4.16 of the original report below confirms that the proposal would provide 47 dwellings per hectare with more typical range of densities for the houses within the proposed development at around a range of 17-32 dwellings per hectare and flats typically at a density of around 55 dwellings per hectare. A comparison between the current proposal and other recent residential developments has been provided. These have indicated that the current proposal has a similar density to other more recently approved housing developments.
 - The developments at the West End Housing reserve site are about 20-30 dwellings per hectare are predominantly providing houses and would expect to be delivered at a lower density due to their location adjacent to the Green Belt.

- The Ridgewood Centre development in Frimley has a density of 27 dwellings per hectare but is lower to fit into the surrounding post war housing estates.
- The development at Waters Edge, which is most comparable with the current proposal, has around 37 dwellings per hectare. This is split into north and south parcels. The north parcel, which is wholly detached houses, has a lower density of 23 dwellings per hectare and the southern parcel which has a mix of housing and flats has a higher density of 46 dwellings per hectares. The houses are closer to around 30 dwellings per hectare and the flats have a density of over 100 dwellings per hectare. The current proposal would have an overall lower density than this approved scheme (particularly for the flats).

Even with the site specific limitations of these other sites, which do not apply to the current proposal, the density of the current proposal is fairly comparable with the densities of those developments. It also has to be noted that Paragraph 119 of the NPPF requires development to achieve an efficient use of land. It would be expected that the proposed development could increase densities in this location due to the size of the site and the more limited impact it would have on its surroundings. However, it is considered that the density of development is acceptable, and with no materially greater density than other recent developments.

Amenity provision

- (v) The proposal would provide rear amenity (gardens) for the proposed houses which meet with the requirements of Principle 8.4 of the RDG. The rear amenity provision for the flats would provide communal amenity space which is considered to be appropriate for the size of the blocks. This would ensure that the amenity space is provided for all and does not rely upon balconies (which would detract from the traditional architectural design integrity) or separate small garden areas for the ground floor flats. The provision in all cases exceeds the equivalent amenity space provision for private amenity (3 metres depth for ground floor amenity space and 1.5 metres depth for balconies) with many areas well in excess of these requirements (up to 24 metres depth).
- (vi) It is also confirmed that the flats exceed the minimum space requirements of the DCLG Technical Housing Standards (2015) as required by Principle 7.5 of the RDG and, in about 40% of the flats, by over 5 square metres above the relevant threshold. It is therefore considered that the proposed development provides an acceptable level of amenity for future occupiers.

Car parking provision

- (vii) The proposal would provide 276 spaces, with 10 spaces provided as visitor spaces. This would be a level of parking which exceeds the minimum requirements set out in the SCC parking guidance (as indicated in the table within Paragraph 7.5.8 of the original Agenda report). It has been confirmed that the parking spaces sizes will be 4.8 by 2.4 metres (6 by 2.0 metres where they are parallel to the highway), which comply with parking space sizes set out in the DCLG Manual for Streets. Garage parking spaces are to be provided at 6.2 by 3.2 metres, which are larger than traditional garage spaces of 5 by 2.5 metres. These parking/garage space sizes meet the DCLG minimum sizes and are therefore considered to be acceptable.
- (viii) The furthest allocated parking space from the respective dwelling (which is for Plot 86) will be about 58 metres from the front door of the respective residential block and this is considered to be an acceptable separation distance, between the parking space and flat access, for the future occupier(s). The parking will be managed by demarcation on the ground so that the private and visitor spaces are clearly marked. Parking enforcement would be undertaken to ensure parking does not occur in the wrong locations (wrong spaces, roads, verges, etc.). These arrangements are considered to be acceptable.

Management company arrangements

- (ix) The applicant has advised that a management company will be provided for the daily management of the development, in the areas outside the control of the house owner including the open spaces and highway/pedestrian network. This will include the upkeep of the wider estate for the future residents and include landscaping, parking management and

road maintenance. The use of management companies for residential developments are an established strategy for the day-to-day management of such developments and this operation does not, in itself, form a material planning consideration of this application proposal.

Sustainability

- (x) Policy CP2 of the CSDMP requires development to contribute to a reduction in the Borough's carbon dioxide emissions. However, there is no threshold or amount of reductions expected for developments. The applicant has confirmed that air source heat pumps are to be provided for each dwelling. Photovoltaic panels are also proposed to be provided for the flats, with further panels provided for the houses but the amount and location would be considered at the condition stage.
- (xi) The applicant has discounted other energy efficiency measures (ground source heat pumps and district heating measures). Ground source heat pumps would replicate the proposed air source heat pumps (and would therefore be deemed to be unnecessary) and district heating could only be viably provided on much larger developments (for development of 350 dwellings and above).
- (xii) A condition to agree details of energy efficiency measures and ensure delivery is now proposed (Condition 34). It is considered that this is an appropriate method to ensure the delivery of energy efficiency measures for this development against the local and national policies for energy sustainability.
- (xiii) The proposal would also provide one electric charging point per dwelling (both for houses and flats) which exceeds the SCC parking guidance requirement (one per house and one per five flats). The applicant has advised that the connectors for the electric charging points will be provided within the garage or external wall of the associated house or on free standing pillars for the flats.

Conclusion

- (xiv) The appended note expands on the update above and, in combination and with the amended layout plan, should provide sufficient information for the above application to be determined.

RECOMMENDATION

GRANT subject to a legal agreement to secure contributions of £103,922 towards SAMM and £195,000 towards a local flood relief scheme, provision of 15 on-site affordable housing units and review mechanism and the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

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

2. The proposed development shall be built in accordance with the following approved plans: 29769A/232 Rev A, 29769A/240 Rev. D, 29769A/245 Rev D, 29769A/250 Rev D, 29769A/255 Rev E, 29769A/265 Rev D, 29769A/270 Rev D, 29769A/275 Rev E, 29769A/280 Rev D, 29769A/290 Rev D, 29769A/295 Rev D, 29769A/300 Rev D, 29769A/315 Rev D, 29769A/325 Rev D, 29769A/330 Rev D, 29769A/340 Rev D, 29769A/360 Rev D, 29769A/365 Rev D, 29769A/370 Rev D, 29769A/375 Rev C, 29769A/380 Rev E, 29769A/381 Rev B, 29769A/382 Rev B, 29769A/383 Rev B, 29769A/400 Rev D, 29769A/505 Rev B and 29769A/506 Rev B received on 9 December 2020; 29769A/230 Rev G1, 29769A/231 Rev G1, 29769A/235 Rev G1, 29769A/236 Rev G1, 29769A/285 Rev G3, 29769A/286 Rev G3, 29769A/287 Rev A, 29769A/305 Rev G1, 29769A/310 Rev E1, 29769/320 Rev F3, 29769A/321 Rev F3, 29769A/335 Rev F1, 29769A/355 Rev E1, 29769A/385 Rev E4, 29769A/390 Rev E5, 29769A/395 Rev C4, 29769A/410 Rev E2, 29769A/415 Rev E1, 29769A/420 Rev F1, 29769A/425 Rev F1, 29769A/430 Rev E1, 29769A/440 Rev E1, 29769A/500 Rev C2, 29769A/501 Rev C2, 29769A/502 Rev B2, 29769A/503 Rev C2, 29769A/504 Rev

C2, 29769A/510 Rev A2 and 29769A/511 Rev A2 received on 15 June 2021; 29769A/80 Rev A1 received on 23 July 2021; and 29769A/100 Rev H10 received on 27 October 2021, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until written approval has been obtained from the Local Planning Authority that an appropriate contribution towards a Suitable Alternative Natural Greenspace (SANG) has been secured so as to avoid any significant effects on the integrity of the Thames Basin Heaths Special Protection Area.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) the National Planning Policy Framework and advice within the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.

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

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

5. No surface materials for the roads, car parking areas or driveways will be used on the site until samples and their details have been submitted to and approved in writing by the Local Planning Authority. Once approved only the agreed surfacing materials shall be used in the construction of the development.

Reason: To safeguard the visual amenities of the locality and to comply with the approved drainage strategy for the development and in accordance with Policies DM9 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. Construction of the development shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. If unexpected contamination is found after the development has commenced, development will be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part d is complied with in relation to that contamination.

The above scheme shall include:-

(a) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, and archaeological sites;

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11';

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority;

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part (b) above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part (c) above; and,

(e) If identified as necessary from Parts (a) to (d) inclusive above, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework

7. The development hereby approved shall not be first occupied unless and until the proposed accesses to Sturt Road have been constructed and provided with visibility zones in accordance with Drawing No. 1911063-04 Rev A [Appendix B of the Transport Assessment by Motion dated 03.11.20] and thereafter, with the exception of existing or required road signs, the visibility zones shall be kept permanently clear of any obstruction between 1 metre and 2 metres above adjoining carriageway level.

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

8. The development hereby approved shall not be first occupied until informal crossing points across Sturt Road are provided along with the footway provision in between in accordance with the approved plan 27969A/100 Rev H10, unless otherwise agreed in writing by the Local Planning Authority. The crossings and footway shall be provided in accordance with the approved details.

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

9. The dwellings within the development hereby approved shall not be occupied until they are each 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 by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of site sustainability and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby approved on site details of cycle and refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a bus stop improvement scheme (for the north and south-bound bus stops on Sturt Road in front of the application site) shall be implemented in accordance with a scheme which is to be submitted to and approved by the Local Planning Authority.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

12. Prior to the occupation of the development hereby approved, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be provided in general accordance with the Travel Plan by Motion dated 03.11.20 and the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Plan shall be implemented in accordance with the approved details.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

13. Prior to the occupation of the development hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The Pack shall be provided in accordance with the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Pack shall be provided for the first occupier of each dwelling prior to their occupation of the respective dwelling.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

14. No development shall commence until a Construction Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway
- (j) hours of construction
- (k) 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 condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework

15. No development, including any site demolition or tree works, shall take place until an arboricultural method statement, that provided further detail about the methods for protecting trees that are to be retained on site and, where appropriate, adjoining land, which is based upon but expands beyond the Arboricultural Impact & Method Statement by ACD Environmental dated 23/09/20 [Ref: BERK22593aia-ams], is submitted to and approved by the Local Planning Authority.

Reason: In the interests of amenity and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

16. No soft or hard landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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.

17. A Landscape Management Plan, including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development, or any

phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

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 the National Planning Policy Framework.

18. No development shall take place to convert the former pumphouse building (identified as the Historic Pump House [Plots 136, 137 and 138] on Drawing No 27969A/100 Rev H10 and as shown on Drawing Nos. 27969A/380 Rev E, 27969A/381 Rev B and 27969A/382 Rev B) until a full description of the steps, works and measures (including a programme for the implementation of the works) to be taken to safeguard and secure the retention of the existing building, particularly where affected by the alterations hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the works shall be carried out in accordance with the approved measures.

Reason: In order to protect the undesignated Heritage asset and to accord with the Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

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

20. The development hereby approved will be undertaken in accordance with Noise Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25707-02-ELIA-01]; with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of the amenities enjoyed by the occupiers of the dwellings and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

21. The development hereby approved will be undertaken in accordance with Outline Site Waste Management Plan by Waterman Infrastructure and Environment Ltd. dated November 2020 [Ref: WIE17526-101-R-1-2-1-SWMP] with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of waste management and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

22. The development hereby approved will be undertaken in accordance with Air Quality Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25907-04-AQA-01] with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of air quality and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

23. The development shall not commence until a Landscape and Management Plan (LEMP) has been submitted to and approved by the Local Planning Authority which is based upon and expands beyond the Ecological Impact Assessment by Derek Finnies associates dated October 2020 [Ref: DFA20087].

The LEMP should be based upon but not be limited to:

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

The development shall be implemented in accordance with the approved details.

Reason: In the interests of nature conservation and to accord with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. The parking spaces shown on the approved plan 27969A/100 Rev H10 shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

25. The garages hereby permitted and shown on approved plan 27969A/100 Rev H10 shall be retained for such purpose only and shall not be converted into living accommodation without further planning permission from the Local Planning Authority.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

27. Details of the amenity areas and play space shown on the approved plan 27969A/100 Rev H10 shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the details shall be implemented in accordance with the approved scheme and shall be completed prior to the first occupation of the development.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

28. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365, including information of groundwater levels and that ground contamination does not preclude the use of infiltration. Results must correspond with the proposed locations of infiltration features.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 7.5 litres per second.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc). Confirmation of a required 1 metre unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times should infiltration be proposed.

d) Detailed drainage drawings for the existing on-site pump arrangement including details of overflow arrangements and the interaction between the existing system and on-site surface water drainage system.

e) Details of easements for existing and proposed on-site surface water drainage infrastructure, including details of surfacing and landscaping materials within easements.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk, including evidence that any exceedance events do not impact the adjacent railway line and confirmation of measures in place should pump failure occur.

g) Details of drainage management responsibilities and maintenance regimes for the drainage system and proposed surface water pump for the lifetime of the development.

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

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

29. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls) and confirm that any defects have been rectified.

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

30. No demolition, site clearance or building operations shall commence until tree and ground protection has been installed in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" and as detailed within the submitted and approved Arboricultural Method Statement. Tree and ground protection is to be installed and retained during the course of the development.

Reason: To ensure the retention of trees in the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

31. In this condition 'retained tree' means an existing tree or hedge which is to be retained in accordance with the approved plan; and clauses a) and b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) No retained tree shall be cut down, uprooted or destroyed, nor any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without further planning permission being granted by the Local Planning Authority. Any topping or lopping shall be in accordance with BS 3998: 2010 "Tree Works - Recommendations" and in accordance with any supplied arboricultural method statement.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in a similar location and that tree shall be of such size and species, and shall be planted at such time, as approved by the Local Planning Authority.

(c) Following the completion of any arboricultural works but before any equipment, materials or machinery are brought onto the site in connection with the development protective fencing and ground protection such as GeoTextile membrane or scaffold boards in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" shall be installed around all the retained trees in accordance with details that first shall be submitted to and agreed in writing with the Local Planning Authority. Such protection shall be maintained until all equipment,

machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in the fenced protective areas nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular accesses be made within the protected areas without the prior written approval of the Local Planning Authority.

d) Prior to both the commencement of works on site and before the installation of the tree protection, in accordance with c) above, the Council's Arboricultural Officer shall be notified to arrange a pre-commencement meeting to agree the location and extent of any works to retain trees and a site inspection programme (including the frequency of visits and reporting to the Local Planning Authority).

Reason: This permission was only granted on the basis that the 'retained trees' would remain on site to mitigate the impact of the development and 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.

32. Before first occupation of the respective dwellings within the development hereby approved the first floor; window(s) in the flank elevation(s) of the dwellings within Plots 63, 67 and 146, as identified by approved plan 27969A/100 Rev H10; shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations, and the flank elevations of Plots 38, 122, 130, 139 and 151, as identified by approved plan 27969A/100 Rev H10, without the prior approval in writing of the Local Planning Authority.

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

33. Details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the external lighting. The development hereby approved shall be implemented in accordance with the approved details.

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

34. Prior to the first occupation of the development hereby approved, details of energy efficiency measures shall be submitted to, approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

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

Informative(s)

1. The applicant is advised that, for the bus stop improvement scheme required for Condition 11 above, the scheme should include:

At the north-bound bus stop (on the west side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Real Time Passenger Information display
- Bus stop pole with flag and timetable case
- Bus stop cage and clearway

At the south-bound bus stop (on the east side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Bus stop cage and clearway

2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice
7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that power balancing technology is in place if required. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment.
9. If the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries, please contact the Flood Risk Asset, Planning and Programming team via suds@surreycc.gov.uk.

In the event that a satisfactory legal agreement has not been completed by 29 November 2021, or any other period as agreed with the Head of Planning, the Head of Planning be authorised to REFUSE for the following reasons:

1. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.
 2. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
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FIRST UPDATE

RECOMMENDATION: GRANT subject to conditions and a legal agreement

- (i) This application was deferred from the Planning Applications Committee on 13 August 2021 because the Heads of Terms for the legal obligation had not been fully confirmed (please see section 7.10 of the original report below). The Heads of Terms have now been fully confirmed as follows:
 - In total 15 affordable housing units (representing 9.4% of overall provision) proposed at Discount Market Sale (DMS) with a review procedure mechanism.
This is the maximum level of affordable housing provision as set out in the range indicated in paragraph 7.10.4 of the original report, which has now been confirmed by the applicant;
 - £195,000 towards a local flood relief scheme (at Sturt Road under the railway bridge); and
 - £103,922 towards SAMM measures.

It is noted that, in addition, £1,971,293 is to be provided towards SANG provision within the Hart District.

- (ii) The Department of Education's Securing Developer Contributions for Education 2019, referred to in the PPG, provides non-statutory guidance to assist local authorities to secure developer contributions for education from housing growth. Surrey County Council Education has advised that whilst there is no requirement for contributions towards mainstream primary or secondary education in this area, there is a proposed expansion of Special Education Needs (SEN) education of 20 places at Kings International College, a secondary school in south Camberley. The application site falls within the catchment of this school and SCC has calculated, from the pupil yield for this development, a contribution of £107,680.

- (iii) Whilst, in principle, SCC's request would be consistent with the DoE guidance, the proposed SEN expansion at Kings International College is proposed to be provided without providing new, or extending existing, school buildings. SCC has indicated that these works could be provided instead by refurbishment, although no scheme is currently being promoted. In the officer's opinion, because no definitive scheme has been promoted it is unclear how and why a refurbishment would provide the additional 20 pupil places. Associated to this, there is uncertainty over delivery. Consequently, SCC's funding request would not satisfy the NPPF planning obligation tests. That is to say, a contribution towards education is not included as this is not deemed to be necessary to make the development acceptable in planning terms; has not been demonstrated to be directly related to the development; or, shown to be fair and reasonably related in scale and kind to the development. In addition, and as indicated in paragraph 7.8.3 of the original report below, the provision of an education contribution would impact on the delivery of affordable housing and funding towards the flood relief project on viability grounds.
- (iv) The proposed conditions have been reviewed in the light of comments provided by the applicant and revised comments from the Local Lead Flood Authority. The principal changes include:
- Minor corrections to the list of approved drawings (Condition 2);
 - Amendment to the timing for agreement of a land contamination scheme to allow the demolition of buildings so that the surveying underneath for potential contamination can be undertaken (Condition 6);
 - Amendment to ensure that site visibility requirements are not limited by existing road signs, and any new signs provided in the future by the County Highway Authority, which would be outside of the control of the applicant (Condition 7);
 - Amending the timing for the approval of details of amenity areas and play space (Condition 27);
 - Splitting of Condition 29 into two separate conditions (Conditions 29 and 30) with the following conditions renumbered to reflect this change;
 - Improved clarity to the delivery of the approved details (Conditions 8, 9, 15, 30 & 31); and
 - Amendments to drainage conditions (Conditions 28 and 29) which reflect revised comments from the Local Lead Flood Authority.

For completeness, and ease of reading, all of the proposed conditions have been listed at the end of this update. This list incorporates the above amendments and repeats the original unamended conditions listed at the end of the original report. The applicant had requested amendments to allow delivery of details required by a number of conditions on a phased basis, but no phasing for the development has been provided (or agreed to date).

- (v) There were 177 letters of notification letters originally sent to neighbouring properties on 21 December 2020 and there was a press notice provided in a local paper on 30 December 2020.
- (vi) Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this Duty.
- (vii) The current proposal is considered to be acceptable in terms of its impact on character, heritage and trees; residential amenity; highway safety; infrastructure and ecology; land contamination, drainage and flood risk; play space provision, energy efficiency and archaeology. There is a presumption in favour of sustainable development and whilst the quantum of development would have an increased impact on the countryside any impact is significantly outweighed by the benefit of providing this amount of housing that would significantly address the Council's shortfall below the 5 year's supply of housing (plus buffer). Subject, therefore, to securing SANG contributions (towards a SANG in Hart district) and contributions towards SAMM and a local flood relief scheme with the provision of 15 on-site affordable housing units, the proposal is considered to be acceptable.

RECOMMENDATION

GRANT subject to a legal agreement to secure contributions of £103,922 towards SAMM and £195,000 towards a local flood relief scheme, provision of 15 on-site affordable housing units and review mechanism and the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

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

2. The proposed development shall be built in accordance with the following approved plans: 29769A/232 Rev A, 29769A/240 Rev. D, 29769A/245 Rev D, 29769A/250 Rev D, 29769A/255 Rev E, 29769A/265 Rev D, 29769A/270 Rev D, 29769A/275 Rev E, 29769A/280 Rev D, 29769A/290 Rev D, 29769A/295 Rev D, 29769A/300 Rev D, 29769A/315 Rev D, 29769A/325 Rev D, 29769A/330 Rev D, 29769A/340 Rev D, 29769A/360 Rev D, 29769A/365 Rev D, 29769A/370 Rev D, 29769A/375 Rev C, 29769A/380 Rev E, 29769A/381 Rev B, 29769A/382 Rev B, 29769A/383 Rev B, 29769A/400 Rev D, 29769A/505 Rev B and 29769A/506 Rev B received on 9 December 2020; 29769A/230 Rev G1, 29769A/231 Rev G1, 29769A/235 Rev G1, 29769A/236 Rev G1, 29769A/285 Rev G3, 29769A/286 Rev G3, 29769A/287 Rev A, 29769A/305 Rev G1, 29769A/310 Rev E1, 29769A/320 Rev F3, 29769A/321 Rev F3, 29769A/335 Rev F1, 29769A/355 Rev E1, 29769A/385 Rev E4, 29769A/390 Rev E5, 29769A/395 Rev C4, 29769A/410 Rev E2, 29769A/415 Rev E1, 29769A/420 Rev F1, 29769A/425 Rev F1, 29769A/430 Rev E1, 29769A/440 Rev E1, 29769A/500 Rev C2, 29769A/501 Rev C2, 29769A/502 Rev B2, 29769A/503 Rev C2, 29769A/504 Rev C2, 29769A/510 Rev A2 and 29769A/511 Rev A2 received on 15 June 2021; 29769A/80 Rev A1 and 29769A/100 Rev H8 received on 23 July 2021, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until written approval has been obtained from the Local Planning Authority that an appropriate contribution towards a Suitable Alternative Natural Greenspace (SANG) has been secured so as to avoid any significant effects on the integrity of the Thames Basin Heaths Special Protection Area.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) the National Planning Policy Framework and advice within the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.

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

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

5. No surface materials for the roads, car parking areas or driveways will be used on the site until samples and their details have been submitted to and approved in writing by the Local Planning Authority. Once approved only the agreed surfacing materials shall be used in the construction of the development.

Reason: To safeguard the visual amenities of the locality and to comply with the approved drainage strategy for the development and in accordance with Policies DM9 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. Construction of the development shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. If unexpected contamination is found after the development has commenced, development will be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part d is complied with in relation to that contamination.

The above scheme shall include:-

(a) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, and archaeological sites;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11';

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority;

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part (b) above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part (c) above; and,

(e) If identified as necessary from Parts (a) to (d) inclusive above, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework

7. The development hereby approved shall not be first occupied unless and until the proposed accesses to Sturt Road have been constructed and provided with visibility zones in accordance with Drawing No. 1911063-04 Rev A [Appendix B of the Transport Assessment by Motion dated 03.11.20] and thereafter, with the exception of existing or required road signs, the visibility zones shall be kept permanently clear of any obstruction between 1 metre and 2 metres above adjoining carriageway level.

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

8. The development hereby approved shall not be first occupied until informal crossing points across Sturt Road are provided along with the footway provision in between in accordance with the approved plan 27969A/100 Rev H8, unless otherwise agreed in writing by the Local Planning Authority. The crossings and footway shall be provided in accordance with the approved details.

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

9. The dwellings within the development hereby approved shall not be occupied until they are each 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 by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of site sustainability and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby approved on site details of cycle and refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a bus stop improvement scheme (for the north and south-bound bus stops on Sturt Road in front of the application site) shall be implemented in accordance with a scheme which is to be submitted to and approved by the Local Planning Authority.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

12. Prior to the occupation of the development hereby approved, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be provided in general accordance with the Travel Plan by Motion dated 03.11.20 and the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Plan shall be implemented in accordance with the approved details.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

13. Prior to the occupation of the development hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The Pack shall be provided in accordance with the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Pack shall be provided for the first occupier of each dwelling prior to their occupation of the respective dwelling.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

14. No development shall commence until a Construction Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway
- (j) hours of construction
- (k) 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 condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework.

15. No development, including any site demolition or tree works, shall take place until an arboricultural method statement, that provided further detail about the methods for protecting trees that are to be retained on site and, where appropriate, adjoining land, which is based upon but expands beyond the Arboricultural Impact & Method Statement by ACD Environmental dated 23/09/20 [Ref: BERK22593aia-ams], is submitted to and approved by the Local Planning Authority.

Reason: In the interests of amenity and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

16. No soft or hard landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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.

17. A Landscape Management Plan, including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development, or any phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

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 the National Planning Policy Framework.

18. No development shall take place to convert the former pumphouse building (identified as the Historic Pump House [Plots 136, 137 and 138] on Drawing No 27969A/100 Rev H8 and as shown on Drawing Nos. 27969A/380 Rev E, 27969A/381 Rev B and 27969A/382 Rev B) until a full description of the steps, works and measures (including a programme for the implementation of the works) to be taken to safeguard and secure the retention of the existing building, particularly where affected by the alterations hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the works shall be carried out in accordance with the approved measures.

Reason: In order to protect the undesignated Heritage asset and to accord with the Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

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

20. The development hereby approved will be undertaken in accordance with External Lighting Impact Assessment Noise Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25707-02-ELIA-01]; with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of the amenities enjoyed by the occupiers of the dwellings and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

21. The development hereby approved will be undertaken in accordance with Outline Site Waste Management Plan by Waterman Infrastructure and Environment Ltd. dated November 2020 [Ref: WIE17526-101-R-1-2-1-SWMP] with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of waste management and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

22. The development hereby approved will be undertaken in accordance with Air Quality Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25907-04-AQA-01] with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of air quality and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

23. The development shall not commence until a Landscape and Management Plan (LEMP) has been submitted to and approved by the Local Planning Authority which is based upon and expands beyond the Ecological Impact Assessment by Derek Finnies associates dated October 2020 [Ref: DFA20087].

The LEMP should be based upon but not be limited to:

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

The development shall be implemented in accordance with the approved details.

Reason: In the interests of nature conservation and to accord with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. The parking spaces shown on the approved plan 27969A/100 Rev H8 shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

25. The garages hereby permitted and shown on approved plan 27969A/100 Rev H8 shall be retained for such purpose only and shall not be converted into living accommodation without further planning permission from the Local Planning Authority.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

27. Details of the amenity areas and play space shown on the approved plan 27969A/100 Rev H8 shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the details shall be implemented in accordance with the approved scheme and shall be completed prior to the first occupation of the development.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

28. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) The results of infiltration testing completed in accordance with BRE Digest: 365, including information of groundwater levels and that ground contamination does not preclude the use of infiltration. Results must correspond with the proposed locations of infiltration features.

b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 7.5 litres per second.

c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc). Confirmation of a required 1 metre unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times should infiltration be proposed.

d) Detailed drainage drawings for the existing on-site pump arrangement including details of overflow arrangements and the interaction between the existing system and on-site surface water drainage system.

e) Details of easements for existing and proposed on-site surface water drainage infrastructure, including details of surfacing and landscaping materials within easements.

f) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk, including evidence that any exceedance events do not impact the adjacent railway line and confirmation of measures in place should pump failure occur.

g) Details of drainage management responsibilities and maintenance regimes for the drainage system and proposed surface water pump for the lifetime of the development.

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

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

29. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls) and confirm that any defects have been rectified.

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

30. No demolition, site clearance or building operations shall commence until tree and ground protection has been installed in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" and as detailed within the submitted and approved Arboricultural Method Statement. Tree and ground protection is to be installed and retained during the course of the development.

Reason: To ensure the retention of trees in the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

31. In this condition 'retained tree' means an existing tree or hedge which is to be retained in accordance with the approved plan; and clauses a) and b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) No retained tree shall be cut down, uprooted or destroyed, nor any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without further planning permission being granted by the Local Planning Authority. Any topping or lopping shall be in accordance with BS 3998: 2010 "Tree Works - Recommendations" and in accordance with any supplied arboricultural method statement.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in a similar location and that tree shall be of such size and species, and shall be planted at such time, as approved by the Local Planning Authority.

(c) Following the completion of any arboricultural works but before any equipment, materials or machinery are brought onto the site in connection with the development protective fencing and ground protection such as GeoTextile membrane or scaffold boards in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" shall be installed around all the retained trees in accordance with details that first shall be submitted to and agreed in writing with the Local Planning Authority. Such protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in the fenced protective areas nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular accesses be made within the protected areas without the prior written approval of the Local Planning Authority.

d) Prior to both the commencement of works on site and before the installation of the tree protection, in accordance with c) above, the Council's Arboricultural Officer shall be notified to arrange a pre-commencement meeting to agree the location and extent of any works to retain trees and a site inspection programme (including the frequency of visits and reporting to the Local Planning Authority).

Reason: This permission was only granted on the basis that the 'retained trees' would remain on site to mitigate the impact of the development and 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.

32. Before first occupation of the respective dwellings within the development hereby approved the first floor; window(s) in the flank elevation(s) of the dwellings within Plots 63, 67 and 146, as identified by approved plan 27969A/100 Rev H8; shall be completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations, and the flank elevations of Plots 38, 122, 130, 139 and 151, as identified by approved plan 27969A/100 Rev H7, without the prior approval in writing of the Local Planning Authority.

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

Informative(s)

1. The applicant is advised that, for the bus stop improvement scheme required for Condition 11 above, the scheme should include:

At the north-bound bus stop (on the west side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Real Time Passenger Information display
- Bus stop pole with flag and timetable case
- Bus stop cage and clearway

At the south-bound bus stop (on the east side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Bus stop cage and clearway

2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>
The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice
7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that power balancing technology is in place if required. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment.
9. If the proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the environment Agency will require proof of surface water treatment to achieve water quality standards. If there are any further queries, please contact the Flood Risk Asset, Planning and Programming team via suds@surreycc.gov.uk.

In the event that a satisfactory legal agreement has not been completed by 8 September 2021, or any other period as agreed with the Head of Planning, the Head of Planning be authorised to REFUSE for the following reasons:

1. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the

adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.

2. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

**ORIGINAL COMMITTEE REPORT PROVIDED TO THE PLANNING APPLICATIONS
COMMITTEE ON 13 AUGUST 2021**

RECOMMENDATION: GRANT subject to conditions and a legal agreement

1.0 SUMMARY

- 1.1 This application relates to the erection of a residential development of 160 dwellings on land previously occupied by Mid Southern/South East Water; and more recently by Mitie. The land is on the east side of Sturt Road in the countryside between Frimley Green and Mytchett. The proposal would provide a mix of houses and flats in the form of four storey blocks of flats and two storey dwellings (some with accommodation in the roof). The proposed designs are traditional in nature and includes the retention and conversion of a Victorian pumphouse building. The remaining buildings including a two/three storey office building, a number of single storey buildings and a builders' merchants operation to the south portion of the site will be removed.
- 1.2 The proposal would lead to a loss of commercial accommodation, and in a defined countryside location. However, there is a presumption in favour of sustainable development and the proposal would provide a substantial amount of housing towards the housing supply position where a 5 year supply of housing (currently 4.85 years supply) is not currently being achieved across the Borough.
- 1.3 No objections are also raised on local character, residential amenity, highway safety, drainage, ecology and trees. The County Highway Authority raise no objections to the proposal on highway safety, capacity and parking grounds. The current application has been the subject of pre-application processes but the applicant did not engage with the Design Review process.
- 1.4 A viability assessment has been undertaken and been reviewed by the Council's consultants. This has concluded that policy compliant affordable housing at 40% is not achievable but that a reduced rate at 6.9% - 9.4%, equating to a maximum of 15 units is. The final amount of affordable housing will be reported at the meeting. This is because negotiations are ongoing regarding drainage matters and education which may affect the final amount. Subject to the completion of a legal agreement to ensure that the measures secured to provide mitigation towards SAMM, and on-site affordable housing provision, no objections are raised to the proposal.

2.0 SITE DESCRIPTION

- 2.1 The site is located on the east side of Sturt Road in the defined Countryside beyond the Green Belt, between the settlements of Frimley Green and Mytchett. The site measures 3.38 hectares in area and is wedge shaped, narrowing to the south. The site is bounded by the Southampton to London Waterloo main rail line to the north, on an embankment, with the Reading to Guildford rail line to the west boundary on similar levels to the application site. Sturt Road has two road bridges, including one under the rail line just to the north of the application site, and one over the rail line further to the south of the application site.
- 2.2 Frimley Lodge Park lies on the (west) opposite side of Sturt Road along with Church of St Andrews, a Grade II listed building, and a small group of houses (33, 35 and 37 Sturt Road). The settlement of Frimley Green, lies to the north, beyond the railway embankment, with a lake and associated land related with The Quays, to the west beyond the rail line. An existing scaffolding yard lies to the south boundary of the site.
- 2.3 The existing buildings on the northern portion of the site are centred around a two/three storey office building located close to the main vehicular access, towards the north east corner of the site, with other smaller buildings, including the former pumphouse (last used as offices). Parking is provided to the immediate west of these buildings, with the land more open towards the west side of the application site. This part of the site has now been vacated.
- 2.4 The southern portion of the site is currently used as a builders' merchants yard, with buildings associated with that use, located to the east part of the site, closer to Sturt Road. This use is served by two accesses including a principal access more centrally located on the Sturt Road frontage and a secondary vehicular access towards the south east corner of the application site. There are trees located around the edge of the site, many on third party land, and these vary in quality and size. The largest trees are located close to the main site entrance. None of the trees on or around the site are protected under a Tree Preservation Order. The land falls principally from the south east to the north west part of the site. The site lies a minimum of about 540 metres from the Thames Basin Heaths Special Protection Area.
- 2.5 The site was a former gravel quarry and then had been used as a water abstraction and treatment works until the 1950's, when it became an operational depot and head office for the water company. Due to amalgamation of water companies during the 1990's it was then used as a satellite office, with laboratory and operational depot facilities (e.g. company vehicle servicing). Mitie, an energy services company, operated from the site from the mid-2000's until 2014.

3.0 RELEVANT HISTORY

The application site has an extensive history of which the most relevant/recent includes:

- 3.1 SU/83/0180 – Change of use of buildings/rooms to provide additional office accommodation.
Approved in May 1983.
- 3.2 SU/87/1493 – Part two part three storey extension to offices.
Approved in March 1988.
- 3.3 SU/04/0347 - Certificate of Lawful Existing Development for the existing use of buildings as business (Class B1), storage and distribution (Class B8) and restaurant (Class A3) uses together with open storage of land.

Certificate issued, May 2004. This certificate listed the office and lab uses (Class B1) to the northern portion of the site (former Mitie site), the pumphouse building as a staff restaurant (Class A3) and storage uses (Class B8) for the buildings and open land within the southern portion of the site (builders' merchants) as lawful.

- 3.4 SU/06/0754 - Change of use from staff restaurant (Class A3) and conference facility (Class D2) to a staff training centre.

Approved in September 2006.

4.0 THE PROPOSAL

- 4.1 This application relates to the provision of 160 residential dwellings principally in the form of two storey dwellings, some with accommodation in the roof and a series of four storey buildings accommodating flats. The provision includes 36 no one bedroom, 49 no. two bedroom and 2 no three bedroom flats and 29 no. two bedroom, 35 no. three bedroom and 9 no. four bedroom houses. The flat blocks are spread across the site, set amongst the houses. The proposal seeks the retention and conversion of the former pumphouse into three dwellings. The former pumphouse building is considered to be a building of sufficient design quality to be a non-designated heritage asset.
- 4.2 The current proposal has been the subject of amendments, particularly in regard to the development response around the former pumphouse, which has resulted in other changes to the dwelling forms around the site. The principal access to the site would be from the existing principal access point to the Mitie site with a secondary access from the principal access to the builders' merchant site. The third access, at the south east corner, would be removed. It is currently shared with the scaffolding yard and therefore amendments to these arrangements will be required.
- 4.3 The road hierarchy for the development would include a main (spine) road which takes a circuitous route through the development, connecting the two access points from Sturt Road, with a number of parking courts and a mews street (with as shared surface) centrally located and positioned in front of the retained pumphouse building. The houses on the main access (in the north) would be principally semi-detached with garages/drives to the side. A number of these dwellinghouses would include a third storey in the roofspace. Short terraces would be provided accessed from the feeder roads (to the parking courts). Longer terrace groups are to be provided closer to the southern access road. Two storey dwellings are to be provided to these terraces. In a number of locations, such as towards the north west and north east corners, the southern edge and centrally, four storey flats are to be provided.
- 4.3 The proposal would provide principally a suburban layout with front gardens, soft landscaping (including trees) to many frontages, with some front parking and some rear parking courts. The proposed dwellings would be traditionally designed including gables, half hips, brickwork, dormers, bays, storm porches, tile hanging, wood cladding, and detailing around doors/windows. The arrangement around the pumphouse is for a mews development, with the narrowing of the road in this location and removal of front gardens. Some of the flat blocks, in their amended form, have been designed around a traditional warehouse form/design to reflect the commercial nature of the site.
- 4.4 The remaining buildings on the site, including the main office building, are to be demolished. The proposal would provide access points in a similar position to the existing accesses. A total of 276 parking and garage spaces are proposed, which include 10 visitor spaces. A breakdown and assessment of the proposed parking provision is provided in Paragraph 7.5.8 below.

4.5 The application is also supported by the following documents:

- design and access statement;
- planning statement;
- viability report;
- arboricultural impact assessment;
- ecological assessment;
- shadow habitats regulations assessment;
- flood risk assessment;
- surface water management strategy;
- heritage assessment;
- archaeological desk based assessment;
- transport assessment and travel plan;
- utilities report;
- site waste management plan;
- noise assessment;
- air quality assessment;
- energy statement; and
- land contamination assessment.

Reference will be made to these documents in section 7 of this report, where applicable.

4.6 The current application has been the subject of pre-application engagement. This has involved the evolution over time of the scheme through the pre-application process, and during the progression of this application, with the involvement of officers including the Council's Urban Design Consultant. However, the applicant did not engage with the Design Review process.

5.0 CONSULTATION RESPONSES

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| 5.1 | County Highway Authority | No objection has been raised on highway safety, capacity and parking grounds. A series of conditions have been requested. <i>Their comments are provided at Annex A.</i> |
| 5.2 | Arboricultural Officer | No objections subject to conditions. |
| 5.3 | Senior Environmental Health Officer | No objections subject to the imposition of conditions to deal with land contamination/remediation and to mitigate any impacts from noise sources (road/rail). |
| 5.4 | Natural England | No objections subject to securing SANG/SAMM contributions. No objections to the use of Hart SANG for this purpose. |
| 5.5 | Local Lead Flood Authority | Comments on amended drainage details are awaited. |
| 5.6 | Surrey Wildlife Trust | No objections subject to ensuring the delivery of ecological benefits (as set out in the ecological report). |
| 5.7 | Environment Agency | No objections, subject to no risk to groundwater quality. |
| 5.8 | Network Rail | Comments on amended drainage details are awaited. |
| 5.9 | Archaeological Officer | No objections. |
| 5.10 | Education Officer (SCC) | Comments awaited. If comments are received, an update will be provided. |
| 5.11 | Hart District Council | No objections raised to the proposed contribution towards the District's SANG provision. |
| 5.12 | Council's Urban Design Consultant | No objections to the proposal on design/layout grounds. <i>Her comments are provided at Annex B.</i> |

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| 5.13 | Viability Consultant
(DixonSearle Partnership) | No objections to the proposal. They advise that a lower level of affordable housing can be provided due to viability issues. |
| 5.14 | Basingstoke Canal
Authority | Comments on amended drainage details are awaited. |
| 5.15 | Basingstoke Canal Society | Raise concerns about the impact of the proposal on Basingstoke Canal infrastructure. |

6.0 REPRESENTATION

6.1 At the time of preparation of the report, no representations were received in support and 34 objections have been received, including an objection from the Mytchett, Frimley Green and Deepcut Society, raising objections for the following reasons:

6.2 Impact on character and trees [See section 7.4]

- Out of keeping with the character of the area
- Overdevelopment
- Cramped development (scale/massing)
- Loss of trees (104)
- Loss of amenity
- Opening up of site
- Number of trees added must exceed those lost
- Sufficient screening of development must be provided
- Development too high
- More space needed on development
- Impact on streetscene (Sturt Road)
- Impact on historic/once rural village (Frimley Green)

6.3 Impact on highway safety [See section 7.5]

- Impact on local roads
- Impact on traffic congestion/flow (exacerbation of existing issues, including vehicles waiting to turn into the site, the narrowness of Sturt Road, bottleneck of rail bridges and high lorries turning round due to low bridge)
- Combined impact on traffic with Deepcut development (including review) and Waters Edge
- More limited pedestrian access (particularly to the north (under rail bridge) when road is flooded) and limited width (impassable for double-width buggies and wheelchairs) – pedestrian tunnel should be provided
- More limited pedestrian access (from the north) would lead to increased vehicular movements than anticipated
- Unsafe/limited pedestrian access
- Impact on pedestrian access at north end of the site (crossing road) due to limited visibility (under bridge)
- Reliance on estimates has led to an under estimate of traffic generation from proposal compared to former (optimum) use of site
- Insufficient car parking leading to parking on local roads
- Inadequate/dangerous access (proximity to rail bridges)
- Insufficient public transport provisions
- Loss of parking

6.4 Impact on residential amenity [See section 7.6]

- Loss of amenity/light
- Loss of screening
- Impact on pollution (noise, dust, fumes)
- Impact of air pollution from increased traffic

6.5 Impact on infrastructure provision [See section 7.8]

- Impact on schools, shops (chemists), medical services/doctors surgeries, hospital and facilities for children
- Mitigation measures required
- Over population of the local area and resulting impacts on infrastructure [*Officer comment: Each application has to be considered on its own merits*]

6.6 Impact on flood risk [See section 7.9]

- Increased flood risk
- High water table with some foundations within groundwater and water draining during construction should not enter rainwater system and add to flooding on highway (under rail bridge)

Other matters

- Should be retained for commercial uses (loss of local jobs) [*See section 7.3*]
- Loss of boundary with neighbouring village (Mytchett) [*See section 7.3*]
- Conflict with local plan [*Officer comment: No explanation has been provided where such conflict occurs*]
- General dislike of proposal [*Officer comment: No further explanation has been provided*]
- Impact on local ecology [*See section 7.7*]
- Potentially contaminated land [*See section 7.9*]
- Number of dwellings [*Officer comment: This would not, in itself, be a reason to refuse this application*]
- Amendments to not address previous objections [*Officer comment: This is noted*]
- Development not wanted by local people [*Officer comment: This would not be a reason, in itself, to refuse this application*]
- Disruption, damage and mess to area during construction and beyond [*Officer comment: These matters would be considered, during the construction phase by condition for a construction management plan*]
- Financial benefits to others [*Officer comment: This is not a material planning consideration*]

7.0 PLANNING CONSIDERATION

7.1 The proposal is to be assessed against the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG); as well as Policies CP1, CP2, CP5, CP6, CP8, CP9, CP11, CP14, DM9, DM10, DM11, DM13 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); and Policy NRM6 of the South East Plan 2009 (as saved) (SEP). In addition, advice in the Residential Design Guide SPD 2017 (RDG); the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (TBHSPA); and in the Surrey Heath Green Belt and Countryside Study 2017 (GBCS) are also material. Reference to the Western Urban Area Character SPD 2012 (WUAC) is also made.

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

- Principle of the development;
- Impact on the character and appearance of the area;
- Impact on highway safety;
- Impact on residential amenity;
- Impact on the Thames Basin Heaths Special Protection Area and ecology;
- Impact on local infrastructure;
- Impact on land contamination, flooding and drainage; and
- Impact on housing mix and affordable housing provision.

Other matters include:

- Impact on play space provision;
- Impact on energy sustainability; and
- Impact on archaeology.

7.3 Principle of the development

7.3.1 Policy CP1 of the CSDMP indicates that new development will come forward largely through the redevelopment of previously developed land in the western part of the Borough and that development should not result in the coalescence of settlements. The proposal relates to the redevelopment of previously developed land in the countryside. It is a site that adjoins the settlement (of Frimley Green) and is relatively sustainable being close to services and a good bus route. The site lies within a gap between the settlements of Frimley Green and Mytchett, effectively adjoining the Frimley Green settlement, but a significant enough gap between the south edge of the development and the edge of Mytchett settlement will remain. The site is relatively enclosed and it is considered that the proposal would have a more limited impact on the wider countryside.

7.3.2 Paragraph 11(d) of the NPPF indicates that decisions should apply a presumption in favour of sustainable development where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the application or that any adverse impacts are outweighed by the benefits of the scheme. As indicated in Paragraph 7.3.1 above, the proposal would provide a very limited harm to the countryside; and, in addition, it would not impact upon any assets of particular importance.

7.3.3 Paragraph 75 of the NPPF indicates that a five year supply of deliverable housing sites, with the appropriate buffer (5% for this Borough), should be identified and updated annually. The Housing Land Supply Paper, August 2020 (HLSP) indicates that this Council can only demonstrate 4.85 years supply of housing (i.e. below the 5 year (plus buffer) requirement). The proposal would therefore provide a significant benefit from

providing housing to assist in addressing this shortfall. This tilts the balance of the planning considerations significantly towards supporting this proposal.

7.3.4 Policy DM13 of the CSDMP indicates that the loss of employment sites would be acceptable, subject to no adverse effect on overall employment opportunities of a settlement or loss of a strategically important sector (for regional, national or global competitiveness). The proposal would lead to a loss of commercial floorspace. However, the main part of the site, formerly occupied by Mitie, is now vacant, and has been vastly underused since Mitie left the site in 2014 with no significant commercial interest since that time. It is noted, however, that the proposal would result in the loss of the scaffolding yard. However, noting the significant benefit of the housing that would be provided on this site, and that the commercial use of the site is non-conforming, it is considered that the loss of this commercial floorspace and land is acceptable.

7.3.5 As such, it is considered that the principle of the development is accepted, providing a significant benefit to the provision of housing against a current shortfall, subject to the assessment below, with the proposal complying with Policies CP1 and DM13 of the CSDMP and the NPPF.

7.4 Impact on the character and appearance of the area

7.4.1 Paragraph 130 of the NPPF indicates that planning decisions should ensure that developments will function well and add to the overall quality of the area, not just in the short term but over the lifetime of the development; and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Decisions should avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. Paragraph 119 of the NPPF indicates that planning decisions should promote an efficient use of land in meeting the need for homes and other uses. Paragraph 126 of the NPPF indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what planning and development processes should achieve. Good design is a key aspect of sustainable development, creates better places in which to live. Paragraph 131 of the NPPF indicates that trees make an important contribution to the character and quality of urban environments, and new streets should be tree-lined. In consultation with the Council's Urban Design Consultant (UDC), the proposal has evolved with amendments with the aim to seek a high-quality design solution consistent with the NPPF. Cross reference will therefore be made to the UDC comments, appended as Annex B to this report.

7.4.2 Paragraph 174 of the NPPF indicates that development should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services including trees and woodland. Paragraph 5.6 of the CSDMP, which supports Policy CP1, indicates that inappropriate development within the defined countryside will cause harm to its intrinsic character and beauty, landscape diversity, heritage and wildlife.

7.4.3 Policy DM9 of the CSDMP indicates that development will be acceptable where they respect and enhance the local or natural character of the environment be it in an urban or rural setting, paying regard to scale, materials, massing, bulk and density. Policy DM9 also indicates that development will be acceptable where it protects trees and other vegetation worthy of retention and provides high quality hard and soft landscaping schemes. Policy DM17 of the CSDMP indicates that in determining proposals which affect any Heritage asset it should first establish and take into account its individual significance, and seek to promote the conservation and enhancement of the Asset and its setting. In assessing the impact on the setting of Heritage asset, regard to whether the asset is designated or not will be taken into consideration in terms of the impact on that Asset.

- 7.4.4 Principle 4.1 of the RDG requires four strategic themes for residential development to be addressed: namely, putting people first, developing a sense of place, creating sustainable places and improving quality. Principle 6.4 of the RDG requires residential development to seek to achieve the highest density possible without compromising local character, the environment or the appearance of the area.
- 7.4.5 The application site does not fall within a character area as defined within the WUAC. However, the adopted highway of Sturt Road falls within the Main Thoroughfares sub-character area. In such locations, Principle MT1 of the WUAC expects that new development should have regard to consist principally of two storey detached and semi-detached dwellings and maintain the open textured green character.

Relationships with the wider character

- 7.4.6 As indicated in Paragraph 7.3.1 above, the site relates to previously developed land in the countryside. The site does not relate to the surrounding land, with the rail lines (and embankment) providing physical barriers and the landscaping to frontage onto Sturt Road effectively “hides” the commercial uses from the street, and land to the east of Sturt Road including the listed church and country park. As such, the redevelopment is not considered to have a significant impact on the open countryside, which lies to the west of the site beyond the rail line, which in itself is dominated by a lake serving The Quays.
- 7.4.7 The public highway, Sturt Road, is located within the Main Thoroughfares sub-character area, as defined by WUAC. The physical barriers, such as the railway embankment on the north boundary of the site, and distances to the settlement areas to the north and south (Frimley Green and Mytchett, respectively) would provide separation to the application site. As such, and with the scale of the development proposal, it would be expected that the proposal would provide its own character, rather than needing to reflect the character of these nearby settlement areas.
- 7.4.8 The frontage to Sturt Road includes predominantly detached and semi-detached dwellings behind a green landscaped strip, which would provide a more green transparent relationship with the Sturt Road streetscene, broadly reflecting Principle MT1 of the WUAC. The deviation from this design approach is with the larger flatted block, Plots 1-20, which is proposed to be located in the north east corner. Whilst the existing tree screen is to be mostly removed, there is an expectation that this will be replaced, with more suitable native species, and the building would be partly screened from this highway. The orientation of this building, at a more oblique angle to that highway and the separation from it, along with the replacement landscaping, would provide an acceptable relationship of this building with the Sturt Road streetscene.

A sense of place and identity

- 7.4.9 The proposal would provide a traditional design approach with features which reflects and reinforces local distinctiveness which is to the benefit of the proposal. A clear and strong hierarchy of different streetscapes are required to assist in the orientation and creation of distinct and logical character areas. Character is determined by a strategic and creative integration of buildings, spaces, hard and soft landscaping as well as buildings and materiality.
- 7.4.10 A sense of place is the way places are perceived by the public and what makes a place special or unique. For this development, it is the pumphouse, and the reaction of the development to that building, and to a lesser degree the listed church opposite, which makes the development more special and unique. The retained pumphouse building, and the way in which the development works around it, which provides a sense of place and uniqueness to this development.
- 7.4.11 The character for the development starts from the pumphouse building and radiates out from this building. The design response to the pumphouse is more specific to its immediate environs, providing a more urban environment, reflecting the previous

commercial uses, and the development further from this pumphouse which has predominantly a more suburban character.

- 7.4.12 The character areas are the traditional cobbled Pumphouse mews, in contrast to the flatted development blocks in parkland setting at the north eastern entrance, inspired by the Arts and Crafts character with traditional brickwork. At the southern and western ends of the site, the larger developments take a more rustic mill character of a similar scale, in contrast to the traditional dwellings along smaller enclaves of tree lined streets. The character of the development is an important part of the overall vision for the site.
- 7.4.13 The scheme has been provided which contributes to local distinctiveness and provides a framework of spaces which would be useful to future residents and visitors. This includes shared amenity spaces close to Plots 42-59, a small seating area adjacent to Plots 970-115 and a seating area, shaded by a tree, adjacent to Plot 138 (west of the pumphouse building) which add overall interest to the development and to the specific spaces and streetscenes.

Density, layout and connectivity

- 7.4.14 The proposal is principally provided, as indicated in paragraph 4.3 above, as a suburban layout to the northern and west part of the site, with a more urban approach around the retained pumphouse building and to the south part of the development. The proposal provides a primary, spine road, which is the main thoroughfare for the development, which connects to the two access points for the development from Sturt Road. From this primary road, are a series of secondary roads, which include shared surfaces (such as in front of the pumphouse building), and shared surface accesses to a series of parking courts.
- 7.4.15 The proposal would provide a footpath which would extend most of the length of the road frontage onto Sturt Road. Most of this is set behind planting, and in part includes a small section of shared surface [in front of Plots 132-134 and 159-160]. The play space is to be provided from the north end of this footpath. The north and south ends of this footpath are to finish with new crossing points across Sturt Road to connect to the east footway of Sturt Road. Footways are to be provided to both sides of the main spine road, which also provide access to the smaller amenity areas (adjacent to Plot 138 and the flat block Plots 97-115 at the south end of the site). This approach is supported by the UDC and it provides good pedestrian connectivity through the development site and connecting to the wider footway network connecting Frimley Green with Mytchett.
- 7.4.16 The proposal would provide an overall density of development of 47 dwellings per hectare. It is noted that the provision of flats can be a driver to artificially increasing the density of development and in this case a typical flat block has a density of 55 dwellings per hectare. However, a more typical range of densities for the houses within the proposed development is around a range of 17-32 dwellings per hectare. This arrangement provides a density of development which would be expected for suburban development in such a location and strikes a balance between the need to provide an efficient use of land and providing an acceptable development form in wider character terms.

Design, scale and massing

- 7.4.17 The proposal would include flatted blocks up to a height of 14.5 metres and clearly higher than the houses to a typical two storey height of 8.8 metres, 10.3 metres for houses with accommodation in the roof (at third floor level). The proposal would provide a traditional built form for all buildings, including traditional features, as indicated in paragraph 4.3 above. The proposed dwellings would be traditionally designed including gables, half hips, brickwork, dormers, bays, storm porches, tile hanging, wood cladding, and detailing around doors/windows.

- 7.4.18 The proposed blocks are provided to punctuate the wider streetscene and provide “sign posts” around the development as markers to improve legibility for future visitors to the development. These blocks are also clearly larger in scale (than the houses) but are predominantly set at a distance from the smaller houses so as to not over dominate these dwellings nor provide any significant abrupt change in building heights or mass which would provide jarring relationships within the scheme. Some of these blocks are designed as end stops to street vistas, such as Plots 42-59, which provides a focal point to such views and enhances the streetscene.
- 7.4.19 The design response to the flats includes the provision of a mix of materials on the elevation treatment set out horizontally (with the ground floor treated differently for the upper floors) or vertically (with the change in surface treatment) which assist in breaking up their mass. In addition, the use of relief and design features (e.g. false taking-in doors in the gable roofs for the warehouse style blocks) add interest to these buildings. The design solutions, in their amended form, is supported by the UDC.
- 7.4.20 The houses to be located on the main access road include larger semi-detached properties, two storeys with accommodation in the roof, which are closest in scale to the flatted blocks, close to the access road (Plots 1-20 and 21-31) as well as the end stop building (Plot 42-59). This is also reflected in the short terraces to be provided at the southern access road which reflect a more urban character, different to the more suburban character of the north access road.
- 7.4.21 The design response around the pumphouse is to provide a tighter streetscape, reducing the road width and removing gaps between the proposed dwellings opposite to provide a more unified built relationship. The proposed dwellings opposite, and close to the historic pumphouse are smaller in scale, two storeys, and simpler in design so as not to compete with the pumphouse.
- 7.4.22 Whilst detached and semi-detached dwellings predominate around the spine road, a series of terraced dwellings along the southern section and on the secondary roads are provided, which provide variety to the form of the development.
- 7.4.23 The UDC has advised that the revised layout addresses the need for a clearly defined character areas and distinct road hierarchies in the north east part of the scheme including differentiated street sections, building patterns, grain, building lines, landscaping (hard and soft), and boundary treatment.

Historic environment

- 7.4.24 The site includes one building of quality, the former Victorian pumphouse. This non-listed building is behind the main buildings on the site, and is not clearly visible from the public domain, such as Sturt Road, with only brief glimpses possible from the rail line at the rear. The building is alongside a number of inferior quality commercial buildings and close to the builders’ merchants yard. This proposal seeks to retain this building, convert it from offices to dwellings and provides an improved setting for this building. This improved setting includes a layout designed around a mews development in this location, different to the character of the development proposal, providing an improved and appropriate setting for this building.
- 7.4.25 The Church of St Michaels, a Grade II listed building, is set in grounds on the opposite (east) side of Stuart Road. Currently, directly opposite, is a screen of poor quality trees (Cypress) in front of the builders’ merchants yard. The current proposal would provide houses which would face the church, set back and behind a landscaped area (including trees). This relationship is considered to be acceptable and provide improvements to the setting of this listed church.

Landscape and trees

- 7.4.26 The revised landscape approach enhances and reinforces the character of Sturt Road. It provides a positive relationship with Sturt Road, in terms of the transparent, green boundary on the eastern side of the proposal, based on the retained oak trees, additional tree planting in a flowing, organic pattern and generous grass verges which allows views into the site, where smaller scaled dwellings can be glimpsed behind the vegetation. The proposal would provide trees through the scheme, including within the street frontages.
- 7.4.27 The site includes a range of trees towards the edge of the site, and a number in close proximity, none of which are protected under a Tree Protection Order. The most important trees are located close to the main vehicular access and are proposed to be retained. There will be some tree removals, mostly in the north east corner of the site, and some to the site frontage, but these are of lesser quality and with species (e.g. Cypress) that are not appropriate for the proposed use. The proposed use and layout would provide an opportunity to open up the site, currently screened which “hides” the commercial development and uses from the public domain. This would also, in design terms, improve connectivity between Sturt Road and this development. The one exception is to the north east corner, where some tree removal is proposed but a screen is to be provided, against a backdrop of a parking court and the rear of a residential flat block (Plots 1-20) behind, which would be an appropriate response in this location.
- 7.4.28 The Council’s Arboricultural Officer has advised that, whilst no objections are raised, further details are required to ensure that the retained trees are adequately protected during the construction process and into the future, and further justification for the retention of specific trees would be required. It is considered that these matters can be addressed at the condition stage. The proposal would result in landscaping to include tree planting, including more appropriate tree planting to the road frontage onto Sturt Road, to improve the visual appearance of the site. These required details are to be controlled by condition.
- 7.4.29 Noting the size of the development and density, size of residential gardens and designated countryside location, it is considered prudent to remove permitted development rights for householder developments (house extensions, outbuildings, etc.) to allow the Council control over such developments at the site in the future. The proposal is considered to be acceptable on its impact on local character, historic environment, countryside and trees complying with Policies CP2, DM9 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7.5 Impact on highway safety

- 7.5.1 Policy DM11 of the CSDMP indicates that development which would adversely impact the safe and efficient flow of the highway network will not be permitted unless it can be demonstrated that measures to reduce or mitigate such impacts to more acceptable levels can be implemented. All development should ensure that safe and well-designed vehicular access and egress is provided. Policy CP11 indicates that development shall comply with parking standards. The County Highway Authority has raised no objections to the proposal and their comments are set out in Annex A.

Impact on local highway network

- 7.5.2 The proposal would use two of the existing accesses onto Sturt Road, which are located between two bridges, one to the north under the Southampton to London Waterloo main rail line and one to the south over the Reading to Guildford rail line. The road under the bridge, to the north of the site, is in a dip in the road, and the inside of a bend, which reduces visibility for traffic on Sturt Road. The dip in the road, under the rail bridge, is also subject to flooding during heavy downpours, which can lead to temporary road closures. Paragraph 7.9 below considers drainage matters, but as a part of these matters, the expectation is that this localised issue can be considered under the wider

drainage matters for the site. In effect, the drainage scheme (see paragraph 7.9 below) will include improvements to reduce the risk of flooding in the dip in the road under the rail bridge, although it is noted that recent clearance by the County Council has created some, albeit relatively temporary, improvements.

- 7.5.3 According to the Transport Assessment, the proposal would provide a trip generation of 63 two-way movements during the morning peak and 69 two-way movements in the evening peak (619 two-way movements during weekdays – 09:00 to 17:00 hours). This compares with 102 two-way movements during the morning peak and 95 two-way movements in the evening peak for the authorised uses on the site (665 two-way movements during weekdays – 09:00 to 17:00 hours). Whilst it is noted that the current use of the site is much lower than its authorised (optimum) uses, the assessment has been made against the authorised uses on the site. The assessment has therefore indicated a reduction in trips generated at the site, when compared with the authorised uses of the site.
- 7.5.4 The County Highway Authority has indicated that their agreement to the findings of the Transport Assessment and that the proposal is acceptable in terms of the level of traffic generation from the site, noting the historic/current commercial uses on the site. It is noted that there have been a number of developments more recently built, or likely to be built, since the closure of the main uses on the site. Even taking into consideration these developments, principally the Waters' Edge development and Deepcut, the proposal would not have an adverse in combination impact upon traffic on the local highway network. The County Highway Authority has commented that the modelling of local junctions has been undertaken, including the Wharf Road mini-roundabout, Hamesmoor Road roundabout and Guildford Road roundabout. The impact of the proposal on the wider highway network is considered to be acceptable.

Pedestrian access

- 7.5.5 The current proposal would provide opportunities to improve the bus stop facilities on Sturt Road, to improve sustainability. Pedestrian access would be enhanced with a footpath link provided on the west side of this site, in part set back (or behind) landscaping on this road frontage. Pedestrian crossing points would be provided at either end of the footpath link to direct pedestrians to the footway on the east side of Sturt Road which provides the pedestrian link between Frimley Green and Mytchett. Amendments have reduced the length of the footpath to the north end of the site, because of concerns raised on pedestrian safety, crossing Sturt Road close to the rail bridge, where there is reduced visibility.
- 7.5.6 The proposed crossing points could include dropped kerbs, pram crossing points, tactile paving, and pedestrian refuges (islands). It is noted that the provision of the southern crossing point will require a reduction in the length of the right turn facility (into Frimley Lodge Park). The County Highway Authority considers this reduction in length to be acceptable.

Bus and rail services

- 7.5.7 Sturt Road lies on a good bus route with a half-hourly service provided on the 3 service between Aldershot and Yateley (via Camberley) hourly service on the 11 service Frimley to Farnborough). Improvements to the bus service, including a new bus shelter and real time information on the north bound bus stop outside of the application site, are to be provided. Similar improvements cannot be provided on the south bound bus stop due to limitations of space on the footway and highway safety issues around the access to Frimley Lodge Park. The nearest rail station is about 1.5 kilometres from the site (Farnborough North station). The proposed improvements to the bus service is likely to increase its use and reduce traffic demand.

Parking provision

- 7.5.8 The parking provision includes 276 spaces to serve this development including 266 spaces for the dwellings. As previously indicated, the parking is arranged around drive parking, garage parking and a number of parking courts. The parking levels provided for

No of bedrooms	Parking ratio	Parking standard
1	1	1
2	1.5	1
3	2.3	2
4	2.7	2

each size of dwelling (i.e. number of bedrooms) is shown in the following table with the parking ratios compared against the equivalent SCC parking guidelines:

This means that for one bed units, 1 parking space is to be provided; for two bed units, 1-2 parking spaces are to be provided; for three bed units, 2-3 parking spaces are to be provided (with the exception of Plot 137 for which 1 parking space is to be provided but a visitor space is close by); and for four bed units, 2-3 parking spaces are to be provided.

- 7.5.9 The SCC parking guidelines support further provision, where space is available. As such, the proposal would exceed this guideline and be provided at a level which is acceptable in this location. The parking guidelines also indicate that visitor parking is encouraged, though not always necessary. The proposed layout includes 10 visitor spaces, which is considered to be an acceptable level of provision for this proposal. No objections are raised to the proposed level of parking provision by the County Highway Authority.
- 7.5.10 As such, no objections are raised to the proposal on these grounds with the proposal complying with Policies CP11 and DM11 of the CSDMP and the NPPF.

7.6 Impact on residential amenity

- 7.6.1 Policy DM9 indicates that development will be acceptable where it provides sufficient private and public amenity space and respects the amenities of the occupiers of neighbouring properties and uses. The nearest residential properties (33-37 Sturt Road) are to the east of the application site, north of the grounds of the listed church. The distance of these dwellings from the site, their orientation against the orientation of the nearest flatted block (Plots 1-20), and the proposed/existing landscaping in between limits any significant harm to the amenity of the occupiers of these dwellings. Some of the proposed buildings, particularly the flatted blocks (Plots 1-20 and 21-39), would be partly visible from some residential properties north of the application site, in the settlement of Frimley Green. However, this impact will be more limited because of the levels of separation and the railway embankment between those properties and the application site.
- 7.6.2 Principle 8.4 of the RDG requires minimum areas for garden sizes within residential developments up to 65 square metres for two/three bedroom houses and up to 85 square metres for four bedroom houses and over. The proposal provides rear amenity for all such properties which meet the standards set out in the RDG. Principle 8.6 sets out minimum amenity space for flats. The proposal would provide shared rear amenity for all such properties which would exceed the standards set out in the RDG. The garden areas for the flats would be provided with sufficient space for such private amenity areas, the details of which would be set out in the landscaping details required by condition. In addition, areas of shared amenity and play spaces are to be provided. The site is also in close proximity to the Frimley Lodge Park.

7.6. The Senior Environmental Health Officer has confirmed that mitigation would be possible to address any potential noise effects to future occupiers from the road and rail lines, by condition. The provided air quality report confirms that no adverse effect on air quality from the development (including the construction processes and traffic generation) is envisaged.

7.6.4 It is not considered that the proposal would have any significant material effect on residential amenity to the occupiers of nearby residential properties from any loss of light, privacy or overbearing/overshadowing effect. The proposal would provide acceptable living conditions for future residents. No objections are therefore raised to the proposal on these grounds with the proposal complying with Policy DM9 of the CSDMP and advice in the RDG.

7.7 Impact on the Thames Basin Heaths Special Protection Area and ecology

7.7.1 Policy CP14 of the CSDMP indicates that the Council will only permit development where it is satisfied that this does not give rise to likely significant adverse effect on the Thames Basin Heaths Special Protection Area (SPA). All net residential development within 5 kilometres of the SPA is considered to give rise to the possibility of likely significant effect. No (net) residential development will be permitted within 400 metres of the SPA and proposals for development between 400 metres and 5 kilometres will be required to provide appropriate measures to avoid adverse effects on the SPA, in accordance with the THBSPA. The site lies about 540 metres from the SPA. Policy CP14 confirms that appropriate measures include contributions towards the provision of Suitable Alternative Natural Greenspaces (SANGs) and Strategic Access Management and Monitoring (SAMM) measures. Policy NRM6 of the SEP and the NPPF reflects this policy. The Shadow Habitats Regulations Assessment confirms that, with the distance from the SPA, no other adverse effects is envisaged from the development on the SPA.

7.7.2 Contributions towards SANG are normally delivered through CIL. However, in this case and due to the limited SANG capacity available in this part of the Borough, the applicant is securing their SANG contributions through Hart District Council. There are two available options which include a SANG associated with a residential development which is to be provided as a public SANG (Hawley Park Farm) or an existing SANG (Bramshott Farm SANG). The application site lies within the catchment of both of these SANGs. Hart District Council has confirmed that these will be available for the applicant, although the contribution is more likely to be provided for the existing SANG (due to the limited progress on site for the new SANG).

7.7.3 The Executive agreed to limit the time period to implement permissions for residential development due to the limited SANG capacity, and need to deliver housing to free-up capacity, to one year permissions (unless evidence is provided to explain a need to extend this reduced time period to commence development). However, this limitation would not apply where the applicant is utilising an alternative SANG delivery source. However, with the use of SANG from Hart district, a condition to ensure confirmation of a SANG contribution delivery to that Authority is required prior to commencement of the development. Under such circumstances, no objections are raised on these grounds.

7.7.4 SAMM provision falls outside of CIL and therefore has to be provided by an upfront payment or secured through a legal agreement. In this case, a legal agreement is to be provided in this respect. As such, and subject to securing SAMM through a legal agreement (or upfront payment) of £103,922 and securing contributions towards a Hart SANG, which has been indicated to be £1,971,293, no objections are raised to the proposal on SPA grounds with the proposal complying with Policy CP14 of the CSDMP; Policy NRM6 of the SEP; the NPPF and guidance within the TBHSPA.

7.7.5 Policy CP14 of the CSDMP indicates that the Council will seek to conserve and enhance biodiversity within the Borough and developments that result in harm to or loss of features of interest for biodiversity will not be permitted. Development will where appropriate be required to contribute to the protection, management and enhancement of biodiversity.

The site lies within the countryside and about 20 metres (minimum) from a Site of Nature Conservation Importance (The Quays), which is a locally designation.

- 7.7.6 The ecological report provided with the application confirms that whilst there are some habitats, such as rough grassland, groups of trees and an ornamental pond, the site has a low ecological value with no evidence of protected species. The proposal would provide replacement trees, native trees which would have more ecological value than most of the lost trees, which would be spread across the site (rather than predominantly in peripheral locations), bat and bird boxes and hedges to provide wildlife corridors.
- 7.7.7 The Surrey Wildlife Trust has raised no objections to the proposal on this basis, subject to the provisions in the ecological report. A condition relating to the provision of a Landscape and Ecological Management Plan (LEMP) to provide biodiversity net gains would be required. No objections are raised on biodiversity grounds with the proposal complying with Policy CP14 of the CSDMP and the NPPF.

7.8 Impact on infrastructure

- 7.8.1 Policy CP12 of the CSDMP indicates that sufficient infrastructure will be provided to support the development proposal. Where funding gaps for infrastructure have been identified, the Council will require developers to make a contribution towards the shortfall in funding. Most of this to be provided through the Council's CIL scheme. This is funded through a levy system and is secured outside of the application process. The current proposal is CIL liable and a charge is to be provided outside of the application process.
- 7.8.2 Paragraph 57 of the NPPF indicates that planning obligations must only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development and fairly and reasonably related in scale and kind to the development. The CIL scheme does not include contributions towards education.
- 7.8.3 It is considered that the provision of a residential development would have an impact on education provision, where in the Borough there is a deficit of provision. However, to date, the education provision needs to relate to a specific need and related to a development programme to which a contribution can be made. This information has not been provided to date and, as such, a contribution towards education provision cannot be made. In any event, any such cost would have a knock on effect on the delivery of affordable housing provision and, if provided, would result in a lower level of affordable housing provision.
- 7.8.4 As such, and subject to the securing of the education contribution (or upfront payment), no objections are raised on these grounds with the proposal complying with Policy CP12 of the CSDMP and the NPPF.

7.9 Impact on land contamination, flooding and drainage

- 7.9.1 Paragraphs 183 and 184 of the NPPF indicates that planning decisions should ensure that account is taken of ground conditions and any risks arising from contamination and where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or land owner. The former use of the site, and processes likely to have taken place with that use would lead to a potential for land contamination at the site. The contamination assessment report, provided by the applicant, comes to that conclusion, but it is accepted that more survey work will be required which can only be fully undertaken once the buildings on the site have been removed. The Senior Environmental Health Officer has considered that the proposal is acceptable subject to a condition which considers any uncovered contamination and a remediation strategy.

- 7.9.2 Policy DM10 of the CSDMP indicates that in order to manage flood risk, a sequential approach to determining planning applications. The site falls within an area of low flood risk (Zone 1) and the developable sites is greater than 1 hectare. As such, it is not considered that the proposal would lead to increased flood risk, subject to Paragraphs 7.9.3 and 7.9.4 below.
- 7.9.3 Policy DM10 of the CSDMP also indicates that development will be expected to reduce the volume and rate of surface water run-off through the incorporation of appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale and type of development. The proposal would provide a mix of on-plot drainage (such as soakways) where this is appropriate and a tanking system, to hold back surface water during periods of heavy rainfall.
- 7.9.4 The proposal also needs to take account of the existing drainage system. In this case, the existing drainage arrangements include a ditch system from the north east corner of the site, taking runoff from the Southampton to London Waterloo rail line and land to the east, running towards the north west corner of the site which feeds into a culvert under the Reading to Guildford rail line into a watercourse running down to the Blackwater river to the west. This is complicated by the pumping system in the north west corner which is provided to replenish the Basingstoke Canal, which is on higher land to the east of the site. In addition, the proposal needs to consider a new pumping station in the north east corner to remove the flood risk on Sturt Road highway, under the rail bridge. Amended details in this regard have been received and an update from all interested parties, including the LLFA, Basingstoke Canal Authority and Network Rail are expected and will be provided on the update.
- 7.9.5 As such, subject to the receipt of such comments, no objections are raised on contamination, flood risk and drainage grounds with the proposal complying with Policy DM10 of the CSDMP and the NPPF.

7.10 Impact on housing mix and affordable housing provision

- 7.10.1 Policy CP6 of the CSDMP requires developments should be provided with a range of housing which reflect the demand for market housing, across the Borough. The proposed housing mix provides 22% one bedroom, 48% two bedroom, 23% three bedroom and 7% four bedroom units which compares with 10% one bedroom, 40% two bedroom, 40% three bedroom and 10% four bedroom units, as set out in the table which supports Policy CP6. Noting the site location, the proposed mix is considered to be acceptable.
- 7.10.2 Policy CP5 of the CSDMP requires developments of this scale to provide 40% affordable housing. However, this application has been the subject of a viability assessment. Paragraph 58 of the NPPF indicates that where up-to-date policies have set out contributions expected from development, development would be assumed to be viable. It is for the applicant to demonstrate the particular circumstances to justify the need for a viability assessment and the weight to be given to such an assessment is a matter for the decision maker.
- 7.10.3 Whilst the Council's Viability Consultant has reviewed the provided viability assessment, there are disagreements on the assumptions made with the applicant's build costs and benchmark land value (i.e. value of site in its existing use or alternative use) as well as the profit margin sought. Negotiations have reached a compromise position with the applicant agreeing on a reduced profit margin of 18.5%, rather than the 20% originally sought. Based upon this there is a surplus which can contribute towards affordable housing, albeit the final amount may be reduced dependent on education contributions and the costings of the drainage solution.
- 7.10.4 Initially the applicant proposed an off-site contribution in lieu of on-site provision. However, as made clear by Policy CP5 this option ought only to be accepted where on-site provision is not achievable. Moreover, the definition of affordable housing under Annex 2 of the NPPF is wide and includes affordable housing for rent, starter homes, discount market housing (at least 20% below local market value), and shared ownership.

This is a wider definition of affordable housing than indicated in the local plan, but the NPPF definition will take precedence over the narrower definition of affordable housing in the local plan, which is now out-of-date. The applicant has therefore proposed the provision of discount market housing on-site. Whilst the final amount is to be confirmed this will be in the region of between 6.9% - 9.4% affordable housing. The applicant proposes providing 11 units in Block B (plots 21 -31) and up to 4 additional two bed houses.

- 7.10.5 Further discussions are on-going in relation to the provision of drainage infrastructure (as set out in paragraph 7.9.4 above) and other costs e.g. education. At the time of writing of the officer report, the indication is that the level of affordable housing can only be approximated and a further update will be provided on the update which will more clearly define the amount of affordable housing which can be provided for this development.
- 7.10.6 The viability assessment has to take into consideration other costs such as the required drainage infrastructure and the feasibility of an education contribution and so an update on the agreed affordable housing amount will be reported at the meeting. Subject to this and a S106 legal agreement to secure the provision no objections are raised with the proposal complying with Policy CP5 of the CSDMP and the NPPF.

7.11 Other matters

- 7.11.1 Policy DM16 of the CSDMP requires the provision of adequate play space provision for residential developments. This provision should be provided on the site. The proposal includes the provision of a play area, to the north part of the site and two smaller, informal amenity areas, located to the centre and south parts of the site, which would meet this requirement, subject to the approval of details.
- 7.11.2 Policy CP2 of the CSDMP indicates that development will be required to provide measures to improve energy efficiencies and sustainability. The energy statement provided to support the application includes measures to provide energy efficiencies including a fabric-first approach to reduce heat losses from the buildings, low carbon and renewable energy measures for the roof of the proposed flat buildings and water efficiency measures. It is considered prudent to ensure that these details are provided by condition.
- 7.11.3 Policy DM17 of the CSDMP indicates that on sites of 0.4 hectares or over, a prior assessment of the potential archaeological significance of the site has to be undertaken. In this case, a desk-based assessment has been provided which indicates that the site has a low archaeological potential due to previous activity on the site (waterworks and earlier quarrying). The Archaeological Officer has indicated that, due to site history, it would not be proportionate to require an archaeological site investigation.

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 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 current proposal is considered to be acceptable in terms of its impact on character, heritage and trees; residential amenity; highway safety; infrastructure and ecology; land contamination, drainage and flood risk; play space provision, energy efficiency and archaeology. The increase in likely size of the development would have an increased impact on the countryside but is considered to be justified on the basis that, on the tilted balance, this delivers a significant amount of residential development, to significantly assist in address the shortfall below the 5 year supply (plus buffer) position required for the Borough. Subject to securing SANG contributions (towards a SANG in Hart district) and contributions towards SAMM and affordable housing provision the proposal is considered to be acceptable.

10.0 RECOMMENDATION

GRANT subject to a legal agreement to secure contributions towards SAMM, SANG and affordable housing provision and the following conditions:

1. The development hereby permitted shall be begun within three years of the date of this permission.

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

2. The proposed development shall be built in accordance with the following approved plans: 29769A/232 Rev A, 29769A/240 Rev. D, 29769A/245 Rev D, 29769A/250 Rev D, 29769A/255 Rev E, 29769A/265 Rev D, 29769A/270 Rev D, 29769A/275 Rev E, 29769A/280 Rev D, 29769A/290 Rev D, 29769A/295 Rev D, 29769A/300 Rev D, 29769A/315 Rev D, 29769A/325 Rev D, 29769A/330 Rev D, 29769A/340 Rev D, 29769A/360 Rev D, 29769A/365 Rev D, 29769A/370 Rev D, 29769A/375 Rev C, 29769A/380 Rev E, 29769A/381 Rev B, 29769A/382 Rev B, 29769A/383 Rev B, 29769A/400 Rev D, 29769A/405 Rev E, 29769A/435 Rev B, 29769A/505 Rev B and 29769A/506 Rev B received on 9 December 2020; 29769A/230 Rev G1, 29769A/231 Rev G1, 29769A/235 Rev G1, 29769A/236 Rev G1, 29769A/285 Rev G3, 29769A/286 Rev G3, 29769A/287 Rev A, 29769A/305 Rev G1, 29769A/310 Rev E1, 29769A/320 Rev F3, 29769A/321 Rev F3, 29769A/335 Rev F1, 29769A/355 Rev E1, 29769A/385 Rev E4, 29769A/390 Rev E5, 29769A/395 Rev C4, 29769A/410 Rev E2, 29769A/415 Rev E1, 29769A/420 Rev F1, 29769A/425 Rev F1, 29769A/430 Rev F1, 29769A/440 Rev F1, 29769A/500 Rev C2, 29769A/501 Rev C2, 29769A/502 Rev B2, 29769A/503 Rev C2, 29769A/504 Rev C2, 29769A/510 Rev A2 and 29769A/511 Rev A2 received on 15 June 2021; 29769A/80 Rev A1 and 29769A/100 Rev H8 received on 23 July 2021, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until written approval has been obtained from the Local Planning Authority that an appropriate contribution towards a Suitable Alternative Natural Greenspace (SANG) has been secured so as to avoid any significant effects on the integrity of the Thames Basin Heaths Special Protection Area.

Reason: In the interests of nature conservation and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) the National Planning Policy Framework and advice within the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.

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

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

5. No surface materials for the roads, car parking areas or driveways will be used on the site until samples and their details have been submitted to and approved in writing by the Local Planning Authority. Once approved only the agreed surfacing materials shall be used in the construction of the development.

Reason: To safeguard the visual amenities of the locality and to comply with the approved drainage strategy for the development and in accordance with Policies DM9 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

6. Development shall not commence until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. If unexpected contamination is found after the development has commenced, development will be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Part d is complied with in relation to that contamination.

The above scheme shall include:-

(a) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater and surface waters, ecological systems, and archaeological sites;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11';

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority;

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part (b) above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Part (c) above; and,

(e) If identified as necessary from Parts (a) to (d) inclusive above, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 10 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors
in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework

7. The development hereby approved shall not be first occupied unless and until the proposed accesses to Sturt Road has been constructed and provided with visibility zones in accordance with Drawing No. 1911063-04 Rev A [Appendix B of the Transport Assessment by Motion dated 03.11.20] and thereafter the visibility zones shall be kept permanently clear of any obstruction between 1 metre and 2 metres above adjoining carriageway level.

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

8. The development hereby approved shall not be first occupied until informal crossing points across Sturt Road are provided along with the footway provision in between in accordance with the approved plan 27969A/100 Rev H8, without the prior approval in writing of the Local Planning Authority.

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

9. The dwellings within the development hereby approved shall not be occupied until they 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 by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of site sustainability and to comply with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the first occupation of the development hereby approved on site details of cycle and refuse storage area(s) and access thereto are to be submitted to and approved by the Local Planning Authority. Once approved the details shall be implemented in accordance with the approved plans and thereafter retained.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a bus stop improvement scheme (for the north and south-bound bus stops on Sturt Road in front of the application site) shall be implemented in accordance with a scheme which is to be submitted to and approved by the Local Planning Authority.

Reason: To ensure visual and residential amenities are not prejudiced and to promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

12. Prior to the occupation of the development hereby approved, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be provided in general accordance with the Travel Plan by Motion dated 03.11.20 and the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Plan shall be implemented in accordance with the approved details.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy

and Development Management Policies 2012 and National Planning Policy Framework.

13. Prior to the occupation of the development hereby approved, a Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority. The Pack shall be provided in accordance with the sustainable development objectives of the National Planning Policy Framework, and the Surrey County Council's "Travel Plan Good Practice Guide." The Pack shall be provided for the first occupier of each dwelling prior to their occupation of the respective dwelling.

Reason: To promote alternative modes of transport to the car for site sustainability and to accord with Policies CP2, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and National Planning Policy Framework.

14. No development shall commence until a Construction Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway
- (j) hours of construction
- (k) 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 condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to protect the amenities of residents in accordance with Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and thereby reduce the reliance on the private car and meet the prime objective of the National Planning Policy Framework

15. No development, including any site demolition or tree works, shall take place until an arboricultural method statement, which is based upon but expands beyond the Arboricultural Impact & Method Statement by ACD Environmental dated 23/09/20 [Ref: BERK22593aia-ams], is submitted to and approved by the Local Planning Authority.

Reason: In the interests of amenity and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012.

16. No soft or hard landscaping works shall take place until full details of both have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be carried out as approved and implemented prior to first occupation. The scheme shall include indication of all hard surfaces, walls, fences, access features, the existing trees and hedges to be retained, together with the new planting to be carried out and the details of the measures to be taken to protect existing features during the construction of the development.

Any landscaping which, within 5 years of the completion of the landscaping scheme, dies, becomes diseased, is removed, damaged or becomes defective in anyway shall be replaced in kind.

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.

17. A Landscape Management Plan, including long term design objectives, management responsibilities/timescales and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development, or any phase of the development whichever is the sooner, for its permitted use. The Landscape Management Plan shall be carried out as approved.

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 the National Planning Policy Framework.

18. No development shall take place to convert the former pumphouse building (identified as the Historic Pump House [Plots 136, 137 and 138] on Drawing No 27969A/100 Rev H8 and as shown on Drawing Nos. 27969A/380 Rev E, 27969A/381 Rev B and 27969A/382 Rev B) until a full description of the steps, works and measures (including a programme for the implementation of the works) to be taken to safeguard and secure the retention of the existing building, particularly where affected by the alterations hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the works shall be carried out in accordance with the approved measures.

Reason: In order to protect the undesignated Heritage asset and to accord with the Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

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

20. The development hereby approved will be undertaken in accordance with External Lighting Impact Assessment Noise Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25707-02-ELIA-01]; with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of the amenities enjoyed by the occupiers of the dwellings and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

21. The development hereby approved will be undertaken in accordance with Outline Site Waste Management Plan by Waterman Infrastructure and Environment Ltd. dated November 2020 [Ref: WIE17526-101-R-1-2-1-SWMP] with the

recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of waste management and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

22. The development hereby approved will be undertaken in accordance with Air Quality Assessment by Mewies Engineering Consultants Ltd. dated November 2020 [Ref: 25907-04-AQA-01] with the recommendations in that document implemented in full prior to the first occupation of the approved development.

Reason: In the interests of air quality and to limit pollution and to accord with Policies CP2 and DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

23. The development shall not commence until a Landscape and Management Plan (LEMP) has been submitted to and approved by the Local Planning Authority which is based upon and expands beyond the Ecological Impact Assessment by Derek Finnies associates dated October 2020 [Ref: DFA20087].

The LEMP should be based upon but not be limited to:

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

The development shall be implemented in accordance with the approved details.

Reason: In the interests of nature conservation and to accord with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

24. The parking spaces shown on the approved plan 27969A/100 Rev H8 shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

25. The garages hereby permitted and shown on approved plan 27969A/100 Rev H8 shall be retained for such purpose only and shall not be converted into living accommodation without further planning permission from the Local Planning Authority.

Reason: To ensure the provision of on-site parking accommodation and to accord with Policy CP11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

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

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

27. Within 12 weeks of the development hereby approved commencing details of the amenity areas and play space shown on the approved plan 27969A/100 Rev H7 shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the details shall be implemented in accordance with the approved scheme and shall be completed prior to the first occupation of the development.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policies DM9 and DM16 of the Surrey Heath Core Strategy and Development Management Policies 2012.

28. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc).

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

c) Details of drainage management responsibilities and maintenance regimes for the drainage system.

d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.

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

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the

details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason: To ensure the drainage system is constructed to the national Non-Statutory Technical Standards for SuDS.

29. No demolition, site clearance or building operations shall commence until tree and ground protection has been installed in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" and as detailed within the submitted Arboricultural Report. Tree and ground protection to be installed and retained during the course of the development.

Reason: To ensure the retention of trees in the interests of the visual amenities of the area and to accord with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

30. In this condition 'retained tree' means an existing tree or hedge which is to be retained in accordance with the approved plan; and clauses a) and b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) No retained tree shall be cut down, uprooted or destroyed, nor any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without further planning permission being granted by the Local Planning Authority. Any topping or lopping shall be in accordance with BS 3998: 2010 "Tree Works - Recommendations" and in accordance with any supplied arboricultural method statement.

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in a similar location and that tree shall be of such size and species, and shall be planted at such time, as approved by the Local Planning Authority.

(c) Following the completion of any arboricultural works but before any equipment, materials or machinery are brought onto the site in connection with the development protective fencing and ground protection such as GeoTextile membrane or scaffold boards in accordance with British Standard 5837: 2012 "Trees in Relation to Design, Demolition and Construction" shall be installed around all the retained trees in accordance with details that first shall be submitted to and agreed in writing with the Local Planning Authority. Such protection shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in the fenced protective areas nor shall any fires be started, no tipping, refuelling, disposal of solvents or cement mixing carried out and ground levels within those areas shall not be altered, nor shall any excavation or vehicular accesses be made within the protected areas without planning permission.

d) Prior to both the commencement of works on site and before the installation of the tree protection, in accordance with c) above, the Council's Arboricultural Officer shall be notified to arrange a pre-commencement meeting to agree the location and extent of any works to retain trees and a site inspection programme (including the frequency of visits and reporting to the Council).

Reason: This permission was only granted on the basis that the 'retained trees' would remain on site to mitigate the impact of the development and 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.

31. Before first occupation of the respective dwellings within the development hereby approved the first floor; window(s) in the flank elevation(s) of the dwellings within Plots 63, 67 and 146, as identified by approved plan 27969A/100 Rev H8; shall be

completed in obscure glazing and any opening shall be at high level only (greater than 1.7m above finished floor level) and retained as such at all times. No additional openings shall be created in these elevations, and the flank elevations of Plots 38, 122, 130, 139 and 151, as identified by approved plan 27969A/100 Rev H7, without the prior approval in writing of the Local Planning Authority.

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

Informative(s)

1. The applicant is advised that, for the bus stop improvement scheme required for Condition 11 above, the scheme should include:

At the north-bound bus stop (on the west side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Real Time Passenger Information display
- Bus stop pole with flag and timetable case
- Bus stop cage and clearway

At the south-bound bus stop (on the east side of Sturt Road):

- Accessible kerbing (9 metres at 140mm height)
- Bus stop cage and clearway

2. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended

start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>

The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice

7. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that power balancing technology is in place if required. Installation must be carried out in accordance with the IET Code of Practice for Electric Vehicle Charging Equipment.

In the event that a satisfactory legal agreement has not been completed by 8 September 2021, or any other period as agreed with the Head of Planning, the Head of Planning be authorised to REFUSE for the following reasons:

3. The Local Planning Authority, following an Appropriate Assessment and in the light of available information, is unable to satisfy itself that the proposal (in combination with other projects) would not have an adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) and the relevant Site of Specific Scientific Interest (SSSI). In this respect significant concerns remain with regard to the adverse effect on the integrity of the SPA in that there is likely to be an increase in dog walking, general recreational use and damage to the habitat and the protected species within the protected areas. Accordingly, since the Local Planning Authority is not satisfied that Regulation 62 (of the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations)) applies in this case then it must refuse the application in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. For the same reason the proposal conflicts with the guidance contained within the National Planning Policy Framework and Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019.
4. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990, the proposal fails to provide an adequate provision for affordable housing. The application is therefore contrary to the aims and objectives of Policy CP5 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.