

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

**PROPOSAL:** Reserved Matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to conditions 16 (detailed ecological management strategy & management plan), 21 (LAPS and LEAPS) 29 (tree retention and protection plans), 32 (hard and soft landscaping), 33 (landscape management plan) and 43 (foul drainage) attached to 12/0546 dated 04 April 2014 (as amended) 12/0546 as amended by 18/0619 and 18/1002 and Schedules 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement dated 17 April 2014 as varied pursuant to the T\_CP (Modification and Discharge of Planning Obligations) 1992

**TYPE:** Reserved Matters

**APPLICANT:** Secretary Of State For Defence

**OFFICER:** Sarita Bishop

**RECOMMENDATION: GRANT subject to conditions**

**1.0 SUMMARY**

- 1.1 The proposed provision of formal and informal recreation areas and play areas, surrounding tree cover and improved connectivity are important component parts of the requisite public open and recreational space provision required to serve the Mindenhurst development. The proposals are also considered to be in accordance with the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied and are recommended for approval.

**2.0 SITE DESCRIPTION**

- 2.1 The Princess Royal Barracks site has an overall site area of some 114 hectares. This former military site has permission for a major residential development totalling 1,200 new dwellings, with associated public open space, community facilities, a primary school, retail and commercial uses and access and highway works.
- 2.2 The redevelopment is divided into 6 phases, three non residential (1, 3 and 5) and three delivering housing (2, 4 and 6).
- 2.3 Phase 1 which includes the provision of the spine road (now Mindenhurst Road), the Village Green, pond and play areas, the Green Swathe, the Green Swale and the Central SANG are generally complete except for some outstanding remediation and landscaping works.
- 2.4 Phase 2 comprising Phases 2a and 2b and Phase 4a comprising a total of 363 dwellings are under construction and nearing completion.
- 2.5 Phase 3a (the primary school) is complete and has been handed over to Surrey County Council. Phase 3c (the public house) opened in May 2022.

- 2.6 This application relates to Phases 5g and 5h. The site of just under 7 hectares is located to the south east of Blackdown Road, to the north east of Bellew Road and the Sergeants Mess, a Building of Merit, to the south west of Deepcut Bridge Road and to the north/north east of dwellings which front onto Lake Road to the south or Deepcut Bridge Road to the east. It is irregular in shape and is predominantly a mixed woodland which is owned by the Ministry of Defence. The site also includes a grassed playing pitch with sports pavilion, used by Mytchett Athletic FC, and a children's play area which has access from Blackdown Road, collectively known as either the Blackdown Road play space and playing fields or Blackdown Road Playing Field and Play Area. Whilst this land is also owned by the Ministry of Defence, this part of the site has been operated by Surrey Heath Borough Council as public open space since the 1970s. There is also a separate pedestrian access between 19 and 23 Woodend Road to the north east. Whilst the woodland is not public, with established fencing along the common boundary with the playing pitch, there is evidence that there is a well established pedestrian cut through from Bellew Road from the entrance to the Sergeants Mess down to Deepcut Bridge Road. There is also a concrete air raid shelter located off Deepcut Bridge Road. This is a bunker embedded within the woodland with two access points. There is a significant difference in levels with the woodland adjoining the boundary with the Sergeants Mess being some 10-11 metres higher than the site boundary with Deepcut Bridge Road.
- 2.7 As mentioned above the Sergeants Mess bounds the application site to the north, south and west. This building takes access from Bellew Road and has full planning permission for conversion into 33 flats (Phase 4g). Parcel X (Phase 4h) encircles the Sergeants Mess to the north, south and east and is proposed as a residential phase for 37 new build dwellings. Residential dwellings of various ages/designs adjoin all site boundaries.
- 2.8 The remainder of Phases 3 and 4, Phases 5d, 5e, 5f and 4j and all of Phase 6 have not yet been the subject of reserved matters applications.

### 3.0 RELEVANT HISTORY

- 3.1 12/0546 Hybrid planning application for a major residential led development totalling 1200 new dwellings with associated public open space, community facilities, a primary school, retail and commercial uses, access and highways works. Approved 6 April 2014. The Section 106 agreement for this application was signed on 17 April 2014.

As this was a hybrid application full planning permission was granted for the residential conversion of the Officers Mess building (now Phase 6e), the Sergeants Mess building (now Phase 4g) and the Headquarters of the Director or Logistics building (now Phase 4e) to provide a total of 81 flats. There is no requirement to provide affordable housing for these phases.

The outline element of the application included the approval of means of access and the following matters to be the subject of later reserved matters applications:

- 1,119 new build dwellings of which 35% would be affordable; (Officer note this would equate to an overall provision of 420 dwellings as it would also address the non provision on the converted buildings);
- A 2 form entry Primary School, together with a nursery facility;
- A foodstore;
- Local shops;
- Space for medical facilities to accommodate GPs/dentists;
- A library building with co-located police desk and village visitor centre;

- A public house
- Retention of the Garrison Church of St Barbara as a religious facility with a replacement church hall;
- Provision of 69.12 hectares of public open space comprising;
- 35 hectares of Suitable Alternative Natural Greenspace (SANGs) and 1.07 hectares of link between the Southern and Central SANGs;
- 19.85 hectares of semi natural open space (ANGST);
  - A 2 hectare Village Green;
  - 1.16 hectare Allotments;
  - 2.54 hectares of formal Parkland;
  - Areas of amenity green space within the residential areas;
  - Dedicated play spaces within the residential areas.
- A care home;
- Improved footpaths, cycleways, public transport linkages and highway improvements; and
- A Sustainable Urban Drainage system.

Condition 22 on this permission, as varied, secured the retention of the Blackdown Road equipped play space and playing fields in their existing use. Schedule 5 Part 12 of the Section 106 agreement, secured a contribution of £40,000 (index linked) payable to the Council for the Blackdown Road Play Area and the transfer of the Blackdown Road Play Area and Playing Field all prior to first occupation of the 500<sup>th</sup> dwelling.

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|-----|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3.2 | 17/0908     | Construction of a vehicular crossover/creation of an access off Deepcut Bridge Road. Approved. This permission was implemented to facilitate the provision of substations which benefitted from permission development rights. The substations have been installed and are located within the application site adjacent to its boundary with Deepcut Bridge Road.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3.3 | 20/0327/DTC | Submission of details, in part, to comply with condition 55 (contaminated land) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b (formal park), 4d (Parcel F ) and Phase 5 (Bellew ANGST, Sports Hub, North Alma ANGST, Care home, Allotments, North Dettingen ANGST, Loop Road and Brunswick Road and Roadsides). Approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 3.4 | 21/0353/DTC | Submission of details, in part, to comply with condition 52 (programme of archaeological evaluation) attached to planning permission 12/0546 dated 4 April 2014 (as amended by 18/0619 dated 19 July 2019 and 18/1002 dated 14 November 2019) in respect of Phases 3b, 5a, 5b, 5c, 5d, 5e, 5f, 5h, 5j and 5k. Approved. It is noted that that this report detailed the discovery of the air raid shelter.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 3.5 | 21/1003/MPO | Application to vary the section 106 agreement, as varied, in respect of hybrid permission 12/0546, as amended by 18/0619 and 18/1002 to amend the delivery or occupation or payment triggers for the completion of the Village Green and combined NEAP/LEAP, the provision of the Sports Hub, the Formal Park, the Allotments, the Basingstoke Canal Towpath contribution, shared pedestrian/cycle infrastructure, various highway works, bus infrastructure; to amend the clauses to Junction 3 M3 to allow for a payment of a contribution in lieu of works; to amend the highway layout at the junction of Frimley Green Road with Wharf Road and Guildford Road to provide a roundabout scheme, the phased provision of the Southern SANG, update clauses on Central SANGs, amend the mortgagee clauses, option to extend the management company for the SANGs to all non residential land areas, |

amend the Bellew Road Closure Contribution clause and consequential amendments to the definitions, clauses and plans. Approved. This agreement amended the area of ANGST, excluding SANGS Land) to be provided from a total area of 19.85 hectares across the Mindenhurst site to a minimum of 19 hectares across the site.

- 3.6 21/0968/NMA Application for non material amendment to permission 12/0546 as amended by 18/0619 and 18/1002 (hybrid application for a major residential led development totalling 1200 dwellings) to vary conditions 10 (care home), 17 (village green), 18 (allotments) and 19 (formal parks or gardens to address an inconsistency in site area for the care home between the condition and the section 106 agreement, introduction of minimum site area for the village green, introduction of minimum site area for allotments and reduction in site area for formal park(s) or gardens. Approved. This revised condition 19 on the hybrid permission to secure the provision of a minimum of one hectare of formal park and not more than 1.24 hectares of the existing Blackdown Road playing fields.
- 3.7 22/0511/FFU Erection of a bat barn on land between the former Sergeants Mess and the Blackdown Road playing field associated with Phases 4g and 5g of hybrid planning permission 12/0546 as amended by 18/0619 and 18/1002 for the redevelopment of Princess Royal Barracks. Under consideration. This is proposed to be located within the woodland part of the current application site. This facility is required to enable the relocation of the maternity bat roost currently within the Sergeants Mess. This building may not be converted into dwellings until a replacement roost is in place and the bats have relocated.

#### **4.0 THE PROPOSAL**

4.1 This is a reserved matters application for Blackdown Road ANGST and Sports Pitches (Phases 5g and 5h) pursuant to condition 4 (reserved matters, access, layout, scale, appearance and landscaping) and the partial submission of details pursuant to the following conditions:

- Condition 16 (detailed ecological management strategy & management plan);
- Condition 21 (LAPS and LEAPS);
- Condition 29 (tree retention and protection plans);
- Condition 32 (hard and soft landscaping);
- Condition 33 (landscape management plan); and
- Condition 43 (foul drainage)

attached to 12/0546 dated 04 April 2014, as amended by 18/0619 and 18/1002. .

4.2 A submission is also made under the Town and Country Planning (Modification and Discharge of Planning Obligations) 1992 in respect of in the following parts of Schedule 5 of the Section 106 agreement as varied:

- Part 5 (ANGST);
- Part 9 (LEAPS and LAPS);
- Part 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field)

4.3 The existing woodland, of some 5.7 hectares, is proposed to retained as woodland and to be used as Accessible Natural Greenspace Standard (ANGST), being defined in the section 106 agreement, as varied, as natural and semi natural open space. The playing field and childrens play area, of just under 1.3 hectares are also to be retained in their existing use. A new substation will also be provided on the east side of the pedestrian access which leads into the Sergeants Mess from Blackdown Road.

- 4.4 A new 3 metre wide resin bound footpath/cycle link is to be provided from the Sergeants Mess/Parcel X (Phases 4g and 4h) to link these residential areas with Deepcut Bridge Road and to the Village Green and the wider Mindenhurst development beyond. The existing pedestrian accesses serving the Sergeants Mess and the Blackdown Road playing fields and play area from Blackdown Road are to be retained as is the pedestrian access into the Blackdown Road playing fields and play area from Blackdown Road from Woodend Road. A new 2 metre wide gravel pedestrian route is proposed from the Blackdown Road playing field to link into Parcel X (Phase 4h). All new routes would also have a 5 metre wide Safety and Surveillance Zone. No trees would be removed to facilitate this zone but vegetation would be cleared.
- 4.5 The application also includes a partial submission of details pursuant to conditions 16 (Ecological Mitigation and Management), 21 (LAPS and LEAPS), 29 (Tree Retention and Protection), 32 (Hard and Soft Landscaping), 33 (Landscape Management Plan) and 43 (foul sewage). A submission is also made in respect of Schedule 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement, as varied.
- 4.6 The application is supported by Design and Access statement, a supporting statement, an Arboricultural Assessment, an Ecology Mitigation Strategy and Management Plan, an Ecology Report, a Bat Masterplan, an Ecology Technical Note – Impact of Lighting on Bats, a Biodiversity Metric Calculation, Contamination and Condition Surveys of the Air Raid Shelter, a Landscape Management Plan, an existing drainage layout and a Wildfire Management Plan.

## 5.0 CONSULTATION RESPONSES

- |      |                                |                                                                                                                                                                                                                                                              |
|------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.1  | County Highway Authority (CHA) | No objection subject to conditions. <i>This response is attached as Annex A</i>                                                                                                                                                                              |
| 5.2  | Greenspaces Team               | No objection in principle subject to clarification of lighting and details of the works/maintenance for the retention of the air raid shelter should it remain on site <i>[Officer comment: The proposal includes the retention of the air raid shelter]</i> |
| 5.3  | Arboricultural Officer         | Further information required on tree loss, method of construction and use of materials                                                                                                                                                                       |
| 5.4  | Environmental Health           | No views received                                                                                                                                                                                                                                            |
| 5.5  | Sport England                  | No objection                                                                                                                                                                                                                                                 |
| 5.6  | County Archaeologist           | No objection but notes that the provisions of condition 52 (archaeological evaluation) remain extant.                                                                                                                                                        |
| 5.7  | Surrey Wildlife Trust (SWT)    | Views awaited                                                                                                                                                                                                                                                |
| 5.8  | Natural England                | No comments to make on this application and refers to seeking specialist ecological advice. <i>[Officer comment: the views of Surrey Wildlife Trust have been sought on this application]</i>                                                                |
| 5.9  | Thames Water                   | No comments to make as no changes are proposed to the foul/surface drainage for the site.                                                                                                                                                                    |
| 5.10 | Contaminated Land Officer      | Further submissions pursuant to condition 55 will be required.                                                                                                                                                                                               |
| 5.11 | Surrey Bat Group               | No views received.                                                                                                                                                                                                                                           |

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|------|--------------------------|--------------------------|
| 5.12 | West Surrey Badger Group | No views received.       |
| 5.13 | Surrey Police            | No views received.       |
| 5.14 | Surrey Fire and Rescue   | No views received.       |
| 5.15 | Urban Design Consultant  | Supports the proposals.. |

## **6.0 REPRESENTATION**

- 6.1 A total of 170 individual letters were sent to addresses on Alfriston Road, Bellew Road, Blackdown Road, Deepcut Bridge Road, Fernleigh Rise, Lake Road, Mainstone Close, Minden Court, and Woodend Road. The Mytchett, Deepcut and Frimley Green Society and the Deepcut Neighbourhood Forum were also notified of this application. Four site notices were displayed on site on 24 January 2022 with a press notice being put in the Camberley News on 2 February 2022.
- 6.2 At the time of the preparation of this report no representations have been received.

## **7.0 PLANNING CONSIDERATION**

- 7.1 The planning policy considerations including the suite of documents forming the Council's Development Plan have not materially changed since the granting of the hybrid approval in 2014. The National Planning Policy Framework (NPPF) 2021 and the County Council's Vehicle, Cycle and Electric Vehicle Parking Guidance for New Development November 2021 are also relevant. The Council has adopted a Residential Design Guide 2017 (RDG) which establishes the principles for residential development in the Borough. The principal considerations in the determination of this application are conformity with the hybrid permission and the specific requirements of Policies CP4 (Deepcut), CP11 (Movement), CP14A (Biodiversity and Nature Conservation), DM11 (Traffic Management and Highway Safety) and DM16 (Provision of Open Space and Recreation Facilities) of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Deepcut SPD with regards to the following matters:

- The principle of the development;
- Proposed Layout and design
- Tree retention and landscaping;
- Amenity considerations;
- Highway considerations;
- Ecological considerations; and
- Other matters

### **7.2 The principle of the development**

- 7.2.1 The Deepcut SPD, the hybrid permission and section 106 legal agreement require appropriate infrastructure to support the redevelopment of the Princess Royal Barracks. Policy DM16 states the Council will encourage new and enhanced opportunities for formal and informal recreation including promotion of dual use facilities or through the provision of new green infrastructure. New residential development will be expected to provide or contribute towards open space, equipped play spaces including teen facilities and outdoor sports facilities. The proposal is for the provision and retention of public open and recreational space to support the Mindenhurst development. As such the principle of development is acceptable.

### 7.3 Proposed layout and design

7.3.1 The NPPF 2021 advises that proposals for development should promote social interaction through, amongst other matters, layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods. They should create places that are safe and accessible so that crime and disorder and the fear of crime do not undermine the quality of life or community cohesion for example through the use of attractive, well designed, clear and legible pedestrian and cycle routes and high quality public open space which encourage the active and continual use of public areas. The provision of safe and accessible green infrastructure and layouts that encourage walking and cycling will also enable and support healthy lifestyles.

7.3.2 The Deepcut SPD recognises that the provision of open space is a vital component of the Deepcut vision. It will create a plentiful and diverse public open space network throughout the village that contributes to the green, spacious character of the settlement which links into the surrounding heathland areas without harming nature conservation interests. The new village will deliver a mix of public open space incorporating:

- Formal space in the form of sports fields, parks, playgrounds and allotments
- Informal space in the form of natural and semi natural areas, village green and other amenity green space

The extended village will be served by an extensive network of linked green spaces and a circular walk around the village will be promoted. The SPD also sets an ANGST provision of 3.53 hectares per 1000 population.

7.3.3 The site is located within the Bellew and Blackdown Character Areas as defined by the Deepcut SPD. The overarching design principle for these areas is to retain their woodland and landscaped character. There are opportunities for the Blackdown Road Playing Field and Play Area to be enhanced as a neighbourhood space for a number of formal and recreation roles including improved play facilities and also to improve access to this area and integrate with the existing surrounding development.

7.3.4 The proposal aims to retain and enhance the characteristics of existing green spaces and make them more accessible to existing and future residents, whilst retaining the significant tree cover which surrounds the perimeter of the site. The main layout changes relate to the provision of the pedestrian and cycle routes through the site. They would link the open and recreational space to both existing residential development within the village but also to the new housing, open space, recreation and community facilities within Mindenhurst. They will be well integrated and of natural character. As such they would support the accessibility and community objectives of the SPD and be acceptable in principle.

7.3.5 However, as originally submitted, the footpath/cycleway linking Deepcut Bridge Road to the southern boundary of Parcel X was proposed to be unlit to mitigate the impact of the proposals on the local bat population. As this route is proposed to be the main pedestrian/cycle route to Deepcut Bridge Road from the new housing proposed at the Sergeants Mess/Parcel X, concern was raised by the Council and the County Highway Authority about the safety, usability and attractiveness of this route in the autumn and winter months. In its original consultation response Surrey Wildlife Trust did not object to lighting. The applicant has provided an indicative lighting scheme which details the provision of low level bollards adjoining the footpath/cycleway but has advised that the design of this lighting scheme will require further detailed consideration with their Ecologist and Arboricultural Consultants. To this end they have asked whether this matter could be dealt with by way of condition. This is considered to be reasonable and a condition is recommended as set out below.

7.3.6 Notwithstanding this, following a site visit by officers from the Council and the County Highway Authority it became clear that given the tree cover within the woodland, the challenges with site level and the technical requirements in providing lighting for the footpath/cycleway, a tree by tree assessment would be appropriate to minimise the level of

tree loss within the woodland. Given this it is considered appropriate to impose a condition which requires the detailed layout, broadly in accordance with the layout shown on the submitted plan, to be submitted following a site visit to agree the detailed route through the woodland.

- 7.3.7 The Blackdown Road Playing Field and Play Area are to be retained as existing. However, the County Highway Authority has requested that the site entrance onto Blackdown Road, which is currently unmade is provided with hardstanding. Given the small area this relates to, no objection is raised to this alteration. Whilst no changes are currently proposed to the play area, it is noted that proposals will come forward once the Blackdown Road Play Area Contribution has been paid to the Council.
- 7.3.8 In principle the proposed layout is considered to be acceptable in that public open and recreational space will be provided to meet the recreational needs of existing and future residents. The proposal will improve accessibility and connectivity within the village which is supported. Subject to the imposition of the conditions referred to at paragraphs 7.3.5 and 7.3.6 above, no objection is raised to the proposal on layout and design terms.

#### **7.4 Tree retention and landscaping**

- 7.4.1 The terms of condition 29 require the submission of tree information with the first reserved matters application for each phase. The applicant has done this. However, the Arboricultural Officer has raised further queries about the amended Arboricultural Method Statement which was submitted to address previous queries raised in relation to the trees to be retained including ensuring that the retained trees would be appropriately safeguarded during construction. The applicant is amending this report and an update will be given to the meeting. Having regard to the comments made and conditions proposed in paragraphs 7.3.5 and 7.3.6 above some of the matters addressed by this condition are not able to be clarified until the levels, lighting and tree removal issues are resolved. To avoid further delays in considering this application and to ensure any potential delays in dealing with the outstanding issues for the footway/cycleway are minimised, it is therefore proposed to impose a tree condition on the reserved matters approval based on condition 29 to ensure that all tree matters are appropriately controlled. Notwithstanding this no detailed information has been provided in relation to utility/service runs in relation to trees. This information is important to ensure that in providing statutory undertaker infrastructure the impact on trees is appropriately considered and controlled. This may be secured by way of condition.
- 7.4.2 The application is accompanied by a hard and soft landscaping plan pursuant to condition 32 This is acceptable in principle but it is noted that in complying with condition it is likely that \*\* a further submission under condition 32 will be required.
- 7.4.3 The application is also accompanied by a Landscape Management Plan for the purposes of condition 33. The Arboricultural Officer has requested various changes relating to this document which the applicant is considering. An update will be given to the meeting.

#### **7.5 Amenity considerations**

- 7.5.1 It is recognised that whilst the development is being implemented there is the potential for noise, disturbance, inconvenience and disruption to local residents and businesses. The hybrid permission is subject to a number of conditions which seek to mitigate these impacts e.g. hours of working, the submission of construction management plan etc. Subject to compliance with these conditions it is not considered that the proposal would give rise to further impacts not previously considered at the hybrid permission stage.
- 7.5.2 As no changes are proposed to the play area or playing field, the impact on adjoining residents from the proposals is not considered to be materially different from the current situation. There will be increased levels of activity and disturbance arising from the new footpaths and cycleway. However, given that the new footpaths and cycleway are located away from existing residential boundaries the resultant impacts are not considered to be materially harmful to these residents. In the unlikely event that any potential anti-social behaviour issues arise they will be dealt with under the relevant legislation.



## **7.6 Highway considerations**

- 7.6.1 The Deepcut SPD advises that existing footpaths will be expected to be made more visible and accessible through improved signage, accessibility improvements and the management of vegetation. All cycle routes will be expected to be safe and suitable and easy to use. The CHA has considered this proposal and raised no objection subject to conditions.
- 7.6.2 The proposed conditions address the provision of footpaths/cycleways, the illumination of the footpath/cycleway, the provision of cycle parking at convenient locations near to key access points, the provision of wooden bollards instead of a cycle barrier by the access onto Deepcut Bridge Road and the provision of a hardsurface at the entrance to the playing field from Blackdown Road.
- 7.6.3 The illumination of the footpath/cycleway would encourage regular use of the route and provide a safer environment for pedestrians and cyclists. The provision of cycle parking would ensure that bike users are able to ride to the ANGST and then secure their bikes safely whilst continuing on foot. The section of the route by Deepcut Bridge Road is relatively flat and, as such, wooden bollards are thought to provide a visual differentiation in this area, rather than a barrier. Furthermore, the CHA will ensure that the junction where the ANGST access meets Deepcut Bridge Road is suitability addressed and provided with a pedestrian/cyclist tie-in point as part of the forthcoming Environmental Improvement works. The existing access from the playing field onto Blackdown Road is prone to muddy condition in wet weather therefore the laying of a hardsurface will be a benefit to users during the autumn/winter months.
- 7.6.4 Subject to the imposition of conditions as set out above, no objection is raised to the proposal on highway grounds

## **7.7 Ecological considerations**

- 7.7.1 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.7.2 The application is supported by an Ecology Mitigation Strategy and Management Plan, an Ecology Report, a Bat Masterplan, an Ecology Technical Note – Impact of Lighting on Bats, a Biodiversity Metric Calculation. The ecology surveys confirm the presence of bats and badgers in the area and also that the woodland could provide a suitable habitat for reptiles. The submitted reports details appropriate mitigation measures to safeguard protected species and habitats which, subject to the views of Surrey Wildlife Trust are considered to be acceptable for the purposes of 16.
- 7.7.3 Whilst no illumination was originally proposed for the footpath/cycleway and this remains the applicant's preferred option, it is recognised that the introduction of illumination into the woodland would have an impact on the local bat population, given that the woodland is currently dark. However, this impact has to be considered in the planning balance. It is considered that a low level lighting scheme could be proposed which could provide a safe environment for future users of the footpath/cycleway whilst mitigating the impact on the local bat population. It is also recognised that there will be an increase in illumination in the area as a result of the development of Parcel X. Furthermore, the proposed bat barn to accommodate the maternity bat roost within the Sergeants Mess is shown to located to the north east part of the woodland away from the new housing. Notwithstanding this, it is considered appropriate to remove the right to install external lighting within the development without permission and to switch the streetlighting off between the hours of 1am to 5am in line with the hours that the County Council streetlights are switched off to facilitate a dark environment. Subject to the views of Surrey Wildlife Trust, the imposition of these conditions and a condition which secures the detailed design of the lighting scheme for the footpath/cycleway no objection is raised to the proposal in this regard.
- 7.7.4 Natural England have no comments to make on the application subject to the views of

specialist ecologist advice being sought.

## **7.8 Other matters**

- 7.8.1 The proposal includes the retention of the air raid shelter within the woodland. In due course it is envisaged that the woodland will be transferred to the Council. The transfer of the air raid shelter to the Council was not considered at the time of the hybrid permission in terms of retention or future maintenance and management. The application is supported by Contamination and Condition Surveys of the Air Raid Shelter which advises that given its age and embedment into the woodland setting, the bunker is in remarkably sound condition. The applicant has indicated that locked gates would be installed at the entrances to prevent public access but permit access for wildlife. These works would need to be done with care to ensure that the structure of the bunker is not undermined. It is therefore considered appropriate to impose conditions which requires the submission of a detailed programme of works for the installation of the gates and also for the future maintenance and management of the shelter. This is also proposed to address the concerns of the Greenspaces Team in terms of future management.
- 7.8.2 The application includes submissions pursuant to condition 21 (LAPS and LEAPS) and Schedule 5 Parts 5 (ANGST), 9 (LEAPS and LAPS) and 12 (Blackdown Playing Field and Upgrade to Blackdown Planning Field) of the Section 106 agreement, as varied. It is also noted condition 22 on the hybrid permission secured the retention of the Blackdown Road equipped play space and playing fields in their existing uses. The application confirms the retention of these spaces for open space and recreational uses. The Greenspaces team raise no objection to the proposal in this regard. The existing play area (LEAP) has an area of some 0.7 metres which exceeds the area specified in Policy DM16. The proposal is therefore considered to be acceptable for the purposes of conditions 21 and 22 and Parts 9 and 12. It is noted that further improvement works will take place following the payment of the Blackdown Road Play Contribution to the Council. The proposed level of ANGST as proposed by this application is a significant contribution to the minimum requisite provision of 19 hectares and is acceptable for the purposes of Part 5.
- 7.8.3 The application includes a submission pursuant to condition 43 (foul drainage). There are no changes proposed to the existing foul drainage network as part of this proposal. Given this and having regard to the views of Thames Water, the submitted details are considered to be acceptable for the purposes of condition 43 on this site.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

- 8.1 Under the Equalities Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. This proposal is not considered to conflict with this duty.
- 8.2 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.

## **9.0 CONCLUSION**

- 9.1 The proposed provision of formal and informal recreation areas and play areas, surrounding tree cover and improved connectivity are important component parts of the requisite public open and recreational space to serve the Mindenhurst development. The proposals are also

considered to be in accordance with the Deepcut SPD, the hybrid permission and the Section 106 agreement as varied and are recommended for approval. .

## 10.0 RECOMMENDATION

GRANT subject to the following conditions

1. All proposed footways/cycleways within the site shall be provided at a minimum width of 3m, with localised narrowing permitted to take account of trees, with the exception of the footway between the playing field and the Sergeant's Mess which can be 2m in width. The footways/cycleways shall be lit and remain open and accessible to pedestrians and cyclists for permanent use, free of any impediment at all times. Once constructed such routes shall be permanently retained and maintained to the satisfaction of the Local Planning Authority.
2. Secure cycle parking shall be provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
3. Notwithstanding any details submitted in the application wooden bollards shall be provided west of the existing sub-station in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said bollards shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.
4. The existing access to the Sports Field on Blackdown Road shall be provided with hardstanding in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: Conditions 1-4 above are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users having regard to Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and to promote sustainable forms of transport in accordance with the requirements of the National Planning Policy Framework 2021.

5. Prior to any works on the construction of the footpaths/cycleway which traverse the woodland, a site meeting shall be arranged with the Council's Arboricultural Officer, the County Highway Authority and the applicant team to confirm the precise line of the footpath to the north of the woodland and the footpath/cycleway leading from Parcel X to Deepcut Bridge Road broadly in accordance with the layout shown on drawing numbers DC2-WTM-LX-011-XX-DR-04-1000 revision PS03 and DC2-WTM-LX-011-XX-DR-04-1001 revision PS03. Once agreed in principle updated drawings shall be submitted to the Local Planning Authority for formal approval. The footpath/cycleway which traverse the woodland shall be provided in accordance with the approved scheme and thereafter retained and maintained for their designated purposes.

Reason: To minimise tree loss in the interests of the visual amenities of the woodland, to ensure appropriate pedestrian and cycle links are provided between the Sergeants Mess, Parcel X, the Blackdown Road Playing Field and Play Area, Blackdown Road and Deepcut Bridge Road and to promote sustainable forms of transport having regard to Policies DM9, CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2021

6. Notwithstanding the requirements of any other conditions prior to the installation of any services, details of all service runs through the woodland including an assessment on

the impact on trees and habitats with any requisite mitigation shall be submitted to the Local Planning Authority for approval. Once agreed the development will be undertaken in accordance with the approved details including any approved mitigation measures.

Reason: To ensure that an accurate assessment of the impact of the proposed service runs on trees and habitats may be fully considered having regard to Policies DM9 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. Notwithstanding the provisions of condition 1 above no external lighting shall be installed to illuminate the footway/cycleway linking Parcel X to Deepcut Bridge Road unless and until a Sensitive Lighting Maintenance and Management Plan and details of the proposed lighting has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the footway/cycleway being made available for public use.

Reason: To ensure that the impact on the local bat population is minimised in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

8. Unless specifically approved by this permission no further external lighting shall be installed within the development unless and until details have been submitted to the Local Planning Authority for approval. The external lighting details shall be implemented in accordance with the approved scheme and thereafter retained and maintained.

Reason: To control the impact of external lighting on the local bat population having regard to policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012

9. Any lighting approved pursuant to condition 7 above shall be switched off between the hours of 1am to 5am.

Reason: To control the impact of external lighting on the local bat population and to save energy having regard to Policies CP2 and CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework 2021.

10. Prior to the transfer of any of the woodland, updated contamination and condition surveys and a maintenance and management plan for the air raid shelter shown to be retained on site shall be submitted to the Local Planning Authority for approval. The plan shall also include details of security measures to safeguard the air raid shelter from unauthorised access, a methodology for the implementation of these measures and a longterm maintenance and management strategy. The air raid shelter shall thereafter be retained in situ in accordance with the approved details.

Reason: To safeguard a structure of historic interest and to ensure that appropriate plans are in place to ensure its future maintenance and management.

11. Notwithstanding any information submitted with the application, an updated tree retention and protection plan shall be submitted following the works agreed pursuant to condition 5 which shall include:

a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree;

details of any proposed remedial or management surgery works of any retained tree;

details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread or root protection area [RPA], (whichever is the greater), of any retained tree;

details of the specification and position of fencing, ground protection and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

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

Reason: In the interests of the visual amenities of the area and to ensure the development accords with Policies CP4 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the objectives of the Deepcut SPD.

12. The proposed development shall be built in accordance with the following approved plan and documents:

Plans

Location and Site Plans

DC2-WTM-CX-011-XX-DR-03-0101 revision PS02

DC2-WTM-CX-011-XX-DR-03-0110 revision PS02

DC2-WTM-LX-011-XX-DR-04-1004 revision PS04

Landscape General Arrangement Plans

DC2-WTM-LX-011-XX-DR-04-1000 revision PS03 subject to the provisions of condition 5 above

DC2-WTM-LX-011-XX-DR-04-1001 revision PS03 subject to the provisions of condition 5 above

Combined Footway/Cycleway Section

DC2-WTM-LX-011-XX-DR-04-4000 revision PS02 subject to condition 5

Path Material Specification

DC2-WTM-LX-011-XX-DR-04-5000 revision PS03

Existing LEAP General Arrangement Plan

DC2-WTM-LX-011-XX-DR-04-1003 revision PS02

Existing Drainage Plan Blackdown ANGST

DC2-WTM-CD-011-XX-DR-03-0101 PS02 - in respect of condition 43 only

Wooden post and cycle barrier details

DC2-WTM-LX-011-XX-DR-04-5001 revision PS01 subject to condition 3 above.

#### Documents

DC2-SWT-EC-000-XX-PL-04-0006-PS14 Ecology Mitigation Strategy and Management Plan dated 6 July 2022

DC2-SWT-EC-011-00-RP-04-3861-R06 Ecology Report dated 6 July 2022

DC2-SWT-EC-000-00-RP-04-3861-D03 Bat Masterplan dated 30 May 2022

DC2-WTM-LX-011-XX-RP-04-0001 PS02 Landscape Management Plan dated November 2021 subject to condition 10 above.

DC2-WTM-LX-011-XX-SH-04-0001-PS01 Materials Schedule subject to condition 3 above.

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

#### **Informative(s)**

1. The applicant is advised that in discharging condition 5 above, further submissions in respect of conditions 29, and 32 attached to hybrid permission 12/0546, as amended by 18/0619 and 18/1002 will be required.
2. Bats: All bats found in Britain are protected under Schedule 8 of the Wildlife and Countryside Act 1981. It is an offence to kill any bats or disturb their roosts. If bats are discovered during inspection or subsequent work. Natural England must be informed immediately.
3. All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.
4. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
5. Birds: All wild birds, their nests and eggs are protected under Schedule 1-4 of the Wildlife and Countryside Act 1981. It is an offence to damage or destroy a nest of any wild bird. Birds are generally nesting between March and July.
6. A pedestrian/cyclist tie-in point shall be provided at the junction where the ANGST route meets Deepcut Bridge Road. This shall be provided as part of the forthcoming Deepcut Bridge Environmental Improvement works at the developer's expense.

7. The applicant is advised that in complying with condition 10, and on the basis that the ownership of the air raid shelter is to be transferred to the Council, a financial contribution will be required for maintenance in perpetuity.