

| | |
|-------------------|---|
| LOCATION: | The Ferns , Woodlands Lane, Windlesham, Surrey, GU20 6AS |
| PROPOSAL: | Demolition of existing dwelling and erection of seven dwellings with associated landscaping and parking |
| TYPE: | Full Planning Application |
| APPLICANT: | Mrs Melanie Chetley |
| OFFICER: | Navil Rahman |

This application has been reported to the Planning Applications Committee because it was called in by Councillor Wheeler owing to concerns the proposal does not adhere to the Windlesham Neighbourhood Plan, the loss of trees, the ecological impact of the development and the overdevelopment of the site.

RECOMMENDATION: GRANT subject to conditions and a legal agreement

1.0 SUMMARY

- 1.1 The application relates to the residential development of 7 units on a Housing Reserve Site following the demolition of the existing dwelling. The proposed development would be acceptable in principle, representing development of an appropriate land use, within a sustainable location, that would contribute towards the Council's housing supply.
- 1.2 The proposed development is considered acceptable in design and character terms, resulting in a scale of development appropriate for this location, whilst it would also be considered acceptable on amenity and highway grounds. The development would not result in any adverse impact to flood risk. Subject to a Unilateral Undertaking for SAMM the proposal would not impact upon the Thames Basin Heath Special Protection Area (SPA).
- 1.3 The application is therefore recommended for a grant of permission subject to conditions and a legal agreement.

2.0 SITE DESCRIPTION

- 2.1 The application site relates to 'The Ferns', a plot of land measuring approximately 0.39 hectares situated on the northern side of Woodlands Lane, Windlesham. The site lies close to the bridge over the M3 to the east, whilst Heathpark Wood abuts the site to the west and north. The site is accessed via Woodlands Lane, with it benefitting from two existing vehicle access points (with dropped kerbs). This part of Woodlands Lane benefits from an existing pedestrian footpath.
- 2.2 The site comprises a single-family, detached dwelling, set on a largely rectangular plot, setback well from the road. The plot is enclosed by a close-boarded fence to the front, whilst to the north, east and west of the site there is dense hedging and mature trees to the boundaries with a wire mesh fence to the north and north east of the site. The property also benefits from two outbuildings, one used as an open fronted double garage as well as a small shed like structure to the north west corner.

- 2.3 The site is situated outside of the settlement area of Windlesham, within the Countryside beyond the Green Belt, and within an allocated Housing Reserve Site as identified by the Proposals Map of the Surrey Heath Core Strategy and Development Management Policies 2012, and under saved policy H8 of the Surrey Heath Local Plan 2000. The trees on the site are protected by Tree Preservation Orders. The site falls within Flood Zone 1 (low risk).

3.0 RELEVANT PLANNING HISTORY

- 3.1 20/1070/FFU Erection of 34 dwelling houses, to comprise 10no.1 bed, 6no. 2 bed, 12 no. 3 bed and 6no. 4 bed, with associated parking, access and landscaping following demolition of existing dwellings. Withdrawn 14 February 2022.

- 3.2 Two applications are under consideration to the adjoining sites to the east and west whilst the adjoining development at Heathpark Wood is also of relevance. All these sites form part of the overall Housing Reserve Site. These applications are summarised below:

St Margarets Woodlands Lane Windlesham GU20 6AS

- 3.3 23/0080/FFU Development of 20 affordable dwellings with new access from Woodlands Lane. Pending decision.

Land East of St Margarets Woodlands Lane Windlesham GU20 6AS

- 3.4 23/0581/FFU Erection of nine dwellings following demolition of existing dwelling. Pending decision.

Heathpark Wood, Heathpark Drive, Windlesham

- 3.5 15/0590 Outline planning permission for the erection of up to 140 dwellings and community facilities, with associated landscaping, open space, car parking and access from Woodlands Lane, and use of land to provide publicly accessible recreation space (SANG). Allowed on appeal 26 July 2017.

- 3.6 20/0318/RRM Reserved matters application for 116 dwellings and community facilities with associated landscaping, open space, car parking and access from Woodlands Lane and the provision of SANG with associated works (appearance, landscaping, layout and scale being considered) and submission of details to comply with conditions 5 (drainage strategy), 7 (greenfield runoff rates), 9 (programme of archaeological work), 15 (surface materials), 16 (visibility zones), 18 (travel plan), 19 (finished floor levels), 20 (tree reports), 21 (external lighting), 22 (badger method statement), 23 (landscape and ecological management), 25 (SANG management plan), 26 (bat survey), 27 (dormice survey), 28 (cycle and refuse storage areas), 29 (vehicle and cycle parking provisions) and 32 (sound attenuation) all pursuant to outline planning permission 15/0590 allowed on appeal dated 26 July 2017.

This application was reported to committee on 10 February 2022 whereby it was resolved to grant. The application is pending decision due to securing the S106 legal agreement.

4.0 PROPOSAL

- 4.1 Planning permission is sought for the demolition of the existing dwelling and construction of seven dwellings in the form of 4x3 bedroom units, and 3x5 bedroom units, together with associated parking, landscaping, and access.

| Unit type | Number of Units |
|-----------|-------------------|
| 3-bedroom | 4 (semi-detached) |
| 5-bedroom | 3 (detached) |

- 4.2 The proposed layout would have a detached 5-bedroom dwelling with attached garage situated to the front of the site, set behind the mature trees. Two pairs of 3-bedroom, semi-detached properties would be situated towards the centre of the plot with a further two detached 5-bedroom dwellings sited to the rear. All properties would benefit from parking within their curtilages together with a garage (whether attached or detached) with a total number of 21 spaces.
- 4.3 The existing access to the south east of the site would be widened to measure 5.5m to the bell mouth and 4.8m through the site, with 2m wide pedestrian footpaths either side. This would provide access towards the remaining dwellings.
- 4.4 Plot 1 would face onto Woodlands Lane utilising the existing access towards the south west, with this access to be used solely for this dwelling. The 1.8m high close board fencing would be replaced by post and rail fencing standing at 1.25m and a 5-bar gate together with hedging set behind the fencing. The dwelling would sit approximately 9.6m from Woodlands Lane, 3.6m from the western boundary (with the two-storey element 5m away) and 11.8m from the eastern boundary.
- 4.5 Plots 2 and 3 would then be situated approximately 43m from the front of the site situated close to the east of the centre of the site, with Plots 4 and 5 sited behind. Plots 6 and 7 would be set towards the rear of the site a minimum of 10.3m from the rear boundary and 2.6m in from either flank boundary.
- 4.6 All the dwellings would stand at two-storey level with 5-bedroom dwellings having accommodation in the roof space. The proposed dwellings whilst having variances in their overall width and depth, would have a largely similar overall size and scale. The properties would have a consistent architectural language comprising of a half-hipped roofs, red bricks, and clay tiles, together with contrast in the brick detailing. Each property would benefit from a dedicated cycle and refuse/recycling store together with 1 EV charging point. Each dwelling would benefit from three parking spaces in total.
- 4.7 To facilitate the development 11 trees are proposed to be removed of which, 8 are categorised as C (low quality) and 3 of which are B (moderate quality), together with a group of category C Scots Pines and Silver Birch trees. Indicative planting is proposed to the front boundary behind the fence to Plot 1, together with planting within the site to the front gardens and adjacent to the access road.
- 4.8 The application has been supported by the following documents:
- Planning Statement
 - Design and Access Statement
 - Transport Statement
 - Arboricultural Impact Assessment
 - Preliminary Ecological Appraisal
 - Flood Risk Assessment
 - Energy Statement

5.0 CONSULTATION RESPONSES

5.1 The following external consultees were consulted, and their comments are summarised in the table below:

| External Consultation | Comments received |
|---------------------------|--|
| County Highways Authority | Raise no objection subject to compliance conditions in respect of access and parking layout, EV charging points, cycle storage and a construction management plan. The proposed access and parking are considered acceptable in line with County guidance, whilst trip generation is not considered to have any material impact on the highway network and no objections are raised with respect to sustainability. It is recognised that due to the parking layout for Plot 2, this should be considered as 2 parking spaces and not 3. (See Annex A for a copy of their comments). |
| Joint Waste Solution | Raise no objection and provide capacity requirements information. |
| Windlesham Parish Council | <p>Raise objection on the following grounds:</p> <ul style="list-style-type: none"> • Represents unsustainable development conflicting with the Windlesham Neighbourhood Plan (WNP) and draft local plan (Policy SS1) owing to its development to the rural east. • WNP sets out that an estimated maximum of 50 dwellings are expected between 2018-2028. 19 homes have already been developed whilst 136 dwellings approved and another application for 20 units being considered. This would not constitute a sustainable rate of housing growth. • Proposal should be considered in context of adjacent site proposals. • Creation of additional traffic and two access points having cumulative harm with existing development on the road. • The proposed parking arrangements are cramped and insufficient for the size of development. • Increase pressure on infrastructure, with a limited number of essential shops in Windlesham and reliance on private car use. Bus service could not be used to support jobs. • Potential impact on local ecology including bats and wildlife including the effectiveness of the adjacent wildlife buffer zone. Removal of trees and vegetation impacts local wildlife and health and wellbeing of residents acting as natural barrier from noise and pollution from the M3. • Trees are subject to TPO's and removal contrary to draft local plan. • Removal of trees and increased hardstanding will increase water run-off. |

| | |
|-----------------------|--|
| | <ul style="list-style-type: none"> • No public consultation carried out. <p>Officer response:</p> <p>The proposal results in the development of a sustainable brownfield site that has been identified within the Council's Strategic Land Availability Assessment as a realistic site for development to meet the Council's housing land supply. Policy WNP1.1 is based on the out-of-date housing needs identified in Policy CP3 of the CSMDP. Paragraph 11 of the NPPF is relevant setting out a presumption in favour of sustainable development and supersedes out of date policy. The proposal is considered acceptable in principle which is discussed further in section 7.3 of the report.</p> <p>Each of the applications to the adjacent sites remain live at the time of writing and can be considered on their own merits.</p> <p>The proposal retains the existing two vehicle access points and would not be considered to result in any significant traffic generation to raise objection.</p> <p>The site is considered sustainably located, close to the bus stop, and within short driving distance of local amenities. CIL payment would be collected from the development which would go towards improvements to infrastructure.</p> <p>The proposed development is not considered to result in any significant harm to local ecology which is discussed further in section 7.7 of the report.</p> <p>The proposed removal of trees is considered acceptable subject to an appropriate landscaping plan. This is considered in section 7.4 of the report.</p> <p>The proposed development would be expected to meet surface water run-off rates as set out in the NPPF secured by way of SuDS condition.</p> <p>No prior public engagement is required for a development of this size.</p> |
| Surrey Wildlife Trust | <p>Raise no objection and recommend that in the event of a grant of permission, conditions in respect of a Construction Environmental Management Plan (CEMP) and Sensitive Lighting Management Plan are secured whilst the applicant should be advised of necessary licenses to be obtained by Natural England. An Ecology and Habitat Mitigation Strategy including a biodiversity net gain assessment</p> |

| | |
|--|--|
| | should also be secured if the Council is satisfied that this information is not required prior to determination. |
|--|--|

5.2 The following internal consultees were consulted, and their comments are summarised in the table below:

| Internal Consultation | Comments received |
|---------------------------|--|
| Arboricultural Consultant | No objection subject to conditions to include: a fully detailed cellular confinement and permeable surface system for all hardstanding, drive, and access areas to limit the impact on retained trees; full landscaping plan; and tree protection during construction. |
| Urban Design Consultant | <p>Raise concerns due to the lack of tailored layout, unnecessary loss of trees and landscaping approach which includes an unnecessarily heavily engineered access and the materiality of the turning point. Access to Unit 1 should be off the internal street due to the loss of trees whilst the scheme lacks placemaking. No objections to the building design, form, and materials and in the event of a grant of permission conditions to be attached in respect of material samples, use of timber for all doors and detailed design of windows and doors to be submitted.</p> <p>Officer response:</p> <p>The proposal utilises the existing access points to minimise the impact on the street scene. Whilst three trees would be removed these are of low quality (Category C) and considered necessary to provide a safe access into the site. The loss of these trees would be offset by additional planting to the front boundary, ensuring the scheme preserves the character on Woodlands Lane.</p> <p>Hardstanding areas within the site are limited to the necessary access road, pedestrian footpath, and parking areas. Soft landscaping is proposed around these areas to soften their appearance and the scheme would be supported by a detailed landscaping scheme secured by condition. The proposal relates to a minor development on a limited size plot where placemaking is not typically expected. Furthermore, each of the houses would have fully compliant garden spaces which compliments the overall acceptability of the proposed development.</p> <p>No objections have been raised by the Council's Arboricultural officer in respect of the loss of trees or proposed indicative landscaping layout, and proposed planting.</p> <p>The design of the development is discussed further in section 7.4 of the report.</p> |

| | |
|-------------------|---|
| Drainage Engineer | No objections subject to pre-commencement drainage details to be submitted. |
|-------------------|---|

6.0 REPRESENTATION

6.1 A total of 200 letters of consultation were sent on the 2 June 2023 to neighbouring residents. A total of 18 letters of objection (including an additional letter from the same household), together with an objection from the Windlesham Heathpark Wood Group and Windlesham Society have been received. A petition with 28 signatures of support have been received with no supporting comments. The comments are summarised and responded to below.

6.2 The table below summarises the material planning reasons for objection:

| Material Reason for Objection | Officer Response |
|--|--|
| <u>Principle of Development</u> | |
| Needs to be considered in conjunction with the other developments granted in the locality as well as the adjacent two sites with live applications. | No decision has been made on the adjacent applications and therefore each application can be judged on its own merits. |
| Contrary to the Windlesham Neighbourhood Plan (WNP) which sets out that 4 & 5-bedroom properties not required. | Policy WNP1.2 sets out that new development should consist of a mixture of dwellings with priority given to two and three-bedroom dwellings. The proposal provides a mix of dwellings including 3-bedroom units which are prioritised in the settlement. It is therefore considered an acceptable mix. |
| Contrary to WNP 1.1 – If approved would result in 180 houses over a 5-year period rather than 50 over 10 years (maximum) as set out in the WNP. | Policy WNP1.1 is based on Policy CP3 of the Local Plan which does not provide an up-to-date housing requirement position. The policy cannot be taken in isolation and needs to be considered against other material factors including its designation as a housing reserve site, and Council's overall housing need. |
| Failed to satisfy requirements to build on a rural exception site. | The site is not a rural exception site. |
| Heathpark Wood development was only granted due to Council's inability to demonstrate a 5-year housing land supply which is no longer the case and therefore there is no requirement to release the land for development. No need for the development to meet Council's housing targets. | The application site is included within the Council's Strategic Land Availability Assessment as a deliverable site within the 5-year plan period and would contribute towards the Council's anticipated housing supply. |
| Presumption of development is to the west of the borough – the proposal would be contrary to this strategy. | Where the local plan seeks to primarily direct development towards the west of the borough, the proposal is for a minor development whilst the site is an allocated housing reserve site and brownfield site. |
| <u>Design</u> | |
| Unattractive. | The proposed design of the development is considered acceptable, being of an acceptable size and scale. The design of the development is considered in section 7.4 of the report. |

| | |
|--|--|
| Overdevelopment of the site. | The proposed dwellings all meet appropriate internal and external space standards, without any harm to neighbouring occupiers whilst the site accommodates sufficient spacing around the dwellings. It would therefore not be considered an overdevelopment of the site. |
| <u>Highways and Parking</u> | |
| Increased traffic generation and congestion. | The application has been reviewed by County Highways who have raised no objections. |
| Insufficient parking in accordance with Windlesham Neighbourhood Plan (WNP). | The proposed parking layout shows 3 spaces for each unit which would be in accordance with the WNP. |
| Tandem parking layout and use of garage for parking is not practical. | The proposed parking layout is considered acceptable. This is discussed further in section 7.6 of the report. |
| Access/Egress onto Woodlands Lane underestimated and viewed in isolation, despite being already heavily congested. Raises highway safety concern. | The proposal utilises existing access points onto Woodlands Lane, which would be enhanced to ensure the safe operation of the highway. Furthermore, County Highways have not raised any objection to the proposal. |
| Area not well served by public transport and therefore would increase pressure on vehicle use. | It is accepted that the site owing to its semi-rural location is not best served by local transport links. The site is 0.5 miles away from the 500-bus route stop which provides transport into Camberley as well as other settlement areas. |
| <u>Biodiversity</u> | |
| Loss of trees result in removal of natural noise and pollution mitigation from the M3. | The allocation of the site and expected residential development requires the loss of some trees to facilitate the proposal. It is considered that the tree loss has been limited to lower quality trees. Furthermore, there are no objections raised by the tree officer. |
| Detrimental environmental impact owing to removal of trees and wildlife. Removal of natural wildlife habitat affecting e.g. bats, red kites, badgers. Would contribute towards the destruction of Heathpark Wood through loss of trees and environmental harm. | The proposal would result in some harm to the environment, however, this would be mitigated and compensated by proposed planting and installation measures secured by planning condition. The application has been assessed also by SWT, where no objection has been raised. |
| Wildlife survey inadequate, would be contrary to NPPF in respect of harm to species. | The submitted surveys are considered satisfactory. |
| Climate change impact. | The proposal would not result in any significantly greater impact to climate change than any other development of a similar scale. |
| <u>Drainage and Flood Risk</u> | |
| Increased surface water/risk of flooding in lower levels of the village due to increased development. | The application has been reviewed by the Council's Drainage Engineer who has raised no objections subject to a pre-commencement drainage condition. |
| <u>Other Issues</u> | |
| Strain on infrastructure owing to cumulative impact of various developments. The village cannot | The proposed development relates to a minor development, which would make contribution towards CIL payments. These payments go |

| | |
|---|---|
| support additional development of this size in respect of services and amenities including sewage system, drainage. | towards improving infrastructure projects to support increased development. |
| Lack of consultation with the community. | The statutory consultation requirements have been carried out as part of the application process. |

7.0 PLANNING CONSIDERATIONS

7.1 In considering this development regard is given to Policies CP1, CP2, CP3, CP6, CP11, CP12, CP14, DM1, DM9, DM10, DM11 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); saved Policy H8 of the Surrey Heath Local Plan 2000; the National Planning Policy Framework (NPPF), Policy NRM6 of the Southeast Plan 2009 (as saved) (SEP); the Windlesham Neighbourhood Plan 2018-2028 (designated 2015), as well as advice within the Surrey Heath Residential Design Guide 2017 (RDG); Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2019 (AAS); the Planning Practice Guidance (PPG); and the National Design Guide.

7.2 The key issues to be considered are:

- Principle of development.
- Impact on the character, appearance, and trees of the surrounding area.
- Impact on residential amenity.
- Impact on the highway network and parking capacity.
- Impact on biodiversity and ecology.
- Impact on flood risk and drainage.
- Impact on the Thames Basin Heaths Special Protection Area.
- Other matters.

7.3 Principle of development

i) Acceptability of development on this land

7.3.1 Paragraph 11 of the NPPF has a presumption in favour of sustainable development and where the policies in the local plan are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

7.3.2 Paragraph 77 of the NPPF requires local planning authorities to identify and update annually a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing supply. The Council's Five-Year Housing Land Supply Paper 2022-2027 (December 2022) indicates that there is currently about a 7.41-year supply of housing available within the Borough. This equates to the need to deliver 286 dwellings per annum. The Council's Strategic Land Availability Assessment (SLAA, December 2022) identified the application site, together with the adjacent St. Margaret's site, as realistic candidates for development and deliverable within the 5-year plan period and as such form part of the 5-year housing land supply.

7.3.3 Policy CP3 set out the distribution of 2,730 net additional dwellings across the borough up to 2025 of which there was a requirement for 20 dwellings to be provided in Windlesham. Policy WNP1.1 of the WNP 2015 states that new housing development is to be consistent with this policy with a growth figure of 1-2% supported. However, Policy CP3 does not provide an up-to-date position of the Council's housing needs nor does it reflect the distribution needs either. The policy cannot be considered in

isolation and needs to be considered along with all other material considerations including the Council's updated evidence base.

- 7.3.4 The figure of 20 dwellings has been exceeded alone by permission granted for the Heathpark Wood development for 140 dwellings. In the absence of the deletion of the policy at the time of the adoption of the 2012 Local Plan, together with the granting of permission on part of the housing reserved site, it can be considered that there is an expectation that the site comes forward for residential development. Moreover, the site is previously developed land comprising of an existing dwelling and its residential curtilage.
- 7.3.5 On this basis, it would be unreasonable to restrict the residential development of the site based on WNP1.1 which is based on an out-of-date policy within the CSDMP. The application represents development on a brownfield site to the edge of the settlement boundaries, outside of the Green Belt, in a relatively sustainable location (which is discussed further later in the report). As a result, the policy cannot be considered in isolation and that other factors must be assessed jointly on the acceptability of the proposed development. The principle of the residential redevelopment of the site, in respect of the release of the land, and its land use, is considered acceptable in principle in line with the objectives of the Policy CP1 and CP3 CSDMP and the NPPF.

ii) Housing Mix

- 7.3.6 Policy CP6 of the CSDMP requires the provision of a range of housing sizes across the Borough which would reflect the demand as reflected in the Council's Housing needs assessment. Policy WNP.1.2 sees a mix of housing sizes and prioritises the development of two- and three-bedroom dwellings.
- 7.3.7 The proposed development would provide 4x3 bedroom units and 3x5 bedroom units. The development would provide a mix of family sized homes contributing towards the needs identified in the Windlesham Neighbourhood Plan. The proposed development would not unduly harm the existing balance in the locality and is therefore considered an acceptable mix.

7.4 Impact on the character, appearance, and trees of the surrounding area

- 7.4.1 Policy DM9 of CSDMP is relevant as this promotes high quality design. Principle 6.2 of the RDG requires residential developments to use trees, vegetation, gardens, and open spaces to create a strong, soft green character to streets.
- 7.4.2 Policy WNP2.1 states that proposals for new housing development shall be supported if they respond positively to and protect the built and natural character features of their setting within Windlesham village. Planning applications shall be supported if they:
- Maintain the established density including number of residential units and ratio of building footprint to open space development in the surrounding area.
 - Maintain the general scale of development in the surrounding area without creating any overbearing presence; and
 - Maintain the style and pattern of separation between buildings and widths of building frontages.
- 7.4.3 The application site is characterised by its semi-rural, verdant, and open character that corresponds to its position to the edge of the settlement of Windlesham abutting the Heath Park Woodland. Woodlands Lane, whilst a relatively busy road benefiting from a continuous pedestrian footpath, has a green character with mature trees lining the edge of the street.

Access, layout, and context

- 7.4.4 The existing site benefits from two access points, with 1.8m high close board fencing found adjacent to the highway with mature trees set behind. The proposed development would seek to retain two points of access, one providing direct access to the front garden of Plot 1 (now referred to as Access 1) and the other access towards the rest of the site (now referred to as Access 2).
- 7.4.5 Based on the existing context, the use of two access points is considered acceptable in principle. Given the verdant character of Woodlands Lane, it is essential that this character is retained and maintained as part of the development proposals.
- 7.4.6 Relative to Access 1, the proposal seeks to replace the 1.8m high solid board fencing with post and rail fencing that would stand at 1.25m with new evergreen planting planted behind, with all the existing trees surrounding this access to be retained.
- 7.4.7 The proposal in bringing forward development closer to the boundary would alter the relationship with the highway, as Plot 1 would be glimpsed through the mature trees particularly during the summer months. However, where the proposal would change the relationship with the highway this would not be tantamount with harm. The design of the fencing is less bulky and more open. Views into the site as a result of the fence design would be more perceptible, however, planting is proposed directly behind the fencing, whilst the mature trees would be retained, and as such the green character synonymous with Woodlands Lane would be maintained.
- 7.4.8 Access 2 would be widened from 4.7m to 5.5m to allow vehicles to pass simultaneously as well as designing in a pedestrian footpath into the site either side. This would be facilitated by the removal of the 1.8m high solid timber board fence and gate as well as three category C trees.
- 7.4.9 The Council's Urban Design consultant has raised concerns in respect of Access 2 raising concerns in respect of its width and the use of two pedestrian footpaths into the site being unnecessary. Whilst this would result in a more urbanising form of development when considered in isolation, the impact would be offset through the planting of trees within the site, ensuring that views into the site are screened by the trees. The works also need to be considered against the existing context, where there is an existing vehicle access point, that is closed off by way of the solid gate and fence. The need to provide safe and appropriate access for all users is necessary and would be required for any uplift in development on this site. The proposed alterations to this access would not be significantly harmful to warrant an objection in this context.
- 7.4.10 The Urban Design consultant has also raised objection to the proposed layout as a result of the lack of placemaking. Whilst it is recognised that the layout does not allow for semi-public spaces for interaction, the proposal relates to a minor development for 7 units, and opportunities for placemaking would come at the expense of smaller plots. The layout as designed, allows for an appropriately sized access road including a turning circle, pedestrian footpath, and areas of soft landscaping. On this basis, the proposed layout is considered acceptable.
- 7.4.11 The proposed development would result in the increase of 6 units on the site with each plot more than 100sqm, with Plots 6 and 7 measuring 220sqm. Each plot would therefore be of an acceptable size, and the properties would be well spaced from the various boundaries, including being sited away from the western boundary to reduce the level of built development close to the woodland. The layout allows for vehicle and pedestrian movement through the site without any obstruction or potential for conflict. As such, the number of units on the site, their siting and the overall layout of the site would be considered acceptable particularly in context of the sites allocation.

Scale, Bulk and Detailing

- 7.4.12 The immediate context is that of the woodlands, however, the wider surrounding area of Windlesham to the west is characterised by detached and semi-detached dwellings, at a maximum of two-storey heights. The proposed dwellings would have a mix of detached and semi-detached units, all at a maximum height of two-stories therefore corresponding with the surrounding area. Whilst the properties would be larger in their overall depth and width, as a result of the larger plots they benefit from, they would still positively relate to the scale of dwellings found in the wider area.
- 7.4.13 The design of the dwellings varies, providing an attractive contrast with a similar approach in respect of the half-hipped roofs, which help to reduce the bulk associated with the roof space, together with two-storey gable projections which helps to break up the overall mass. The proposed use of materials and detailing has been well designed, further contributing to breaking up the perceived visual bulk associated with the dwellings, as well as adding texture and depth.
- 7.4.14 The proposed garages' scale is considered to be appropriate, with the use of materials and roof design corresponding with the main dwellings.
- 7.4.15 The Council's Urban Design Consultant considers the architectural design of the dwellings to be acceptable and recommends the conditions relating to the material applications to ensure the quality.

Trees and landscaping

- 7.4.16 The proposed development requires the loss of 11 trees, 8 of which are category C and 3 category B, together with a group of category C trees. The proposed site plan outlines indicative soft landscaping; however, no detailed landscaping plan has been submitted. The Council's Arboricultural Consultant has no objection to the proposal subject to conditions, including a full landscaping plan.
- 7.4.17 The Council's Urban Design Consultant considers the proposed landscaping should be more natural and irregular to help reinforce the woodland character and considers there to be an unnecessary loss of trees. However, it is the officer's opinion that this would conflict with the need to provide appropriate vehicular (including emergency vehicles) and pedestrian access through the site as well as the need to provide 3 parking spaces. Officers recognise that the loss of trees in general terms should be resisted however, the proposal needs to be considered in context of its allocation. The proposal retains all but 2 trees towards Woodlands Lane, but the introduction of additional soft landscaping would ensure that the site retains a verdant character when viewed from the public realm vantage points.
- 7.4.18 The proposed indicative landscaping, together with the layout, allows the site to retain planting and soft landscaping throughout the site, and only where parking or the access road is proposed are there instances of hardstanding.
- 7.4.19 The proposal is considered acceptable in all other design and character matters and therefore satisfies the objectives of Policy DM9 of the CSDMP, the WNP, the RDG and the NPPF.

7.5 Impact on residential amenity

- 7.5.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses.
- 7.5.2 The application site adjoins St Marget's to the east. Relative to the north, west and southern boundaries there is no residential development in proximity with the nearest properties to the east a minimum of 80m away.
- 7.5.3 The property at St Margarets is a single-family dwelling situated relatively centrally within the plot approximately 19m from the shared boundary with the site. Owing to the separation distance, noting the two-storey scale of development proposed, and its corresponding residential use, it is considered there would be no significant amenity impact arising from the development.
- 7.5.4 All units would exceed the minimum nationally described space standards for new dwellings. However, the technical space standards are only the starting point in assessing the standard of accommodation and matters of privacy, outlook, natural light, and circulation space are also fundamental matters to assess. In this instance the general internal layouts are well conceived, ensuring acceptable levels of outlook, privacy, and natural light for all units.
- 7.5.5 In respect of the private amenity provision, all the dwellings are provided with generous private rear gardens. They would meet the garden size requirements set out in 8.4-8.6 of the RDG which requires 65sqm for 3-bedroom properties and 85sqm for 5-bedroom properties.
- 7.5.6 The proposal would therefore satisfy the objectives of Policy DM9 of the CSDMP.

7.6 Impact on sustainability, highway safety and parking capacity

- 7.6.1 Policy DM11 of the CSDMP relates to the impact on the highway network, including matters of highway safety, access, and parking. Policy WNP4.2 of the WNP states that new residential developments should provide parking spaces for 3 vehicles for 3+ bedroom or larger dwellings.
- 7.6.2 The application site is an existing residential use, with two vehicle access points into the site. The proposed development would result in an intensification of the site with an additional 6 dwellings; however, the proposal remains a minor development, of a corresponding use and would not be expected to generate any significant traffic. The existing access points into the site would be utilised, with Access 2 widened to allow for cars to simultaneously pass whilst also creating a pedestrian access point. From a highway perspective these improvements would reduce the risk of conflict entering and around the site.
- 7.6.3 The proposed development would provide 3 parking spaces for each unit, which includes the garage space. This would accord with the WNP policy which seeks properties of this size to benefit from 3 parking spaces. It is recognised that tandem parking is proposed, and for Plot 2 this would result in all 3 spaces being in this layout.
- 7.6.4 Whilst concerns have been raised from residents that this would not represent an acceptable parking layout, tandem parking is not unordinary, and as the parking would be within the curtilage of Plot 2, it would allow the future residents to benefit from these spaces without requiring any other parties having to manoeuvre their vehicles. Where Policy WNP4.1 and WNP4.2 refer to parking and go into detail regarding the sizes of parking spaces and garages, they do not state the unacceptability of tandem parking design.

- 7.6.5 Each dwelling would benefit from a dedicated cycle and refuse/recycling store, of which the details are to be secured by condition. These structures have been shown to the rear gardens of the properties which would be considered acceptable and appropriate.
- 7.6.6 The application site falls within a semi-rural area, close to the settlement boundaries. Properties in areas such as this are generally recognised to have a greater reliance on private car ownership, as the parking requirement alludes to. Whilst the site would not be considered to be a highly sustainable site, it would be situated close enough to several amenities and transport connections to ensure that the future residents would be able to meet their day to day needs without significant inconvenience. Two corner shops are situated within 0.5 miles, two supermarkets within 2 miles, three dentists within 1.5 miles, two doctors within 1.5 miles, together with two rail stations within 2.7 miles with the 500-bus route (which runs from Staines to Frimley, passing Egham, Virginia Water, Windlesham, Camberley and Frimley) 0.4 miles away. Windlesham Road is also served by a pedestrian pathway.
- 7.6.7 The proposed development is therefore considered to be situated in a sufficiently sustainable location to meet the needs of future residents.
- 7.6.8 As such, based on the above and the absence of any objection from the Highway Authority, the proposal is considered acceptable in respect of highway safety, access, and parking capacity in accordance with Policies CP11 and DM11 of the CSMDP and the WNP.

7.7 Impact on biodiversity and ecology

- 7.7.1 Policy CP14 of the CSDMP sets out that development which results in harm to or loss of features of interest for biodiversity will not be permitted with regard given to designated ecological sites.
- 7.7.2 The application is supported by a preliminary ecological appraisal, including bat roost survey and reptile survey. Surrey Wildlife Trust have been consulted on the application, raising no objection, however, they have recommended various conditions in the interests of species and biodiversity.
- 7.7.3 SWT has also commented that the development has not demonstrated appropriate compensation and mitigation in respect to the loss of the trees which form part of the woodland. However, they recommend a condition for an Ecology and Habitat Mitigation Strategy which would include a biodiversity net gain assessment. It should be recognised that there is no adopted legislative requirement for net gain to be provided however, the condition would ensure that appropriate enhancements are undertaken to offset the impact of the development which would be considered appropriate and acceptable.
- 7.7.4 It is considered that subject to the recommendations of the submitted preliminary ecological appraisal and the conditions recommended by SWT being adhered to, the proposal would not result in any significantly harmful impact to the ecology and biodiversity of the surrounding area in line with Policy CP14 of the CSDMP.

7.8 Impact on flood risk and drainage

- 7.8.1 Policy DM10 of the CSDMP indicates that development within flood risk zones 2 and 3, will not be supported unless it can be demonstrated that the proposal would, where practicable, reduce risk both to and from the development. Paragraph 167 of the NPPF outlines that development should ensure that flood risk is not increased elsewhere.
- 7.8.2 The application site lies in a Flood Zone 1 (low risk) and relates to a minor development. No objections have been raised by the Council's drainage officer subject

to a drainage condition being applied. Subject to this condition, the proposed development would be considered acceptable on drainage and flood risk grounds complying with Policy DM10 of the CSDMP and the NPPF.

7.9 Impact on the Thames Basin Heaths Special Protection Area

- 7.9.1 Policy CP14 of the CSDMP sets out that all new (net) residential development within five kilometres of the SPA is considered to give rise to the possibility of likely significant effect. Policy NRM6 of the SEP reflects these requirements. Proposals will be required to provide appropriate measures in accordance with the AAP. This includes contributions towards SAMM measures. SANG requirements are provided through CIL for which the development is liable for.
- 7.9.2 The Council has sufficient capacity of SANG for the development in the event of a grant of permission. Following executive resolution which came into effect on 1 August 2019, due to the currently limited capacity available for public SANGs in parts of the Borough, applications for development which reduce SANG capacity, as in the case of this application will be valid for one year (rather than three years).
- 7.9.3 The applicant has confirmed that the SAMM contribution would be secured through a legal agreement prior to the determination of this application. Subject to the signing of the legal agreement the proposal satisfies the objectives of Policy CP14 of the CSDMP, Policy NRM6 of the SEP, the NPPF and advice in the AAP.

7.10 Other matters

- 7.10.1 The application is one of three live applications for residential development on Woodlands Lane, relating to the adjacent sites to the east. Each application can be judged on its own merits with neither of the live applications yet determined.
- 7.10.2 Policy CP2 of the CSDMP sets out that new development should seek to reduce carbon emissions, utilising low carbon technology and secure water efficiency. The supporting energy statement outlines that the development would conform to Part L of the Building Regulations. The development would incorporate a 'Be Green' approach using Air Source Heat Pumps and Domestic Hot Water System amongst efficient building installation which together would result in a 70% saving against regulated carbon emissions. The proposal has demonstrated how it would incorporate sustainable design measures and is therefore considered acceptable.
- 7.10.3 It is recommended that a condition be attached to any grant of permission to restrict the use of Permitted Development rights in respect of Schedule 1, Part 2, Classes A, B and E. Paragraph 54 of the NPPF advises against the use of planning conditions to restrict PD rights unless there is clear justification to do so.
- 7.10.4 The application site is characterised by its semi-rural, verdant, and open character and the proposed development in its current form does not result in any significant harm to these characteristics. However, noting the scale of each plot, each property could feasibly undertake a significant amount of development without the need for planning permission if Permitted Development rights are retained resulting in an urbanised form of development which would be contrary to the verdant, open characteristics of the wider area. The imposed condition would not restrict the ability for the land owner to extend their property, only that express planning permission is sought, allowing due consideration to any future development on site. It is not considered necessary to restrict all parts of the GPDO, but only these parts which would allow for sizeable additions to the properties.

8.0 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. The proposal is not considered to conflict with this duty.

9.0 CONCLUSION

- 9.1 The principle of the development is acceptable on this allocated housing site and contributes to the Council's 5-year housing land supply. The proposal would not result in any significant harm to the character of the surrounding area, have no significant harm upon neighbouring occupiers' amenity nor the highway network. The development would not result in any increased flood risk. The proposal represents sustainable development and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of planning permission. On this basis the proposed development is considered acceptable in accordance with the CSDMP and NPPF.

10.0 RECOMMENDATION

GRANT subject to the following conditions:

1. The development hereby permitted shall be begun within one year 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:

Plan drawings:

Received 09 May 2023:

22 - J4211 - LP, 22 - J4211 - 107, 22 - J4211 - 106, 22- J4211 - 105, 22- J4211 - 104, 22- J4211 - 103, 22- J4211 - 102, and 22- J4211 - 101.

Received 10 November 2023:

23- J4241- 100 Rev A
23- J4241- 100.1 Rev A

Documents:

Received 09 May 2023:

Planning Statement dated 5 May 2023
Arboricultural Impact Assessment dated May 2023
Transport Statement dated April 2023
Design and Access Statement dated April 2023

Received 16 May 2023:

Energy statement Issue 1.0 dated 14 May 2023
Flood Risk assessment dated 15 May 2023

Received 17 May 2023

Preliminary Ecological Appraisal Ref.R3398/e dated September 2023
Bat Emergence Survey Ref.R3531/a dated September 2023
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. Prior to the commencement of the development full samples and details of the external materials to be used shall be 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.

4. Prior to the commencement of the development, details of the window and doors, including their reveals (and dimensions of any recess), and material shall be 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 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.

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.

6. No development including demolition shall take place until an updated detailed arboricultural method statement has been submitted and approved in writing by the Local Planning Authority. The statement will be in accordance with British Standard 5837:2012 "Trees in Relation to Design, Demolition and Construction" and shall contain details of pruning or removal of trees, specification and location of tree and ground protection (for both pedestrian and vehicular use), all demolition processes, details of construction processes for hard surfaces together with the areas for the storage of materials, indicative services and utilities information, and the construction method of the geocell. The statement should also contain details of arboricultural supervision and frequency of inspection along with a reporting process to the Tree Officer. All works to be carried out in strict accordance with the approved details.

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

7. The development hereby approved shall not commence until a detailed Construction Environmental Management Plan (CEMP) document has been submitted to and approved in writing by the Local Planning Authority.

- a) Map showing the location of all of the ecological features
- b) Risk assessment of the potentially damaging construction activities
- c) Practical measures to avoid and reduce impacts during construction
- d) Location and timing of works to avoid harm to biodiversity features
- e) Responsible persons and lines of communication
- f) Use of protected fences, exclusion barriers and warning signs.
- g) Site operation time
- h) Details of proposed means of dust suppression and emission control
- i) Details of proposed means of noise mitigation and control
- j) Lighting impact mitigation (if artificial lighting will be used during the development)
- k) Construction material and waste management
- l) Procedure for implementing the CEMP
- m) Complaint procedure

Reason: To mitigate the impact of the construction activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

8. The development hereby approved shall not commence until an Ecology and Habitat Mitigation Strategy has been submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- 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 organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) Biodiversity Net Gain Assessment
- j) Woodland Mitigation Strategy.
- k) Ecological Enhancement Plan.

The approved plan will be implemented in accordance with the approved details. The Ecology and Habitat Mitigation Strategy should demonstrate no net loss of woodland habitat.

Reason: To mitigate the impact of the development activities on ecology and biodiversity, in accordance with Policies CP14 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

9. Prior to the commencement of the development a Sensitive Lighting Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The document should demonstrate that the proposed development will result in no net increase to external artificial lighting at primary bat foraging and commuting routes across the development site.

Reason: To ensure no adverse harm to the ecological value of the surrounding area and bat community routes in accordance with Policy CP14 of the Surrey Heath Core Strategy and Development Management.

10. No part of the development shall be first occupied unless and until the proposed modified vehicular access to Woodlands Lane has been constructed and provided 43 metre visibility splays in general accordance with Drawing No. 23-J4241-100 and subject to detailed design and Surrey County Council's full technical and road safety auditing requirements and thereafter the visibility splays shall be kept permanently clear of any obstruction between the height of 0.6 and 2.0 metres above the level of the carriageway.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

11. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason: To ensure that the development would not prejudice highway safety nor cause inconvenience to other highway users and to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

12. The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast charge Electric Vehicle Charging Point current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

13. The development hereby approved shall not be first occupied unless and until the proposed dwellings are each provided with parking for a minimum of two bicycles in a robust, secure and lockable enclosure and including a standard three-pin plug socket for the charging of electric bikes in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facility shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason: In the interests of sustainability and promoting sustainable modes of transport to satisfy policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Policies Document (2012) and to meet the aims and objectives of the National Planning Policy Framework.

14. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives, and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials

- (d) 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) no HGV movements to or from the site shall take place between the hours of 8.15 and 9.00 am and 3.15 and 4.00 pm
- (j) 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: To ensure 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. The development shall follow and implement the recommendations and carbon offset measures outlined in the hereby approved document titled 'Energy statement Issue 1.0' dated 14 May 2023, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the development adheres to the energy saving and carbon emission reduction measures in accordance with the submitted energy assessment and to meet the objectives of Policy DM7 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. 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) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. Associated discharge rates and storage volumes shall be provided using maximum staged discharge rates of 1 in 1yr 8.0 l/s, 1 in 30yr 16.8l/s, 1 in 100yr 18.9l/s, 1 in 100yr + 40% 22.1 l/s.

b) 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.).

c) 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.

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

e) 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 in line with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

17. Notwithstanding the provisions of Schedule 1, Part 2, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no further extensions, garages or other buildings shall be erected 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 amenity of this rural location, ensuring development does not erode the verdant character of surrounding area and to accord with Policies CP1 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. This Decision Notice is a legal document and therefore should be kept in a safe place as it may be required if or when selling your home. A replacement copy can be obtained, however, there is a charge for this service.
2. The development hereby permitted is a chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations (as amended).

In accordance with CIL Regulation 65, the Council will issue a Liability Notice in respect of chargeable development referred to in this decision as soon as practicable after the day on which this decision first permits development. The Liability Notice will confirm the chargeable amount calculated by the Council in accordance with CIL Regulation 40 (amended) and in respect of the relevant CIL rates set out in the adopted Surrey Heath Charging Schedule. Please note that the chargeable amount is a local land charge.

Failure to pay CIL in accordance with the CIL Regulations and Council's payment procedure upon commencement of the chargeable development referred to in this decision may result in the Council imposing surcharges and taking enforcement action. Further details on the Council's CIL process including the assuming, withdrawing and transferring liability to pay CIL, claiming relief, the payment procedure, consequences of not paying CIL in accordance with the payment procedure and appeals can be found on the Council's website.

3. 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>.

4. The applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
5. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning, or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.
9. 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
10. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading, and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. Where repeated problems occur the Highway Authority may use available powers under the terms of the Highways Act 1980 to ensure the safe operation of the highway.
11. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
12. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2023.
