



Surrey Heath Borough Council

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ANNEX 1

Mr Woolf
Woolf Bond Planning
The Mitfords
Basingstoke Road
Three Mile Corss
Reading, Berkshire
RG7 1AT

22 July 2016

TOWN & COUNTRY PLANNING ACT 1990

Town & Country Planning (Development Management Procedure) (England) **Order 2010**

Application Type: Outline

Drawing No./Date Stamped: CSA/1586/120(A), /121, 99BB001 SHEET 1, 2, 3, 8169/01 1/2 REV B, 2/2 REV B, ITB9076-GA-006(D), 01/04/16.

The Council as Local Planning Authority **GRANTS** outline planning permission for the following development subject to the conditions (if any) specified in the schedule below:-

Proposal: Outline planning application for the erection up to 85 dwellings with new access, landscaping and open space.

Location: LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP

The applicant is advised that all conditions must be fully complied with in accordance with the time frame set out in the condition. Failure to do so may result in action being taken against you or the permission becoming void.

Requests to discharge conditions must be submitted on the appropriate IAPP application form (available from the Planning Portal: www.planningportal.gov.uk, or via the Surrey Heath Website: www.surreyheath.gov.uk and select Planning). A fee is now payable for this service.

The applicant must advise the Local Planning Authority in writing 14 days prior to the implementation of the permission of the intention to commence work. Letters should be sent to the Council's Planning Compliance

SCHEDULE OF CONDITION(S) (If any)

1. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. With the exception of the layout shown and the details required by Condition 12 below, the proposed development shall be built in accordance with the following approved plans: CSa/1586/120 Rev A and ITB9076-GA-006 Rev D (included within the Transport Statement received 31/3/16), unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until a Method of Construction Statement, 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
(f) hours of construction
(g) confirmation that there will be no on-site burning of material during any site clearance, demolition and construction works

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

Reason: The condition above is required in order that the development should not prejudice residential amenity and highway safety nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. No development shall take place until details of the surface materials for the roads, car parking areas and driveways shall be submitted to, and approved in writing by the Local Planning Authority. Once approved, the agreed surfacing materials shall be used in the construction of the development.

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

5. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including all roads and driveways, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

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

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

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of residential and visual amenities and nature conservation and to accord with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. Prior to the first occupation of the development hereby approved, a Travel Plan to promote sustainable patterns of movement shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved details.

Reason: To promote sustainable modes of transport and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. Prior to the granting of the last reserved matter pursuant to the development granted under this outline permission, details of a drainage strategy is to be submitted to and approved by the Local Planning Authority. The details of this strategy should include:

1. Evidence of how infiltration is feasible (on-site geology, soils and groundwater levels)

and, where this is not possible, a sustainable drainage system (SuDS) designed accordingly;

2. Calculations confirming the peak discharge rates for the site in 1 in 1, 1 in 30 and 1 in 100 (+30% climate change) storm events and details of the attenuation storage;
3. A drainage layout detailing the location of SuDS elements, pipe diameters and manhole hole locations; and their respective levels;
4. Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to avoid risks to people and property; and
5. Long and cross sections of each proposed SuDS element.

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

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the construction of the dwellings hereby approved (under this outline planning permission and all subsequently approved reserved matters), details of the protection during the construction process for, and future maintenance of, the sustainable drainage system shall be submitted to and approved by the Local Planning Authority. The maintenance plan should include the maintenance frequencies and ownership and responsibilities for the maintenance of the SUDS features.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a verification report shall be submitted to and approved by the Local Planning Authority which shows that the ~~Sustainable Urban Drainage System has been constructed in accordance with the details~~ approved in accordance with Conditions 9, 10 and 16 below.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No development shall take place until details of the proposed access onto Beldam Bridge Road including any required visibility zones have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the visibility zones kept permanently clear of any obstruction.

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

13. No development shall take place until a Written Scheme of Investigation with a programme

of archaeological work and details of compliance with the resulting implemented programme of work has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that there is a record of any found archaeological evidence and to comply with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

14. The approved development shall be implemented in accordance with the mitigation measures set out in Section 5.0 of the Ecological Appraisal by CSa Environmental Planning dated March 2016 unless the prior written approval has been obtained from the Local Planning Authority.

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

15. A scheme to revise the speed limit on Beldam Bridge Road is to be submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the approved development.

Reason: In the interests of highway safety and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

16. 16. The development hereby permitted shall not commence until details of the design of as surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

- a) A design that satisfies the SuDS hierarchy;
- b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statements on SuDS;
- c) Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+30% allowance for climate change) storm events during all stage of the development (pre, post and during), associated discharge rates and storage volumes shall be provided with a greenfield discharge rate offsite no greater than a total of 11.26 litres per second for the whole site area.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase the flood risk on or off site and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informatives:

1. 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.

2. The applicant proposes to discharge to a watercourse. The applicant has not supplied details showing whether discharge infiltration is feasible. The applicant needs to undertake infiltration in accordance with BRE Digest 365 or show suitable evidence that infiltration is not feasible. If feasible, the applicant could adapt their design so that permeable paving and attenuating SuDS assets can discharge directly into the ground instead of into a piped network. A full geotechnical survey that details bore logs, ground water levels, details of ground water source protection zones and details of any contamination should be supplied. Only if infiltration is then found not to be feasible should discharge to watercourses be considered. Should the applicant propose to discharge into a Main River, a Flood Defence Consent is required from the Environment Agency. Should the applicant propose to discharge into a watercourse, they should check that the watercourse is able to receive the additional flows and is fully functional.

The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.



Executive Head - Regulatory
Duly authorised in this behalf
(ATTENTION IS DRAWN TO THE NOTES ATTACHED)

LOCATION: LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END,
WOKING, GU24 9LP

PROPOSAL: Outline planning application for the erection up to 85 dwellings with
new access, landscaping and open space.

TYPE: Outline

APPLICANT: Mr Woolf
Taylor Wimpey UK Ltd.

OFFICER: Duncan Carty

RECOMMENDATION: GRANT subject to a legal agreement and conditions

1.0 SUMMARY

- 1.1 The current outline application relates to the erection of up to 85 dwellings on land to the north of Beldam Bridge Road. The proposal relates to the approval of the access only. This application is identical to the proposal under earlier permission SU/15/0884, with the exception of the deletion of a proposal for a Site of Alternative Natural Greenspace (SANG) that was proposed under this earlier permission.
- 1.2 In terms of the impact on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix and crime, and in a similar manner to previous permission SU/15/0884 (and earlier application SU/14/0594), no objections are raised. A legal agreement is to be provided to secure affordable housing and a SAMM contribution, and the SANG contribution would be delivered through the CIL process.
- 1.3 It is considered that in the light of the recent appeal decision for SU/14/0532 (land south of Kings Road and Rose Meadow), the current housing delivery rate, and earlier permission SU/15/0884, the site should be released for housing. No objections are raised to the current proposal.

2.0 SITE DESCRIPTION

- 2.1 The housing part of the site relates to former nursery land to the north of Beldam Bridge Road on land which is defined as Countryside (beyond the Green Belt) but has been retained as a housing reserve site. Part of the land that is to be provided as open space, and also the eastern access visibility splay, would fall within the Green Belt. The land falls gently from north to south and the majority of the significant trees are located to site boundaries of this site. This site has previously been used as a production tree nursery but is now redundant stock land. The land has not been used for about 10 years and is now in a poor condition.
- 2.2 The site measures 3.2 hectares in area. Land to the south and east of the proposed housing site fall within the Green Belt. The application site falls within an area of low flood risk (Zone 1 as defined by the Environment Agency).

3.0 RELEVANT HISTORY

On the application site:

- 3.1 SU/14/0594 Outline planning application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space (details of access only to be considered). Non-determination appeal has been withdrawn.
- 3.2 SU/15/0884 Outline planning application for the erection of up to 85 dwellings with new access and change of use of land to publicly accessible recreation space (SANG), car parking, landscaping and open space (details of access only to be considered). Approved in February 2016.

A copy of the officer report for this application is appended to this report (see Annex 1).

This decision was subject to a subsequent challenge by a local resident. This challenge was rejected by the Court for the following planning reasons:

- It was clear that the application related to an outline application and not a form of reserved matters proposal;*
- The decision on the principle of residential development is obviously debatable on its planning merits, but in the light of the Inspector's decision [for SU/14/0532 below] was obviously not irrational or unlawful in some other way; and*
- The fact that means of access was not a reserved matter does not preclude its precise form being dealt with by a condition of the sort here [Conditions 2 and 12]; there was no unlawfulness.*

Other related West End/Windlesham housing reserve site proposals:

- 3.3 SU/14/0532 Outline planning application for the erection of 84 dwellings with access from Rose Meadow (access only to be considered) on land south of 24-46 Kings Road and 6 & 9 Rose Meadow. Non-determination appeal allowed in December 2015.

A copy of the appeal decision is appended to this report (see Annex 2). The Council had taken Counsel's advice in respect of this appeal decision and had concluded that there were no grounds to challenge this decision.

- 3.4 SU/15/0455 Erection of residential development to provide 95 dwellings with vehicular/pedestrian accesses, parking, landscaping and open space on land north and east of Malthouse Farm, Benner Lane, West End. Refused in October 2015 on housing supply/spatial strategy (this objection now withdrawn on the basis of the appeal decision SU/14/0532 above), affordable housing and SAMM provision, and character grounds. Subsequent appeal hearing to be held in September 2016.
- 3.5 SU/15/0590 Outline planning application 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) details of access only to be agreed at Heathpark Woods, Heathpark Drive, Windlesham. Refused in March 2016 on loss of safeguarded land/spatial strategy, impact on protected species and the SPA, and affordable housing provision grounds.

4.0 THE PROPOSAL

4.1 The current proposal relates to the erection of up to 85 dwellings with its proposed access from Beldam Bridge Road and provision of open space. The access would be provided at roughly the midpoint of the frontage onto Beldam Bridge Road, east of the road junction with Kings Road. The exact amount and mix of dwelling units has not been defined under this application; only that the scheme would provide for up to 85 units. The proposal relates to the approval of the access only.

4.2 The application is in an outline form with only the access to be determined at this stage. However, a schematic layout has been provided which indicates a form of development for this proposal which arranges the housing around a cul-de-sac form of development.

4.3 The application has been supported principally by:

- Planning and Affordable Housing Statement;
- Design and Access Statement; and
- Transport Statement and Framework Travel Plan.

Other provided reports include:

- Flood Risk Assessment and Preliminary Surface Water Drainage Strategy;
- Tree Report;
- Ecological Appraisal;
- Preliminary Services Appraisal;
- Cultural Heritage Assessment;
- Landscape Visual Appraisal; and
- Statement of Community Involvement.

These reports are similar to those provided for the earlier applications SU/14/0594 and SU/15/0884.

4.5 The assessment in Paragraph 7.0 below has taken into consideration the content of these reports provided by the applicant and seen in the light of the recent planning permission at the site at Paragraph 3.2 above and appeal decision highlighted at Paragraph 3.3 above.

5.0 CONSULTATION RESPONSES

5.1	County Highway Authority	No objections.
5.2	Environmental Services	No objections.
5.3	Surrey Police	No objections and make suggestions to make the development "secure by design" which would be dealt with at the reserved matters stage.
5.4	Surrey Wildlife Trust	No comments received but raised no objections to previous application.
5.5	Natural England	No objections.
5.6	Environment Agency	No comments received but raised no objections to previous

application.

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| 5.7 | Archaeological Officer | No objections. |
| 5.8 | Arboricultural Officer | No objections (verbal). |
| 5.9 | Surrey County Council
(Local Lead Flood
Authority) | No objections. |
| 5.10 | Drainage Engineer | No comments received but did not raise an objection to previous application. |
| 5.11 | Surrey County Council
(Education) | No objections raised, subject to the provision of a contribution towards education provision (£741,336). |
| 5.12 | West End Parish
Council | An objection is raised on the grounds that the release of the reserve site should only come through following a local plan, with the presumption on favour of sustainable development (in the NPPF) does not take precedence. Further objections are raised on surface water drainage, local infrastructure and ecology grounds. |

6.0 REPRESENTATION

At the time of preparation of this report, one representation in support (making no specific comments) and 65 representations, including one from the West End Action Group and one from the Heathpark Woods Action Group, raising an objection had been received which raise the following issues:

6.1 Impact of alternative SANG provision

- SANG mitigation will now be not within walking distance of the village, leading to an increase in car journeys [see Paragraph 7.5]
- The omission of the SANG needs to be assessed under the Birds Directive (Paragraph 19 of the NPPF) [see Paragraph 7.5]
- The omission of the SANG is a retrograde step for West End [See Paragraph 7.5]
- Loss of SANG makes the scheme even less desirable [See Paragraph 7.5]
- Impact on Brentmoor SSSI/SPA. [Officer comment: The site is located about 800 metres from the SPA and would not have any direct impact. Also, see Paragraph 7.5]

6.2 Principle

- No change in position since previous rejection (to SU/14/0594) by this Council [Officer comment: Each application is to be determined on their own merits and in the light of the most up-to-date position. See Paragraph 7.4 below]
- Combined impact with other proposals. Applications should be considered together [Officer comment: Each application is to be determined on their own merits]
- Other sites should be developed instead. The West End reserve sites need not be used [see Paragraph 7.4]
- Amount of houses is in excess of the core strategy requirement (20 houses), particularly in taking into account the housing that will be delivered on appeal site (SU/14/0532) [see Paragraph 7.4]

- Impact on Green Belt status of land [Officer comment: The housing site is within the Countryside (beyond the Green Belt)]
- West End does not need any more housing and has provided its fair share of housing in the past. Development is too large for the village [see *Paragraph 7.4*]
- Development proposal is premature and unsustainable. Proof of need for this housing has not been satisfactorily demonstrated [see *Paragraph 7.4*]
- Adequate provision of housing has been/will be provided elsewhere [See *Paragraph 7.4*]
- The slow pace of development at the Princess Royal Barracks site should not be a justification for this proposal [See *Paragraph 7.4*]
- Development is proposed before sites allocation document is published [see *Paragraph 7.4*]
- Development is proposed before a local plan review [see *Paragraph 7.4*]
- The Council has demonstrated that it has more than sufficient land available for housing (8.5 years-worth) to meet 5 year target (Housing Land Supply Paper 2015) [see *Paragraph 7.4*]
- The mis-information of the housing supply position in the HLSP 2015-2020 [Officer comment: *This HLSP 2015-2020 indicated that there was an adequate supply of housing, based upon the CS policy requirements. However, the Inspector for SU/14/0532 appeal took the view that the higher OAHN housing supply requirement should take place, for which there was not an adequate level of supply. The OAHN housing supply requirement is has been reflected in the HLPS 2016-2021*]
- Significant under counting of housing supply position [Officer comment: *There is no evidence to suggest that this is the case*]
- Non-conformity with NPPF policy on sustainable development. Brownfield sites should be released before green field sites [see *Paragraph 7.4*]
- Site should be returned to Green Belt [Officer comment: *This can only be undertaken through a Green Belt boundary review*]
- The flawed appeal decision (SU/14/0532), which is the subject of a legal challenge, should not be used as a justification for current proposal. Previous application SU/15/0884 was decided on the basis of an appeal (SU/14/0532) where the Inspector failed to take account of local and national policies [Officer comment: *There is no legal challenge for this appeal decision, Also, see Paragraph 7.4*]
- NPPF's presumption in favour of development does not apply in this case. It is excluded due to Paragraph 85 of the NPPF. Safeguarding is a policy indicating development should be restricted [See *Paragraph 7.4*]
- The principle for sustainable development in the NPPF does not apply where an appropriate assessment (under the Habitats regulations) is required [See *Paragraph 7.4*]
- The refusal of the Windlesham Site (Heathpark Woods – SU/15/0590) sets precedent for this proposal [See *Paragraph 7.4*]
- Legal challenge (for SU/15/0884) makes the current decision (outline planning permission of SU/15/0884) unsafe and Committee decision for that application unsound and should not be used as a precedent [See *Paragraph 7.4*]

6.3 Highway and transportation matters

- Impact on road infrastructure [see Paragraph 7.4]
- Increased traffic resulting in traffic congestion and increased risk of accident at local road junctions and wider road network [see Paragraph 7.4]
- Highway implications of dangerous access and increased traffic accessing onto a bend in a narrow, winding road [see Paragraph 7.4]
- Parking for SANG would be used as overspill housing [see Paragraph 7.4]
- Limited footpath access to site [Officer comment: Such details would be a reserved matter]
- Use of Kings Road as a cut through would have an impact on highway safety on this road [see Paragraph 7.4]
- Traffic statements should not be relied upon for assessing traffic impacts. It uses standardised data and will not reflect the higher car ownership levels on the area. Independent traffic surveys required [see Paragraph 7.4]
- Development would increase car-use [see Paragraph 7.4]
- Unsustainable location with a lack of local facilities [see Paragraph 7.4]
- Permission SU/15/0884 required approval of “means of access” only but these details were not approved by the Committee [Officer comment: This related to the imposition of further details by condition. Also, see Paragraph 7.4]

6.4 Character and Green Belt reasons

- Building on diminishing countryside [see Paragraph 7.4]
- Impact on the character of the village and countryside [see Paragraph 7.4]
- Impact on character of green space [see Paragraph 7.4]
- Loss of trees and woodland [see Paragraph 7.4]
- Destruction of rural land/countryside [see Paragraph 7.4]
- Too dense a form of development [Officer comment: Layout is a reserved matter. Also, see Paragraph 7.4]
- Overbearing impact of development and overdevelopment of site [see Paragraph 7.4]
- Destruction of ancient fields and woodland [see Paragraph 7.4]
- Being built next to Green Belt [see Paragraph 7.4]
- Destruction of existing conservation/area of beauty [Officer comment: The site has no such statutory or non-statutory designation]

6.5 Residential amenity

- Increase in noise and general disturbance from development and increased traffic [see Paragraph 7.4]

- Increased light pollution [see Paragraph 7.4]

6.6 Other matters

- Impact on wildlife and their habitats – bats, bees, buzzards, sparrows, goldfinches, greenfinches, kingfishers, woodpeckers, cuckoos, red kites, deer, owls, ducks, foxes and frogs. Animals cannot be translocated because they are territorial [see Paragraph 7.4]
- Impact on drainage (including local ditches/Bourne stream, high water table) and flooding [see Paragraph 7.4]
- Misleading information about previous flooding events in the provided Flood Risk Assessment [see Paragraph 7.4]
- Impact on the floodplain (Zone 2 – medium risk) [*Officer comment: The site does not fall within the floodplain, it falls within a Zone 1 low risk area*]
- Flood zone needs to be re-classified [*Officer comment: This is a matter for the Environment Agency*]
- Impact on local infrastructure and local/public services (school places, doctors, hospitals) which is unsustainable [see Paragraph 7.4]
- Development is not wanted by local people. Level of local opposition (85%) from an exit poll which followed the public consultation for the proposal. Objections to the previous proposals should not be ignored [*Officer comment: This is noted but is not, in itself, a relevant planning matter*]
- Request that Members visit the site during peak period [*Officer comment: This request is noted but such a request needs to be made by a Member*]
- Request to add objections to the previous application (SU/14/0594) for identical proposal [*Officer comment: This is not legally possible. However, a summary of all previous comments (for SU/15/0884) can be seen on the attached report*]

7.0 PLANNING CONSIDERATIONS

- 7.1 The housing part of the application site is located within a site which has been part of a housing reserve site, adjoining the settlement of West End, but is defined as Countryside (beyond the Green Belt).
- 7.2 As such, the National Planning Policy Framework (NPPF) and its associated Planning Practice Guidance (PPG) as well as Policies CP1, CP2, CP3, CP5, CP6, CP11, CP12, CP14, DM9, DM10, DM11, DM16 and DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP); Policy NRM6 of the South East Plan 2009 (as saved); and Policy H8 of the Surrey Heath Local Plan 2000 (as saved) are relevant. In addition, advice in the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012; Infrastructure Delivery SPD 2014 are also relevant. Regard will also be had to the Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment (December 2014) and the Housing Needs Survey Paper 2016-2021 (2016).
- 7.3 The application is in an outline form which seeks the approval of the access only and follows the earlier planning permission for an identical proposal at this site (SU/15/0558), except for the deletion of the SANG proposal, and the appeal decision (SU/14/0532). These decisions are material considerations for this application (see Annexes 1 and 2).

7.4 Aside from the appeal decision (for SU/14/0532) and the implications of the change on SANG delivery, officers do not consider that there has been any significant change in circumstances since the grant of planning permission SU/15/0884, and refusal of the high court challenge. For completeness a copy of the previous report is attached (Annex 1) and for reference purposes, the main issues and conclusions in this report, which also apply to this submission, are summarised below:

- No objections are raised to the principle of the development on the basis of the housing supply position. The reasons for the refusal of the high court challenge for SU/15/0884, as set out in Paragraph 3.2 above, would apply for this proposal and the decision at Heathpark Woods, Windlesham under SU/15/0590 would not be a reason to depart from the approach taken for the planning permission SU/15/0884, which relates to the application site [See *Paragraph 7.6 of SU/15/0884*];
- No objections to the impact of the proposal upon highway safety including the level of parking and use of access to the site from Beldam Bridge Road. In addition, no objections were raised to the cumulative impact on increased traffic from this proposal (along with other developments, such as under appeals SU/14/0532 and SU/15/0445) [See *Paragraph 7.4 of SU/15/0884*];
- No objections to the impact of the proposal on local character grounds (and impacts on trees and hedgerows), if the site was to be released for housing at this stage, and no objections to the impact on the Green Belt [See *Paragraph 7.4 of SU/15/0884*];
- No objections to the impact of the proposal on residential amenity grounds, particularly in relation to any increase in noise and bearing in mind the outline nature of the proposal (only access to be agreed) [See *Paragraph 7.4 of SU/15/0884*];
- No objections to the impact of the proposal on ecology and archaeology [See *Paragraph 7.4 of SU/15/0884*];
- No objections to the impact of the proposal on drainage and flood risk, for which the Local Lead Flood Authority have raised no objections for this application. In addition, no objections to the impact on land contamination [See *Paragraph 7.4 of SU/15/0884*];
- No objections to the impact of the proposal on local infrastructure with the proposal being CIL liable. The contribution towards education requested by the education authority, Surrey County Council, was not justified during the consideration of the previous permission SU/15/0588 [See *Paragraph 7.4 of SU/15/0884*]; and
- No objections to the impact of the proposal on affordable housing provision, the housing mix, crime and open space provision. A level of affordable housing will need to be provided on site. However, whilst this matter can be dealt with at the reserved matter stage, a legal agreement to confirm an obligation to meet this requirement is well advanced and expected to be completed by the time of the Committee meeting, and no objections are raised on these grounds. [See *Paragraph 7.4 of SU/15/0884*].

7.5 Having regard to all of the above, it is considered that the principal considerations to be addressed in the determination of this application is:

- Impact on the Thames Basin Heaths Special Protection Area.

7.6 Impact on the Thames Basin Heaths Special Protection Area

- 7.6.1 The application site falls about 0.75 kilometres from the Thames Basin Heaths Special Protection Area (SPA). Policy NRM6 of the South East Plan 2009 (as saved) seeks to protect the ecological integrity of the SPA from recreational pressure, through increased dog walking and an increase in general recreational use, which occurs from the provision of new (net) residential development. Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012 builds on this approach. The SPD identifies that the impact on the SPA from residential development can be mitigated by the provision of Suitable Alternative Natural Green Space (SANGS) to offset any potential harm to the SPA or by contributing towards SANGS provision. The threshold for delivering on-site SANG is 100 dwellings. As this proposal provides less than this threshold, it can provide towards a SANG elsewhere, so long as it falls within the SANG catchment.
- 7.6.2 As indicated in Paragraph 7.7.2 of the officer report for SU/15/0884 [Annex 1], the CIL charging schedule incorporates SANG funding, except where a SANG is proposed under the same (or linked) development. The development under SU/15/0884 proposed to provide a SANG on adjoining land to the housing proposal as a part of the overall proposal. However the current proposal seeks to provide a contribution towards SANG delivery (in this case the Chobham Meadows SANG) instead. The application site falls within the catchment (5 kilometres) of this SANG. This approach is considered to be acceptable.
- 7.6.3 Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 also requires a contribution towards the Strategic Access Management and Monitoring (SAMM) measures, which supports the on-site protection of the SPA. As this is not included with the CIL scheme, a separate contribution is required. This contribution has not been received to date, and cannot be calculated where the number and size of dwellings is not provided. However, whilst this matter can be dealt with at the reserved matter stage, a legal agreement to confirm an obligation to meet this requirement is well advanced and expected to be completed by the time of the Committee meeting, and no objections are raised on these grounds.
- 7.6.4 As such, the current proposal is considered to be acceptable in terms of its impact on the SPA, complying with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, Policy NRM6 of the South East Plan 2009 (as saved) and the Thames Basin Heaths Special Protection Area Avoidance Strategy SPD 2012.

8.0 CONCLUSION

- 8.1 As with the earlier planning permission SU/15/0588, no objections are raised to the principle, impact of the proposal on local character, trees/hedgerows, residential amenity, traffic generation, parking, highway safety, ecology, archaeology, land contamination, drainage, flood risk, local infrastructure, housing mix and crime. Whilst there is no legal agreement in place to provide affordable housing and a SAMM contribution, the required legal agreement is at an advanced stage and it is expected to be completed by the time of the Committee. The proposal is acceptable in terms of its impact on the Thames Basin Heaths Special Protection Area, with a contribution for SANG delivery elsewhere in the Borough provide through the CIL scheme.
- 8.2 The application is therefore recommended for approval.

9.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 WORKING IN A POSITIVE/PROACTIVE MANNER

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of Paragraphs 186-187 of the NPPF.

This included the following:-

- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

11.0 RECOMMENDATION

GRANT, subject to the following conditions:

1. Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - (a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.
 - (b) The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To prevent an accumulation of unimplemented planning permissions and to comply with Article 4 of the Town and Country Planning (General Development Procedure) Order 2010 (or any order revoking and re-enacting that Order) and Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 (2) of the Planning and the Compulsory Purchase Act 2004.

2. With the exception of the layout shown and the details required by Condition 11 below, the proposed development shall be built in accordance with the following approved plans: CSa/1586/120 Rev A and ITB9076-GA-006 Rev. D, unless the prior written approval has been obtained from the Local Planning Authority.

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

3. No development shall take place until a Method of Construction Statement, 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
 - (f) hours of construction
 - (g) confirmation that there will be no on-site burning of material during any site clearance, demolition and construction works

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

Reason: The condition above is required in order that the development should not prejudice residential amenity and highway safety nor cause inconvenience to other highway users and to accord with Policies CP11, DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

4. No development shall take place until details of the surface materials for the roads, car parking areas and driveways shall be submitted to, and approved in writing by the Local Planning Authority. Once approved, the agreed surfacing materials shall be used in the construction of the development.

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

5. No development shall take place on site until details of the proposed finished ground floor slab levels of all building(s) and the finished ground levels of the site including all roads and driveways, etc. in relation to the existing ground levels of the site and adjoining land, (measured from a recognised datum point) shall be submitted to and approved by the Local Planning Authority. Once approved, the development shall be built in accordance with the approved details.

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

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

Reason: To ensure visual and residential amenities are not prejudiced and to accord with Policies DM9 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012.

7. No development shall take place until details of external lighting are to be submitted to the Local Planning Authority. Once approved the lighting shall be constructed in accordance with the approved details and implemented prior to first occupation of the development and thereafter retained in perpetuity. The details shall include full details of the lighting supports, posts or columns, a plan showing the location of the lights and full technical specification.

Reason: In the interests of residential and visual amenities and nature conservation and to accord with Policies CP14 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.

8. Prior to the first occupation of the development hereby approved, a Travel Plan to

promote sustainable patterns of movement shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented in accordance with the approved details.

Reason: To promote sustainable modes of transport and to accord with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. Prior to the granting of the last reserved matter pursuant to the development granted under this outline permission, details of a drainage strategy is to be submitted to and approved by the Local Planning Authority. The details of this strategy should include:
1. Evidence of how infiltration is feasible (on-site geology, soils and groundwater levels) and, where this is not possible, a sustainable drainage system (SuDS) designed accordingly;
 2. Calculations confirming the peak discharge rates for the site in 1 in 1, 1 in 30 and 1 in 100 (+30% climate change) storm events and details of the attenuation storage;
 3. A drainage layout detailing the location of SuDS elements, pipe diameters and manhole hole locations; and their respective levels;
 4. Details of where any exceedance flows (i.e. rainfall greater than design or flows following blockages) would run to avoid risks to people and property; and
 5. Long and cross sections of each proposed SuDS element.

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

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. Prior to the construction of the dwellings hereby approved (under this outline planning permission and all subsequently approved reserved matters), details of the protection during the construction process for, and future maintenance of, the sustainable drainage system shall be submitted to and approved by the Local Planning Authority. The maintenance plan should include the maintenance frequencies and ownership and responsibilities for the maintenance of the SUDS features.

Reason: To ensure that the drainage system meets technical standards and to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to the first occupation of the development hereby approved, a verification report shall be submitted to and approved by the Local Planning Authority which shows that the Sustainable Urban Drainage System has been constructed in accordance with the details approved in accordance with Conditions 8 and 9 above.

Reason: To ensure that the drainage system meets technical standards and to comply with

Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. No development shall take place until details of the proposed access onto Beldam Bridge Road including any required visibility zones have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the visibility zones kept permanently clear of any obstruction.

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

13. No development shall take place until a Written Scheme of Investigation with a programme of archaeological work and details of compliance with the resulting implemented programme of work has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that there is a record of any found archaeological evidence and to comply with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework

14. The approved development shall be implemented in accordance with the mitigation measures set out in Section 5.0 of the Ecological Appraisal by CSa Environmental Planning dated March 2016 unless the prior written approval has been obtained from the Local Planning Authority.

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

15. A scheme to revise the speed limit on Beldam Bridge Road is to be submitted to and approved by the Local Planning Authority. The scheme shall be implemented prior to the first occupation of the approved development.

Reason: In the interests of highway safety and to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Informative(s)

1. CIL Liable CIL1

APP. NO	WARD	LOCATION & PROPOSAL	TYPE	DECISION
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2016/0323	WES	LAND NORTH OF, BELDAM BRIDGE ROAD, WEST END, WOKING, GU24 9LP	<u>OOU</u>	AF
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DC Outline planning application for the erection up to 85 dwellings with new access, landscaping and open space.

ACTION

APPROVE (SUBJECT TO ADDITIONAL AND AMENDED CONDITIONS AND ADDITIONAL INFORMATIVE)

Additional Condition:

16. The development hereby permitted shall not commence until details of the design of as surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:

A design that satisfies the SuDS hierarchy;

A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statements on SuDS;

Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+30% allowance for climate change) storm events during all stage of the development (pre, post and during), associated discharge rates and storage volumes shall be provided with a greenfield discharge rate offsite no greater than a total of 11.26 litres per second for the whole site area.

Reason: To ensure that the design meets the technical standards for SuDS and the final drainage design does not increase the flood risk on or off site and to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

Additional Informative:

The applicant proposes to discharge to a watercourse. The applicant has not supplied details showing whether discharge infiltration is feasible. The applicant needs to undertake infiltration in accordance with BRE Digest 365 or show suitable evidence that infiltration is not feasible. If feasible, the applicant could adapt their design so that permeable paving and attenuating SuDS assets can discharge directly into the ground instead of into a piped network. A full geotechnical survey that details bore logs, ground water levels, details of ground water source protection zones and details of any contamination should be supplied. Only if infiltration is then found not to be feasible should discharge to watercourses be considered. Should the applicant propose to discharge into a Main River, a Flood Defence Consent is required from the Environment Agency. Should the applicant propose to discharge into a watercourse, they should check that the watercourse is able to receive the additional flows and is fully functional.

Amendment to Condition 2:

Replace reference to 'Condition 11' with 'Condition 12'

Amendment to Condition 11:

Replace reference to 'Conditions 8 and 9' with 'Condition Nos 9 and 10, and 16 below'