

LOCATION: WINDLESHAM GARDEN CENTRE, LONDON ROAD,
WINDLESHAM, GU20 6LL

PROPOSAL: Outline application for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Access and layout only to be agreed.

TYPE: Outline

APPLICANT: Wyevale Garden Centres Ltd.

OFFICER: Emma Pearman

This application would normally be determined under the Council's Scheme of Delegation, however, it has been reported to the Planning Applications Committee at the request of Cllr Edward Hawkins.

RECOMMENDATION: GRANT subject to conditions and legal agreement

1.0 SUMMARY

- 1.1 This proposal is an outline application for the redevelopment of Windlesham Garden Centre, to provide nine detached dwellings, two of which would be affordable. The application seeks to determine the matters of access and layout only at this stage, with the scale and appearance of the dwellings, and landscaping to be determined at reserved matters stage. The site lies on the A30, within the Green Belt and outside any settlement area. The existing buildings are arranged around the front and middle of the site with large areas of open land and woodland within the boundary to the north and west. The proposed houses would be arranged in a similar format, largely where the existing buildings are situated.
- 1.2 The proposal is not considered to be inappropriate development in the Green Belt, as it would constitute the redevelopment of a previously developed site in the Green Belt, and with the layout details provided at this outline stage, it appears that its layout would not have a greater impact on openness than the existing development. While an objection has been raised to the loss of the existing garden centre, the applicant states that the garden centre has been loss making for a number of years, supported only by concessions. It is recognised that the existing use is constrained from further development by its Green Belt designation and there is no policy protection for out of town retail uses. As such no objection is raised in this regard. The proposal is considered acceptable at this outline stage in respect of all other matters, subject to conditions and the signing of the agreed S106 prior to the decision being issued, to secure the proposed affordable housing and SAMM/SANG payments.

2.0 SITE DESCRIPTION

- 2.1 The application site extends to 4.13ha and is located on the northern side of the A30, outside the settlement area of Windlesham and within in the Green Belt. The site comprises a number of buildings which make up the garden centre, including the main garden centre building and a number of smaller concession buildings laid out around the large central car park. To the rear there are a number of large storage areas including one used by a demolition company. There is a large area of open land at the northern end of the site with woodland beyond, and an area on the western side of the site is also covered by woodland. The site is within Flood Zone 1 and is shown as being potentially contaminated (though is categorised as very low risk).

3.0 RELEVANT PLANNING HISTORY

- 3.1 16/0945 - Outline application for the erection of 15 dwellings (comprising 9 market houses, four 2 bed affordable flats and two 3 bed affordable houses) and associated parking, access improvements (including re-provision of parking to serve Homestead Cottages) garages, landscaping and cycle storage, following demolition of existing garden centre buildings. Access and layout only to be agreed.

Application withdrawn 23/02/2017 [lack of SANG capacity for more than 9 units in this area]

4.0 THE PROPOSAL

- 4.1 The proposal is an outline application for the access and layout only for the erection of 9 dwellings (7 market houses, 2 affordable) with driveways and garages and associated access improvements (including parking to serve Homestead Cottages) and a drainage pond following demolition of existing garden centre buildings. Details of the appearance, scale and landscaping would be determined as reserved matters.
- 4.2 The access would be in the same location as the existing access, with an area to the right of the access retained for parking for neighbouring Homestead Cottages, as at present. The layout shows 9 dwellings arranged around a central access road, with the smaller affordable units as Plots 1 and 2 on the western side nearest the access, and plots 3 and 4 on the west, plots 5, 6 and 7 to the rear of the site with very large plots incorporating the open land to the rear, and plots 8 and 9 on the eastern side.

5.0 CONSULTATION RESPONSES

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| 5.1 | Surrey County Highway Authority | No objection, subject to conditions. |
| 5.2 | Council's Arboricultural Officer | No objection, subject to conditions. |
| 5.3 | Local Lead Flood Authority | No objection, subject to conditions. |
| 5.4 | Environmental Health Officer | No objection, subject to conditions regarding contamination. |
| 5.5 | Surrey Wildlife Trust | No objection, subject to condition. |
| 5.6 | Environment Agency | No response received. |
| 5.7 | SCC Archaeology | No objection, subject to condition. |
| 5.8 | Council's Housing Services Manager | Supports the delivery of affordable housing on this site. |
| 5.9 | Natural England | No objection as long as development complies with Thames Basin Heaths SPA SPD. |
| 5.10 | Windlesham Parish Council | No objection. |

6.0 REPRESENTATION

- 6.1 At the time of preparation of this report one letter of objection has been received which raises the following issues:
- Petfood company has been trading at the site for over 30 years and have a successful business which will be forced to close with no compensation for this
 - Will cause at least 9 staff at this business to lose their job as well as staff at other businesses on the site
 - Other businesses may benefit from our closure but we are a family run business providing a personal service which will be lost

[Officer comments: The Council is not able to prevent the closure of a business and the above issues raised, and as such can only consider whether the proposed use of the land is acceptable. See section 7.4].

7.0 PLANNING CONSIDERATION

7.1 The application proposed is considered against the policies within the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP), and in this case the relevant policies are Policies CPA, CP2, CP5, CP6, CP8, CP12, CP14A, CP14B, DM9, DM10, DM11, DM13 and DM17. It will also be considered against the National Planning Policy Framework (NPPF).

7.2 The main issues to be considered are:

- Impact of the development on the Green Belt;
- Loss of the existing use and principle of residential development;
- Impact on character and trees;
- Highways, parking and access;
- Affordable housing and housing mix;
- Impact on residential amenity;
- Ecology;
- Impact on the Thames Basin Heaths SPA;
- Impact on infrastructure; and
- Other matters – archaeology, contaminated land, flooding.

7.3 Impact of the development on the Green Belt

7.3.1 Paragraph 79 of the NPPF states that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts being their openness and their permanence.

7.3.2 Paragraph 87 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.3.3 Paragraph 89 states that local planning authorities should regard the construction of new buildings as inappropriate in the Green Belt, but lists some exceptions; which includes the redevelopment of a previously developed site, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land in Green Belt.

- 7.3.4 The proposed layout shows that the new dwellings would be arranged approximately where the developed parts of the site currently are, with the open land to the rear forming part of the gardens of plots 5-7. The existing footprint of the buildings is 5,138m² and the proposed footprint is 2921m², which would be a reduction of 43%. The total hardstanding at present is 12,518m² and proposed would be 5,338m², a reduction of 57% approx. The indicative volume would see an increase from 20,325m³ to 23,035m³, however the scale and design is a reserved matter so the exact volume could be determined at reserved matters stage and it is likely the Council would seek a reduction in the proposed volume that has been suggested at this stage, to ensure there is no greater impact on openness from the proposed development. An informative will be added in this regard.
- 7.3.5 There is a large area of open land to the rear including woodland, and this was originally shown as being part of the residential curtilage of plots 5-7. However, it was considered that if this area formed part of the curtilage, (which would have been very large for these dwellings) it would be more landscaped than at present, and could give rise to sheds and outbuildings etc., which may have harmed the openness of the Green Belt. The site plan has therefore been amended and while these areas may still be in the ownership of these dwellings they would not be within the curtilage area.
- 7.3.6 It is therefore considered that, at this stage, the development is acceptable in terms of its impact on the Green Belt, and the scale, volume and floorspace of the development would be agreed at reserved matters stage. It is likely that permitted development rights would be removed at reserved matters stage to ensure no further impact on the Green Belt by way of extensions and outbuildings.

7.4 Loss of the existing use and principle of residential development

- 7.4.1 Policy CP8 states that the Council will seek to make provision for 7500 jobs by ensuring a flexible supply of high quality employment floorspace, utilising existing employment areas. Policy CP2 seeks to promote smart economic growth which aims to supply a range of accessible employment opportunities. Policy DM13 seeks to limit employment uses outside the town centre and core employment areas.
- 7.4.2 This site is in A1 retail use, rather than any Class B employment uses which are protected by Policy CP8. The site also lies in the Green Belt, outside any town centre or core employment area, and as such there is no policy that protects the loss of these sites. The applicant states that the garden centre has been loss making for the last six years and has only been kept afloat by concession income. There are other garden centres including Longacres and Hilliers in close proximity to the site, and any growth of this site is restricted by its position in the Green Belt. While the closure of the garden centre and concessions would result in a loss of jobs, and an objection has been received in this respect, the Local Planning Authority could not prevent the closure of the site or concessions being forced to leave the site by the landowner in any case. The applicant asserts that while garden centre uses are typically out of town, the concessions are smaller scale and more suited to town centre uses and as such may be able to find alternative accommodation locally more easily.

- 7.4.3 At the heart of the NPPF is a requirement to deliver a wide choice of quality homes and to boost significantly the supply of housing. The NPPF is clear that housing applications should be considered in the context of the presumption of sustainable development and paragraph 47 also requires Local Planning Authorities to have a five-year supply of housing land. At present, Surrey Heath does not have a five year housing land supply and as such this application would result in 9 additional units which are in need in the borough. While Policy CPA directs housing to settlement areas, it also acknowledges that smaller villages such as Windlesham, housing provision will come forward largely through redevelopment of existing sites.
- 7.4.4 It is therefore considered that, given that the site has been loss making and as such could close anyway, the proximity of other similar garden centres, the location in the Green Belt which restricts expansion of the centre, and the fact that there are no policies protecting out of town retail uses, in the Officer's opinion it would be unreasonable to object to the loss of the existing use.

7.5 Impact on character and trees

- 7.5.1 Paragraph 56 of the NPPF states that the Government attaches great importance to the design of the built environment. Paragraph 58 goes on to say that planning decisions should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture.
- 7.5.2 Policy DM9 of the CSDMP states that development should respect and enhance the local, natural and historic character of the environment, paying particular regard to scale, materials, massing, bulk and density.
- 7.5.3 The layout proposes nine detached dwellings of varying sizes, around a central access road. Given the Green Belt location, the area surrounding the site is not densely developed, with a sporadic mixture of larger detached dwellings, large buildings having been converted to flats, and smaller cottages, interspersed with open space. The site itself is surrounded by a mixture of these types of dwellings, and as such the proposed residential use and detached dwellings of varying sizes, is not considered to be harmful to character. It appears from the layout that the side elevation of Plot 1 would be facing the road, however it is set back 15m from the road with considerable space for landscaping in between, and whether this is acceptable can be determined at reserved matters stage when the elevation plans and landscaping details are received. While the scale and appearance of the dwellings is a reserved matter, it is not considered that the layout as proposed would cause any harm to the character of the area, given the existing variation in the types of dwellings surrounding the site. The proposed materials would also be required by condition.
- 7.5.4 The site is surrounded by a considerable amount of woodland, particularly to the western side and to the north-west of the site. It appears that the woodland itself has not been managed and the trees individually do not appear to be of high quality, however the wooded area in its entirety does contribute positively to the character of the area. Most of this woodland would be within the curtilage of Plots 4 and 5. There are also several areas of evergreen trees which appear to be

used for screening purposes along the boundaries and between different areas of the site. The woodland area has not yet been subject to a detailed survey as no trees are proposed to be removed at this stage. The Arboricultural Officer has commented that this is acceptable at this stage and given the trees are not of high quality, it is likely that a comprehensive landscaping scheme can compensate for any loss, if this is the case at reserved matters stage.

- 7.5.5 The Arboricultural report submitted states that the vast majority of trees are of very limited arboricultural significance, and no tree removal is proposed at this stage. Tree protection is proposed around third party trees on the boundary and several more significant individual trees, and the Arboricultural Officer has stated that the proposal is acceptable subject to a condition for the necessary protection of retained trees. A further detailed survey at reserved matters stage of the woodland area, and a comprehensive landscaping plan can be secured by condition.
- 7.5.6 It is therefore considered that the layout as proposed would not cause any harm to the character of the area and further details of the appearance, scale and landscaping would be determined at reserved matters stage.

7.6 Highways, parking and access

- 7.6.1 Paragraph 32 of the NPPF states that planning decisions should take account of whether safe and suitable access to the site can be achieved for all people. Policy DM11 of the CSDMP states that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce such impacts to acceptable levels can be implemented.
- 7.6.2 This outline application seeks to agree the access to the site, which will be in the same position as the existing access. The site currently is open 7 days a week and provides parking space for up to 94 cars. The applicant's Transport Strategy estimates that the existing use has the potential to generate in the region of 861 vehicular trips per day. The use as residential would clearly generate significantly fewer vehicles than the existing use. While the site is in a rural, Green Belt location, access to the dwellings would be directly onto the A30 and as such the site is well connected by road to a variety of services. There is a bus route along the A30 and Sunningdale railway station is 2km away.
- 7.6.3 Parking would again be a reserved matter when further detail of the proposed dwellings are received, however the applicant states that garages and off-road parking would be provided in line with SCC's Vehicular Parking Standards and it appears that there would be sufficient space to provide enough parking. The existing parking area serving the neighbouring Homestead Cottages would also be retained. The County Highway Authority has not objected to the scheme, but has requested that a number of conditions are imposed, relating to visibility zones for the existing access, space for parking laid out and for vehicles to turn inside the site prior to occupation, and for a Construction Transport Management Plan to be provided prior to commencement.

It is therefore considered that the proposed access is acceptable, subject to the above conditions, and that the use would not be likely to cause any other harm in terms of its impact on highways or parking provision.

7.7 Affordable housing and housing mix

- 7.7.1 Policy CP5 of the CSDMP states that developments of 5-9 units should secure a 20% on-site provision of affordable housing. In this case the Written Ministerial Statement would not be taken into account as the proposed floorspace is considerably in excess of the 1000m² limit. As such, the developer proposes two of the units to be affordable, which would be 3-bed units for shared ownership housing. This is supported by the Housing Services Officer, who has reviewed the S106 agreement. The S106 has been agreed and finalised, and as such the proposal is considered to be in line with Policy CP5, subject to the signing of the agreement before the decision is issued.
- 7.7.2 Policy CP6 states that the Council will promote a range of housing types and tenures, and for market housing suggests that this should be approximately 10% 1-bed units, 40% 2-bed units, 40% 3-bed units and 10% 4+ bed units. In this case, the two affordable units are proposed to be 3-bed units, and the remaining mix of the dwelling sizes is unknown, however from the size shown on the layout it appears likely they would all be in excess of 4 bedrooms. This area is not covered by a SANG catchment area and as such any development that does not propose on-site SANG is limited to a maximum of 9 units. As such, providing smaller units instead may make the development financially unviable, and a larger number of units (that could incorporate some small units) could not be provided without SANG onsite, which is not proposed. Given this limitation, no objection is raised at this stage to housing mix, and the final mix will be determined in any case at reserved matters stage.

7.8 Impact on residential amenity

- 7.8.1 Paragraph 17 of the NPPF states that planning decisions should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy DM9 of the CSDMP states that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. It is necessary to take into account matters such as overlooking, overshadowing, loss of light and an overbearing or unneighbourly built form.
- 7.8.2 The site is surrounded by several residential dwellings. On the western side there is Lavershot Court and Lavershot Cottage, however the proposed Plots 1-4 all are shown on the site plan as being over 20m away from these dwellings, and as such it is unlikely that overbearing and overlooking impacts would occur. On the eastern side, Plots 7-9 are all at least 29m away from the adjoining dwellings Lane End, Holm Place, The Bear House and Homestead Cottages.

The impact can be assessed further at reserved matters stage when the placement of windows, landscaping and boundary treatments can be taken into account.

- 7.8.3 The neighbouring dwellings are all likely to experience a reduction in noise from the site given that the existing use generates more traffic and noise than nine residential dwellings would. It is therefore considered that, at this stage, there is no reason to object on the grounds of impact on residential amenity.

7.9 Ecology

- 7.9.1 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and minimising the impacts on biodiversity and providing net gains in biodiversity where possible. Policy CP14A states that the Borough Council will seek to conserve and enhance biodiversity within Surrey Heath and development that results in harm to or loss of features of interest for biodiversity will not be permitted.
- 7.9.2 The applicant has undertaken an Ecological Assessment and Bat Survey Report. This concludes that an invasive species management plan should be developed, that while some buildings and one tree have features suitable for roosting bats the survey did not find any roosts and as such no further surveys are identified, and the tree is proposed to be retained in any case. It states that the site may be used by breeding birds and reptiles and as such recommends limiting the time of year for habitat clearance. No evidence of badgers was found on the site but they may be present in the wider area so precautionary working methods should be used. Enhancements in terms of native species, log piles, bat and bird boxes are proposed, as well as a pond.
- 7.9.3 Surrey Wildlife Trust has not objected, subject to conditions for the recommendations and enhancements as set out in the Ecological Report and Bat Report to be carried out. The Trust recommends that if the woodland area to the north-west is to be used as part of the development it should be further surveyed for reptiles as the Ecological Assessment relies on the woodland/tall grassland area being retained as it has low-moderate potential to support reptiles. Again this supports the concerns in section 7.3 above that this area should be outside the residential curtilage, and conditions can be imposed in this regard.
- 7.9.4 It is therefore considered that the proposal is acceptable in terms of its impact on ecology and in line with Policy CP14A in this regard.

7.10 Impact on Infrastructure

- 7.10.1 Policy CP12 of the CSDMP states that the Borough Council will ensure that sufficient physical, social and community infrastructure is provided to support development and that contributions in the longer term will be through the CIL Charging Schedule. Paragraph 153 of the NPPF states that supplementary planning documents should be used where they can aid infrastructure delivery.
- 7.10.2 Surrey Heath's Community Infrastructure Levy (CIL) Charging Schedule was adopted by Full Council on the 16th July 2014. As the CIL Charging Schedule came into effect on the 1st December 2014 an assessment of CIL liability has been

undertaken. Surrey Heath charges CIL on residential and retail developments where there is a net increase in floor area of 100 square metres or more. At this stage, the CIL form indicates that the proposed Gross Internal Area of floorspace would be less than the existing floorspace. If this is the case at reserved matters stage, as long as the applicant could prove that the development has been in use for the required period of 6 months out of the last 3 years, the development would not be CIL liable. However the final figure would need to be agreed at reserved matters stage when floorspace is known, and following the submission of the necessary forms. The affordable housing element would not be CIL liable. Informatives would be added to the decision advising the applicant of the CIL requirements.

7.11 Impact on the Thames Basin Heaths SPA

- 7.11.1 The Thames Basin Heaths SPA was designated in March 2005 and is protected from adverse impact under UK and European Law. Policy NRM6 of the South East Plan 2009 states that new residential development which is likely to have a significant effect on the ecological integrity of the SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Policy CP14B of the CSDMP states that the Council will only permit development where it is satisfied that this will not give rise to likely significant adverse effect upon the integrity of the Thames Basin Heaths SPA and/or the Thursley, Ash, Pirbright and Chobham Common Special Area of Conservation (SAC).
- 7.11.2 All of Surrey Heath lies within 5km of the Thames Basin Heaths SPA and this site is approximately 1.6km from the SPA. The Thames Basin Heaths Special Protection Area Avoidance Strategy SPD was adopted in 2012 to mitigate effects of new residential development on the SPA. It states that no new residential development is permitted within 400m of the SPA. All new development is required to either provide SANG on site (for larger proposals) or for smaller proposals such as this one, provided that sufficient SANG is available and can be allocated to the development, a financial contribution towards SANG provided, which is now collected as part of CIL (or a separate SANGS charge if not CIL liable). There is currently sufficient SANG available, for up to 9 units only in this location as it is outside SANG catchment areas for larger development. Natural England have not objected, provided that the development is in accordance with this SPD.
- 7.11.3 At this stage, the CIL form indicates that the proposed Gross Internal Area of floorspace would be less than the existing floorspace. If this is the case at reserved matters stage, as long as the applicant could prove that the development has been in use for the required period of 6 months out of the last 3 years, the development would not be CIL liable but would be liable for the lower rate of SANG instead, at £112.50 per square metre. If at reserved matters stage, the floorspace is higher than existing, it would instead be CIL liable at a rate of £220 per square metre, although there would be a discount for existing floorspace that is still in use. The dwellings would also be liable to the SAMM charge.
- 7.11.4 The applicant proposes that the S106 agreement secures the required payments at this stage, and this has been agreed and finalised. Subject to this being signed prior to the decision being issued, it is considered that the proposal is in

accordance with Policies NRM6, CP14B and the Thames Basin Heaths Avoidance Strategy SPD.

7.12 Other matters

- 7.12.1 Policy DM10 of the CSDMP states that development on sites greater than 1ha within Flood Zone 1 will not be supported unless it can be demonstrated through a specific Flood Risk Assessment that the proposal would reduce risk or at least be risk neutral, and that appropriate mitigation is included where risks are identified. The site lies wholly within Flood Zone 1, however given the size of the site the applicant has submitted a Flood Risk Assessment. The Local Lead Flood Authority has been consulted, and has not objected, subject to conditions.
- 7.12.2 Policy DM17 of the CSDMP requires that application sites over 0.4ha submit an Archaeological Desk-based assessment. The applicant has submitted an assessment that has been reviewed by the County Archaeologist. They have not objected, but consider that there is still potential for some archaeological remains to be in situ. As such, they have recommended a condition to secure a scheme of archaeological work, prior to development commencing.
- 7.12.3 Policies CP2 and DM9 of the CSDMP require development to respect and enhance the quality of the environment. The applicant has submitted a ground conditions report which has identified that there may be ground contamination. The Environmental Health Officer has been consulted and has not objected, subject to conditions being imposed for further testing, prior to commencement of any further development.

8.0 CONCLUSION

- 8.1 The proposal is for the redevelopment of a previously developed site in the Green Belt, which currently is occupied by a garden centre and concessions, for residential housing, with details of the access and layout only to be agreed at this stage. It is considered that at this stage the proposal appears to be acceptable in terms of its impact on the Green Belt as it does not appear that it would have a greater impact on openness than existing. The scale and appearance of the buildings, including volume and floorspace would be determined at reserved matters stage, along with landscaping.
- 8.2 The proposal also appears to be acceptable in respect of the impact on other matters as discussed above, and as such it is considered that permission can be granted, subject to the agreed S106 agreement being signed before the decision is issued, in respect of the required SANG/SAMM payments and affordable housing provision.

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 suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

10.0 RECOMMENDATION

GRANT subject to the following conditions:-

1. Approval of the details of the scale appearance and 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. The proposed access and layout shall be built in accordance with the following approved plans: Amended Proposed Site Layout A-PI-101D received 18.04.17, 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. As shown on the Amended Proposed Site Layout Plan A-PL-101D received 18.04.17, the residential curtilage of Plots 5, 6 and 7 shall not extend to the northern boundary but shall be separated in the location as shown by a suitable boundary treatment, to be agreed as part of the landscaping details to be agreed under Condition 1 above.

Reason: To reduce harm to the openness of the Green Belt and also to assist with reptile mitigation, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies Document 2012 and the National Planning Policy Framework.

4. The development hereby permitted shall be carried out wholly in accordance with the submitted Arboricultural Report prepared by Certhia Consulting Limited [Guy Watson] and dated January 2017. No development shall commence until photographs have been provided by the retained Consultant and forwarded to and approved by the Council's Arboricultural Officer. This should record all aspects of tree and ground protection measures having been implemented in accordance with the Arboricultural Report. The tree protection measures shall be retained until the completion of all works hereby permitted.

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

5. Prior to commencement of development, a BS5837:2012 compliant Tree Survey/Report, including Arboricultural Method Statement, Impact Assessment and Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. This report shall assess the impact of the development, including proposed landscaping, upon those trees within the application site which have not already been surveyed by the submitted Arboricultural Report by Certhia Consulting Limited dated January 2017.

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. The development hereby approved shall not be first occupied unless and until the proposed modified vehicular access to London Road (A30) has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction.

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and

Development Management Policies 2012 and the National Planning Policy Framework.

7. 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/cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the vehicle and cycle parking and vehicle turning area(s) shall be retained and maintained for their designated purpose(s).

Reason: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

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

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) measures to prevent the deposit of materials on the highway

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: In order that the development does not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

9. The development shall be carried out fully in accordance with the precautionary and mitigation measures as set out in Sections 5.2.1, 5.2.2, 5.3.2, 5.3.3 and 5.3.4, and the enhancement measures as set out in Section 5.4, of the Preliminary Ecological Appraisal by WYG dated September 2016; and with the precautionary and mitigation measures as set out in Sections 5.1 and 5.2, and enhancement measures as set out in Section 5.3, of the Bat Survey Report by WYG dated September 2016.

Reason: In order that the development should not cause adverse effects to protected species, and that it provides biodiversity enhancement, in accordance with Policy CP14A of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

10. No lighting shall be installed on site unless and until a Lighting Strategy has been submitted to and approved in writing by the Local Planning Authority.

The Strategy shall take into account the advice as set out in Section 5.2.1 of the submitted Bat Survey Report by WYG dated September 2016.

Reason: In order to prevent any adverse effects to bats, and prevent harm to residential amenity, in accordance with Policies CP14A and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

11. Prior to commencement of development, the following information shall be submitted to and approved in writing by the Local Planning Authority:

a) Geotechnical Investigations - In-situ ground investigations shall be undertaken in accordance with BRE 365 to determine infiltration rate and ground water level to confirm the feasibility of infiltration. If infiltration is feasible, infiltration SuDS shall be designed using actual infiltration rates.

b) Drainage Design

i) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.

ii) Evidence that the proposed solution will effectively manage the 1 in 30 and 1 in 100 (+climate change allowance) for storm events.

iii) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SuDS elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.

c) Exceedance Flow Routes - Details of how the SuDS will cater for system failure or exceedance events, both on and off-site.

d) Construction Management and Maintenance - Details of how the existing watercourses and SuDS will be protected and maintained during the construction of the development.

e) Lifetime Management and Maintenance Plan - Details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetimes of the systems, including riparian responsibilities for maintaining the watercourses to the east and south of the site ensuring they are clear of debris, silt and excess vegetation.

Reason: To ensure that a suitable sustainable drainage system is constructed and maintained, in order to manage flood risk and ensure that the development does not give rise to increased flood risk elsewhere, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

12. Prior to first occupation of the development hereby approved, a verification report carried out by a qualified drainage engineer must be submitted to

and approved in writing by the Local Planning Authority, to demonstrate that the Sustainable Urban Drainage System has been constructed as per the approved scheme.

Reason: To ensure that a suitable sustainable drainage system is constructed and maintained, in order to manage flood risk and ensure that the development does not give rise to increased flood risk elsewhere, in accordance with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

13. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect any remains of archaeological significance in accordance with Policy DM17 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

14. Prior to commencement of development, a Scheme to assess the nature and extent of any contamination on site must be submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with the Scheme, and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- i) a survey of the extent, scale and nature of contamination;
- ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwater and surface water
 - ecological systems
 - archaeological sites and ancient monuments.
- iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR11.*'

Reason: To ensure that risks from land contamination to the future users of land and neighbouring land are minimised, together with those to property, controlled waters and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and off-site receptors, in accordance with Policies CP2 and DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

15. Prior to commencement of development, a detailed Remediation Scheme to bring the site to a condition suitable for the intended use, by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. This Scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The Scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

16. The approved Remediation Scheme under Condition 16 above must be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved Remediation Scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development.

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

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 15, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 16, both of which shall be submitted to and approved in writing

by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be prepared, in accordance with the requirements of Condition 17 and submitted to and approved in writing by the Local Planning Authority.

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

Informative(s)

1. 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 and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
2. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
3. 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.
4. 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.
5. The developer is reminded that it is an offence to allow materials to be

carried from the site and deposited on or cause damage to 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).

6. The developer 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.
7. The applicant is reminded that further ecology surveys may be necessary at reserved matters stage, depending on when reserved matters are submitted and depending on the final landscaping design and if further woodland/scrub clearance is required.
8. The applicant is advised that the Local Planning Authority is likely to seek a reduction in volume at reserved matters stage, from that currently indicated, to ensure that there is no greater impact on the openness of the Green Belt as a result of this proposal, in line with paragraph 89 of the National Planning Policy Framework.