

B1 WA/2016/1766
Kitewood Investments Ltd
23/08/2016

Erection of 42 dwellings (including 17 affordable) together with associated development, including the construction of a new access road, parking, associated landscaping, public open space, and the provision of pedestrian/cycle links connecting with Nugent Close (as amended and amplified by plan and Transport Statement Addendum received 27/10/2016) (revision of WA/2016/0777) at Land to The North Of Nugent Close, Dunsfold

Committee:
Meeting Date:

Joint Planning Committee
16/11/2016

Public Notice:
Grid Reference:

Was Public Notice required and posted: Yes
E: 500803.85N: 136696.42

Parish:
Ward:
Case Officer:
13 Week Expiry Date:
Neighbour Notification Expiry Date:

Dunsfold
Chiddingfold and Dunsfold
Flo Taylor
22/11/2016
07/10/2016

RECOMMENDATION A

That, subject to the completion of a Section 106 agreement to secure appropriate contributions in respect of early years education and primary education; recycling containers; Playground refurbishment at King George V playing field; LEAP and LAP on site; leisure contribution; environmental enhancements; provision of 40% affordable housing; off-site highways works; Woodland improvement; Parish Council 10 year maintenance plan; the setting up of a Management Company for open space, play space, landscaping, footpath and cycle links, and SuDS; conditions 1 to 44 and informatives 1 to 23, permission be GRANTED.

RECOMMENDATION B

That, in the event that a Section 106 Agreement is not completed within 6 months of the date of the resolution to grant planning permission, then permission be REFUSED.

Introduction

The application has been brought before the Joint Planning Committee because the proposal does not fall within the Council's Scheme of Delegation.

The planning application seeks permission for the erection of 42 dwellings, together with associated development, including the construction of a new access road, parking, associated landscaping, public open space and the provision of a pedestrian/cycle links with Nugent Close.

Location Plan



Site Description

The site is located to the north of Nugent Close, east of Dunsfold Common Road and measures 2.43 hectares in area. The site is irregular in shape with two spurs, one to the north-west of the site covering the location of the proposed vehicular access and one running to the south-west of the site along the rear of the Nugent Close properties to provide links with Nugent Close.

The main area of the site comprises one open grassed field which is not currently in agricultural use. This field borders the Nugent Close development to its south-west. The site is mainly bounded by hedgerows and trees, typical of the prevailing character of the Wooded Low Weald. To the north of the site is a native hedgerow containing mature trees, beyond which is a plantation of broadleaf trees. To the north-east and east is a native hedgerow containing mature trees. To the east of this are pastoral fields divided by hedges and small areas of woodland. To the south-east, the site boundary follows the line of a small stream and is characterised by a hedgerow with various gaps with pasture beyond.

A 60m wide belt of broadleaf woodland, forming part of Dunsfold Common is located to the west of the site and covers the proposed vehicular access to the site which is located to the north-west of the site. This area of land is currently covered in woodland with various unmade tracks. The access link to the south-west of the site is grassed.

To the south is a former playing field separated by mesh fencing and to the south-west of the site are the side or rear boundaries of properties in Nugent Close, with the boundaries mainly formed of close-board fencing or post and rail fencing.

Proposal

The proposal comprises a full application for the erection of 42 dwellings comprising both houses and flats, 17 of which would be affordable, and associated development which includes the construction of a new access road, parking, associated landscaping, public open space with a children's play area covering the northern part of the site, SuDS attenuation, landscaping and the provision of pedestrian/cycle links with Nugent Close.

The housing would be located covering the majority of the open area of the site and would form a cluster of 3 cul-de-sacs each located to the south-west of the new access road and a number of properties located immediately adjacent to the south-west of the access track fronting the open space to the north and north-east of the site.

The application proposes the following mix of housing:

Housing Type	Affordable	Market
1 Bedroom Flat	7	0
2 Bedroom Flat	1	0
1 Bedroom Wheelchair Bungalow	0	2
2 Bedroom House	4	8

3 Bedroom House	4	10
4 Bedroom House	1	5
Total	17	25

The affordable housing would include 7 x 1 bedroom flats, 1 x 2 bedroom flat, 4 x 2 bedroom houses, 4 x 3 bedroom houses and 1 x 4 bedroom house. The affordable houses would be designed to reflect the market homes.

A vehicular access to the site would be provided, entering the site from the north-west corner having crossed land forming part of the designated Dunsfold Common to the east of Dunsfold Common Road. The access road would be adoptable road standard with a width of 5 metres and a footpath along its southern edge. This would necessitate the removal of a swathe of trees. As well as the aforementioned footpath to the south of the main vehicular access to the site, three 3 metre wide cycle and footpath links would be provided to the south-west of the site in the following locations: along the rear of Nos. 11 to 16 Nugent Close which would link to Nugent Close between Nos. 15 and 16 Nugent Close and would also join Nugent Close to the south-west of No. 11 Nugent Close; between Plots 7 and 8 of the current scheme and No. 10 and No. 21 Nugent Close; and to the south-west of plot 7 and to the north-west of No. 10 Nugent Close.

The proposed open space would include the provision of both a Local Area of Play (LAP) and a Locally Equipped Area of Play (LEAP) in the open space to the north-eastern area of the site. There would be a small additional area of open space to the west of the site.

The proposal includes a Sustainable Urban Drainage System that would include the provision of attenuation storage system and a new surface water swale along the southern boundary of the site. The swale would discharge to the existing watercourse running along the eastern boundary.

The density of the site would be 17.3 dwellings per hectare (gross). The density of the area of the site excluding the open space and accesses would be 31.34 dwellings per hectare (net).

Parking space within the application site would be provided as follows:

Type	Number of spaces
Garages	24
Allocated parking spaces	73
Unallocated/visitor parking spaces	18
Total	115

Layout Plan



Heads of Terms

The following matters are offered to be subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

Highways Contributions:

- £80,000 to provide bus stop infrastructure improvements on Dunsfold Road and pedestrian safety and accessibility improvements between the site and Dunsfold village centre.

Parks and Countryside Contribution:

- £49,350 towards the complete refurbishment and enlargement of the play area at King George V Playing Field, Dunsfold.

Recycling contribution:

- £1,260 for the provision of 42 blue recycling bins and 42 waste caddy sets.

Education Contribution:

- £143, 583 total contribution
 - £28,268 towards early years education to be applied to a project at Little Harriers Day Nursery to provide the additional places needed if the development goes ahead. The setting is 1.3 miles from the site and therefore it is reasonable to assume that children from the development would apply for a place at the school.
 - £115,315 towards primary education to be applied to a project at Cranleigh Primary School to provide a new reception classroom to allow the school to accommodate more children. The school is within 4 miles of the proposed development and is a popular choice for families in the area. It is reasonable to assume that children from the development would apply for a place at the school.
- £13,250 contribution towards Environmental Enhancements comprising:
 - Notice board advertising the KGV (local playing field), £5,000
 - Enhancing finger posts (10 x £350), £3,500
 - Signs advertising the community owned local shop (2 x £500), £1,000
 - Removable swan warning signs, £500
 - Shop only parking (to be painted on the road owned by the PC), £2,500
 - Enhancing PC owned sign to the village car park, £750
- Leisure Contribution:
 - £34,320 funding required towards poolside upgrade improvements including replacement flooring and glazing at Cranleigh Leisure Centre.
- £6,680 + VAT (£8,016) towards woodland improvement work around the site and £10,000 contribution towards a 10 year maintenance plan as with new houses and accesses road, the Parish Council would have to do more than it has previously been required to do.
- On-site LEAP/LAP

Affordable Housing:

- 17 (40.4%) affordable dwellings; comprising 29.4% shared ownership dwellings and 70.5% Affordable Rented units.

Community Involvement

The applicant has provided a Statement of Community Consultation which sets out details of the public and stakeholder consultation which took place prior to the submission of the application.

Over 200 letters giving information about the proposal and 1 week's notice of the intended consultation event were sent to residents and businesses located within a 500m distance of the centre of the site. Posters were also displayed at strategic locations around the site at entrances to Nugent Close and Dunsfold, including The Sun Inn and the village shop. An advert for the event was also placed in the Surrey Advertiser property section on 20 March 2015.

The public consultation event was held at Winn Hall, Dunsfold on 24 March 2014 from 14:00 until 20:00. Based on the attendance schedule and feedback forms returned, it is estimated that 75 people attended. An additional 10 people were estimated to have attended but not wished to sign the register of attendees. 33 response forms were returned to the applicant as of August 2016.

Concerns were raised in respect of the following:

- Drainage of the land to the north of Nugent Close and the potential impact of development on local surface water run-off.
- Site access across the common land and the access
- Access point's proximity to the slight bend to the north along Dunsfold Common Road.
- Amenity of local residents.
- Design not in keeping with local vernacular.
- Affordability of new housing and need for prioritisation of local needs.

Generally, residents were supportive of the proposal, agreeing that there is a clear need for new housing, both private market and affordable in the village.

Relevant Planning History

WA/2016/0777	Erection of 42 dwellings, together with associated works, including the construction of a new access road,	Withdrawn 06/09/2016
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	parking, associated landscaping, public open space and the provision of pedestrian/cycle links connecting with Nugent Close (as amplified by plan received 09/05/2016).	
HM/R15061	Proposed erection 1 No. private garage	Approved 11/05/1965
HM/R4522	Proposed housing site	Approved 13/11/1950

Planning Policy Constraints

Countryside beyond Green Belt – Part outside any defined settlement, part within defined settlement.

SNCI

AGLV

SPAD

Potentially contaminated land

Common Land

Countryside and Rights of Way

Conservation Area (part of site)

Section 106 Agreement – LC Ref 9336 DEED Pack 828 – Secures land in Nugent Close to be used as Low cost Housing or disposed of to Local Persons. Includes land forming part of the southern access point to the site.

Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002:

Policy C2	Development in the Countryside
Policy C3	Area of Great Landscape Value
Policy C10	Sites of Nature Conservation Importance: Dunsfold Common and Green
Policy D1	Environmental Implications of Development
Policy D4	Design and Layout
Policy D5	Nature Conservation
Policy D7	Trees, Hedgerows and Development
Policy D8	Crime Prevention
Policy D9	Accessibility
Policy D13	Essential Infrastructure
Policy D14	Planning Benefits
Policy H4	Density and Size of Dwellings
Policy H10	Amenity and Play Space

Policy HE8	Conservation Areas
Policy HE14	Sites and Areas of High Archaeological Potential
Policy HE15	Unidentified Archaeological Sites
Policy M1	The Location of Development
Policy M2	The Movement Implications of Development
Policy M4	Provision for Pedestrians
Policy M5	Provision for Cyclists
Policy M14	Car Parking Standards
Policy RD1	Rural Settlements
Policy RD9	Agricultural Land

Draft Local Plan Part 1 Policies:

Policy RE1	Countryside beyond the Green Belt
Policy RE3	Landscape Character
Policy TD1	Townscape and Design
Policy NE1	Biodiversity and Geological Conservation
Policy NE2	Green and Blue Infrastructure
Policy SP1	Presumption in Favour of Sustainable Development
Policy SP2	Spatial Strategy
Policy ICS1	Infrastructure and Community Facilities
Policy AHN1	Affordable Housing on Development Sites
Policy AHN3	Housing Types and Size
Policy LRC1	Leisure, Recreation and Cultural Facilities
Policy ALH1	The Amount and Location of Housing
Policy ST1	Sustainable Transport
Policy CC1	Climate Change
Policy CC2	Sustainable Construction
Policy CC3	Renewable Energy Development
Policy CC4	Flood Risk Management

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002) therefore remains the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is in the process of replacing the adopted 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Non-Strategic Policies and Site Allocations) will follow the adoption of Part 1. The new Local Plan builds upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. On 19th July 2016, the Council approved the publication of the draft Local Plan Part 1 for its Pre-submission consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period commenced in August 2016 and closed on 3 October 2016. In accordance with paragraph 216 of the NPPF, weight can be given to the draft Plan, but the degree to which it can is determined by the stage the Plan has reached and the extent to which there are any unresolved objections to it. It is considered that significant weight can be given to the Pre-submission Plan following its publication on Friday 19 August, given its history of preparation thus far, the iterations of it and the extent of consultation and consideration on it to date. The weight afforded to the Draft Local Plan will increase as the Plan progresses through Examination and onto its adoption in 2017.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Five Year Housing Supply (2016)
- Settlement Hierarchy (Update 2012)
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Viability Assessment (2016)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council 2016)
- Surrey Design Guide (2002)
- Employment Land Review (2016)
- Council's Economic Strategy 2015-2020
- Fields in Trust 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (2016)

- Dunsfold Village Design Statement 2001

Consultations and Parish Council Comments

County Highway Authority	No objection, subject to recommended conditions and informatives and a S106 payment of £80,000 for sustainable transport improvements, comprising improvements to bus stop infrastructure and pedestrian safety and accessibility improvements.
Parish Council	<p>The Parish Council supports the application subject to concerns regarding the provision of a children’s playground and waste water infrastructure.</p> <p>The Parish Council requests a legal agreement to allow a “cascade” arrangement that would prioritise occupation of the affordable housing by those with a connection to Dunsfold and then to the surrounding villages.</p> <p>The Parish Council’s support for the application has been influenced by the Parish Council’s understanding that the site would be identified within the forthcoming Local Plan.</p> <p>The Parish Council has concerns about the density of the proposed development but understand that the proposal reflects pre-application discussions as to the applicable density.</p> <p>The Parish Council also expresses concerns in respect of the design of the individual dwellings, but has been assured by the developer that the quality of the design would become apparent once the development is completed. The Parish Council request that officers consider the design detail and whether this would deliver a prize winning development. This would be a once in a generation extension to the village and it is essential that it would be a development with the potential to be accepted over time as a positive addition to Dunsfold’s building environment. High quality materials would be needed to deliver the high quality design.</p> <p>The Parish Council’s support for the application is conditional on the planning authority negotiating an</p>

	<p>appropriate planning agreement to ensure the proposed community benefits are delivered, including the public use of the open space and arrangements to provide for the maintenance of the open spaces and highway/cycle routes in perpetuity.</p> <p>The Parish Council provided a children’s playground in the village which needs replacing and consider that the developer’s support of this would be preferable to the Parish Council and residents than onsite provision which may appear exclusively for the new development. The Parish Council believes that re-equipping the existing playground would benefit the village as a whole and help to bring residents together.</p> <p>The Parish Council notes concerns in respect of the capacity of the waste water infrastructure serving Nugent Close and considers that these concerns should not be dealt with by way of a condition but as part of pre-application discussions.</p> <p>The Parish Council would object to the inclusion of any street lighting or bollard lighting as this would be inappropriate in the village and would set an unfortunate precedent.</p>
<p>Open Spaces Society</p>	<p>Raises an objection to the proposal.</p> <p>It is considered that the development would be an eyesore and intrusion in beautiful countryside close to the Surrey Hills AONB. Particular concern is raised regarding the effect of the development on the adjoining Dunsfold Common. This is part of the Hambledon Commons Scheme of Regulation under the Commons Act 1899, which means that the public has the right to walk or ride over the whole area. The development would have an adverse effect on people’s enjoyment of the common. The proposed access track will split the common which is currently a long stretch of land which the public can enjoy. There is no mention in the application as to whether the proposed public open space would be dedicated for public use, and without permanent protection, it is of little value. The proposed footpath and cycle link are of no value if they are not</p>

	dedicated and shown on the definitive map of public paths.
Surrey Police	Surrey Police has provided advice on Secured by Design and request the imposition of a planning condition on any grant of permission to require the development to achieve the full Secured by Design Award for the residential aspects.
Council's Waste and Recycling Co-ordinator	The waste strategy outlined in the Design and Access Statement is considered satisfactory and indicates that all 42 dwellings would have individual refuse and recycling facilities. Each dwelling would require 1 x 140 litre black refuse bin, 1 x 240 litre blue recycling bin, 1 x 240 litre brown garden waste bin (optional subscription service) and 1 x 23 litre food waste green kerbside caddy.
Council's Environmental Health Air Quality Officer	<p>No objection, subject to recommended conditions.</p> <p>Due to the rural location of the site, there would likely be a high level of commuter traffic required for work, education and shopping. The nearest station with the most direct route is Godalming and the additional traffic would further add to the air quality management area in this area.</p> <p>Concern is raised in respect of potential emissions during any deconstruction and construction phases of the project, affecting existing receptors in the area through potential fugitive dust emissions and by increased traffic to the site during development.</p> <p>The site would be a medium risk proposal and as the impact of dust and emissions can have a significant impact on local air quality, all reductions in emissions would be beneficial.</p> <p>Conditions are recommended in respect of site management plan, prohibiting burning, Low emission strategy, Electric Vehicle Charging Points and working hours.</p>
Lead Local Flood Authority (Surrey County Council)	The Lead Local Flood Authority is satisfied that the proposed drainage scheme would meet the requirements of the relevant documents and recommend that planning permission is granted. Conditions are recommended to

	<p>ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.</p>
Thames Water	<p>No objection, subject to recommended conditions and informatives</p> <p><u>Waste comments</u></p> <p>Identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".</p> <p>Informatives are recommended with regard to surface water drainage and water infrastructure capacity.</p>
County Archaeologist	<p>No objection raised, subject to recommended conditions.</p> <p>The County Archaeologist considers that the site has a moderate archaeological potential for the medieval and post medieval periods, with a low potential for later periods, although this may reflect the fact that little previous archaeological investigation has taken place in the area. Further archaeological works are required which should comprise of an evaluation trial trenching exercise, which will aim to establish rapidly whether archaeological assets are be present.</p>
Council's Environmental Health Service – Environmental Pollution Control Officer	<p>No objection, subject to recommended conditions.</p> <p>The Council's Environmental Pollution Officer advises that there are no identified significant contamination issues at the site. Any unexpected contamination issues should be reported to the Service and actioned in line with industry best practice and relevant British standards.</p>

Council's Environmental Health Service - Noise	No objection, subject to recommended conditions
Natural England	Natural England considers that the proposed development will not have significant adverse impacts on designated sites and protected landscapes and has no objection.
Surrey Wildlife Trust	<p>Surrey Wildlife Trust is of the opinion that the application as submitted does not currently provide sufficient appropriate ecological information to ensure that the proposed development will result in a net gain for biodiversity. Surrey Wildlife Trust therefore recommends a condition securing the submission and agreement of a Landscape and Ecological Management Plan (LEMP), should permission be granted.</p> <p>Surrey Wildlife Trust recommends that the applicant reconsiders the extent and habitat management provisions of the onsite reptile translocation areas to improve continuity of habitat and improve appropriate habitat use and management for reptile habitat enhancements.</p> <p>Should the Council be minded to grant planning permission, Surrey Wildlife Trust advises that the applicant should be required to;</p> <ul style="list-style-type: none"> • Obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect GCN commencing and to; • Undertake all the actions which will be detailed in the Method Statement based on the above Recommendations, which must support an EPS licence application. <p>Surrey Wildlife Trust advises that a Sensitive Lighting Management Plan be submitted to and approved by the Council prior to the commencement of development, should permission be granted to ensure that there is no harm caused to bats.</p>
Council's Environmental	No objection, subject to recommended conditions.

Health Service – Contaminated Land	The proposed development site is directly adjacent on its western edge to a former gravel pit that may have been infilled. Due to this potentially contaminative former use, a number of conditions are recommended by the Council’s Environmental Health Officer to ensure compliance with paragraphs 120 and 121 of the NPPF.
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Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014”, site notices were displayed around the site on 06/09/2016, the application was advertised in the newspaper on 16/09/2016 and neighbour notification letters were sent on 05/09/2016.

3 letters have been received raising objection on the following grounds:

- The cycle/pedestrian track behind the Nugent Close properties would venture into the official boundaries of the Nugent Close properties.
- Object to lighting the cycle/pedestrian track.
- Concerns that the waste/sewage from the 42 dwellings would be added to the already overloaded pump station in Nugent Close. Details from a Thames Water/WBC report in respect of the pump station notes that the pump station is greatly undersized for its application.
- If the pipeline to connect with the pump station is taken through the middle of Nugent Close it would cause untold disruption.
- The land is an AGLV and the habitat of Great Crested Newts and other amphibians and owls and bats use the area for feeding. Frequently deer are seen grazing with their young. Oppose the development on ecological grounds. Photographic evidence given to ECOSA (the applicant’s consultants).
- Don’t understand need for proposed development to connect up with Nugent Close by footpaths as this would encroach on other residents’ privacy.
- Harm to privacy as walkers would come close to front rooms, the rear of our houses being a busy parking area.
- People already park on the pavements in Nugent Close which is very small.
- The cycle access would link on a blind corner where there is no proper view.
- So much wildlife on the site including bats.

- A pipe runs from the field onto Nugent Close to stop flooding from the field but this floods the gardens of 21, 20 and 19 Nugent Close so is unsuitable.
- The area to the front of Nugent Close properties is safe for children to play but a pedestrian link would mean they might go on to the new development.
- Already pay for the upkeep of the pump which cannot handle the extra from the new houses and Nugent Close would suffer flooding.
- Nugent Close houses becoming goldfish bowls.
- Light intrusion.
- Strongly object to the new development being linked with Nugent Close.
- Is there a need for the proposed number of new dwellings in the village where there is no school?
- The properties would not just be filled by local people which can start problems.

1 letter has been received making a general observation that:

- When the development was first shown at the exhibition in Dunsfold Village School, regarding schools, it was noted that the application would look at the possibility of doing up the local derelict school and have not noted any mention of this in the current application.

Submissions in support

In support of the application the applicant has made the following points:

- Provision of a well-planned residential development in a sustainable location adjacent to the settlement boundary of Dunsfold within walking distance of key services in the village and public transport facilities.
- Housing provision on some of the least constrained land in the borough.
- Protection of ecological assets.
- Development that can be assimilated into the character of the surrounding area and landscape settlement.
- Existing trees to field boundaries would be retained and protected and complemented by further new tree planting to enhance the setting of the dwellings
- Provision of children's play area.
- SuDS principles applied including the provision of attenuation storage and a swale.
- The scheme would be in keeping with local building styles and materials such that the area's qualities would be maintained.

- The highways effects would not be severe and the site is located within walking distance of the village centre, local shops and public transport.
- Would deliver a material number of affordable units (17 dwellings /40% of total) which would reflect the SHMA requirements. The affordable housing would comprise a mix of sizes, including houses and flats, based on the tenure recommendations of the SHMA.
- Affordable units would comply with the Technical housing standards.
- Envisaged that the affordable housing land would be transferred to a Registered Social Landlord and a development agreement entered into. The affordable units have been integrated amongst the market housing in two small clusters to create a mixed and balanced community that would also be tenure blind.
- The development would be an appropriate scale for the village and not have an overbearing impact on the settlement.
- Adequate separation between existing and proposed dwellings.
- One and two storey buildings with a variety of heights to create an interesting and varied streetscape.
- The density would make efficient use of the site whilst allowing for appropriate set back distances from neighbouring development and the open countryside.
- With the exception of three trees and a small length of treed hedgerow along the access road, all existing trees and hedgerows on the site will be retained. There would be significant new tree planting around the site.
- Dwellings have been designed so as not to overlook those on Nugent Close or have an overbearing impact.
- The risk of flooding on site and the potential risk of flooding elsewhere would not increase and the surface water drainage from the site would accord with SuDS principles.
- The land is only moderate quality agricultural land.
- Residential development would be compatible and acceptable in the proposed location.
- Clear support from the community for the development as evidenced from ongoing consultation.
- The site is not currently used for agriculture or grazing and is unfarmed.
- Designed as a village extension.
- A family home-led mixture of houses and apartments.
- The apartments are designed in groups of two with individual front doors, minimising scale and massing, whilst the 2, 3 and 4 bedroom houses would be a mixture of semi-detached and detached single and two storey dwellings dependent on location.
- Proposes the removal of invasive Himalayan Balsam.

- The enclosed nature of the site provides an opportunity to provide an informal and varied group of architecturally designed dwellings which will create attractive streetscenes.
- Housing would be appropriately designed, generously spaced and predominantly family sized dwellings which would be sustainable in nature and location.
- Site is well located within Dunsfold for an infill development.
- Secure car parking spaces would be provided without appearing dominant within the street and an appropriate amount of unallocated visitor parking spaces would be provided.
- New landscape buffer to the south would encompass a native tree and hedgerow mix.
- It is envisaged to use a traditional Surrey architectural style in a modern way, referencing the scale and common materials within Dunsfold to provide the scheme with a strong sense of place within its local environment. However, the actual dwellings would have a more individual character given the site setting. The use of a base material with red brick with accent buildings using timber would reinforce the visual association whilst being suitably varied.
- Demarcation between front gardens and public space would be via planting. Fences and timber bollards would only be used where necessary to define boundaries between public and private space.
- 2 cycle places would be provided per house or apartment, either to be located within garages or within appropriate lockable sheds to the rear of properties.
- The proposed public open space would have the character of a village green.
- The materials proposed are traditionally used within the wider townscape and would include two complementary types of roof tiles, two complementary types of red/grey blend bricks, natural timber weather boarding, timber composite front doors, grey doors and windows and black rain water goods.
- The submitted revisions to provide additional cycle/pedestrian links with Nugent Close would improve connectivity between the site and Nugent Close.
- The revisions to the layout would not affect the traffic assessment nor the road safety review.
- Improving Connectivity at a local scale is consistent with transport policy and travel planning objectives.

Determining Issues

- Principle of development
- Prematurity
- Lawful use of the site
- Loss of existing uses
- Location of Development
- Rural Settlement
- Conservation Area
- Housing Land Supply
- Housing Mix
- Affordable Housing
- Highways and parking considerations
- Common Land
- Impact on the Countryside beyond the Green Belt and AGLV
- Design and visual amenity
- Impact on residential amenity
- Impact on trees
- Archaeological Interest
- Standard of accommodation for future occupants
- Provision of amenity and play space
- Air quality
- Noise impacts
- Contaminated Land
- Flooding and drainage
- Infrastructure contributions
- Financial considerations
- Biodiversity and compliance with Habitat Regulations 2010
- Health and Wellbeing
- Crime and Disorder
- Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
- Environmental Impact Regulations 2011 (as amended)
- Pre Commencement Conditions
- Working in a positive/proactive manner
- Response to Parish Council and Third Party Comments

Planning Considerations

Principle of development

The planning application seeks planning permission for the erection of 42 dwellings, 17 of which would be affordable, and associated development which includes the construction of a new access road, parking, associated landscaping, public open space with a children's play area, SuDS attenuation, landscaping and the provision of pedestrian/cycle links with Nugent Close.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF at paragraph 197 provides the framework within which the local planning authority should determine planning applications, it states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: inter alia any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this framework indicate development should be restricted.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled.

The latest housing land supply figures confirm that the Council can meet its objectively assessed housing need. Policy C2 of the Local Plan therefore now carries substantial weight; however, it should be noted that this is not full weight as Policy C2 does refer to protection for 'its own sake', whereas the NPPF places emphasis on protecting the intrinsic character and beauty of the Countryside.

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Policy SP1 of the Draft Local Plan Part 1 states that the Council will apply a presumption in favour of sustainable development.

Policy SP2 of the Draft Local Plan Part 1 sets out the Council's Spatial Strategy to 2032 and refers to the allocation of strategic sites under Policies SS1-SS9 to meet the majority of the housing needs for the Borough.

Paragraph 4 of Policy SP2 states that the spatial strategy allows "limited levels of development in and around (other) villages, including Dunsfold, recognising that those villages not within the AONB or Green Belt offer more scope for growth.

Policy ALH1 of the Draft Local Plan Part 1 indicates that Dunsfold village is allocated 80 dwellings since 2013.

The application site is set out as a green site in the LAA (2016). This is not a policy document but an Evidence base to support the Local Plan in terms of the availability of land for development.

Prematurity

Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the

adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

The emerging Local Plan is not at an advanced stage. Having regard to the advice of the NPPG 2014, officers conclude that a reason for refusal based on prematurity could not be substantiated.

Lawful use of the site

The application site mainly comprises an open grassed field with a grassed access to the south-west and wooded Common Land to the north-west. Having regard to the planning history of the site, officers consider the lawful use of the land to be mixed agriculture and woodland.

Loss of existing uses

Where land within the site is considered to constitute agricultural land, paragraph 112 of the NPPF states that if significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poor quality land in preference to that of higher quality.

This sentiment accords with Policy RD9 of the Waverley Borough Local Plan 2002, which states that development will not be permitted which would result in the loss or alienation of the best and most versatile agricultural land, unless

it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land.

Furthermore, on all grades of agricultural land, development will not be permitted which would result in the fragmentation of an agricultural or horticultural holding so as to seriously undermine the economic viability of the remaining holding.

The Council's records indicate that the site is classified as Grade 3. The Council's Agricultural Consultants consider the land to be agricultural subgrade 3b quality as a result of wetness limitations caused by slowly permeable subsoil which restricts access to the land and limits the land use to grassland or autumn-sown combinable crops. Agricultural land subgrade 3b is not within the best and most versatile category and so would not conflict with national or local policies that seek to protect the best and most versatile land.

The Council's Agricultural Consultants have assessed the scheme and conclude that the site has been fallow grassland, cut annually, for over 12 years and that the site is not part of any other wider agricultural holding and is managed by the landowner. As such, the development of the site would neither result in the fragmentation of, or economic damage to, an agricultural holding or conflict with Policy RD9 of the Waverley Borough Local Plan 2002.

Officers are satisfied that the proposal would only result in the loss of poor quality agricultural land and would not result in the loss or alienation of the best and most versatile agricultural land and would not result in the fragmentation of, or economic damage to, an agricultural holding in accordance with the NPPF and Policy RD9 of the Local Plan 2002.

Location of Development

Paragraph 55 of the NPPF 2014 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF 2012 states, inter alia, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Paragraph 70 of the NPPF 2012 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy C2 of the Waverley Borough Local Plan 2002 states that building in the Countryside beyond the Green Belt, away from existing settlements, will be strictly controlled. Policy RE1 of the Draft Local Plan Part 1 states that the intrinsic beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment.

The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

Policy SP2 of the Draft Local Plan Part 1 refers to the Council's Spatial Strategy to 2032 and the need to maintain Waverley's character whilst ensuring development needs are met in a sustainable manner. Policy SP2 sets out the following:

- Major development on land of the highest amenity value will be avoided
- Development will be focused at the four main settlements
- Moderate levels of development will be allowed in larger villages

- Limited levels of development will be allowed in and around other specified villages
- Modest levels of development will be allowed in all other villages.
- Opportunities for the redevelopment of suitable brownfield sites will be maximised.
- Strategic and Non-Strategic sites will be identified and allocated through Local Plan Part 2 and Neighbourhood Plans
- Infrastructure, where needed, will be provided alongside new development including funding through the Community Infrastructure Levy (CIL)

The site mainly falls in the Countryside beyond the Green Belt, with the exception of a small area to the south-west of the site (the area of plots 7 and 8) adjacent to Nugent Close which is located within the settlement area.

The site is included within the Council's Land Availability Assessment (LAA) (2016) under ID 747.

The LAA sets out that the site would offer a suitable extension to the development at Nugent Close and would be contained by its established boundaries but be able to potentially provide access from Nugent Close.

Officers consider that the proposal would provide reasonably sustainable access to the village facilities required for promoting healthy communities.

Therefore, whilst acknowledging that the site is mainly outside of a defined settlement or developed area, it is considered that the proposal would not result in isolated dwellings in terms of its visual relationship to the existing settlement and in terms of access to the facilities required to sustain inclusive, mixed communities. The proposal would result in an extension to the rural settlement of Dunsfold. As such, the application is not required to demonstrate any special circumstances as set out in paragraph 55 of the NPPF 2012 and would not comprise an unsustainable location in terms of access to essential services and facilities.

Rural Settlement

A small area of the western area of the site adjacent to Nugent Close is within the Rural Settlement of Dunsfold. Policy RD1 of the Local Plan states that development will only be permitted if it is well-related in scale and location to the existing development and:-

- a) Comprises infilling of a small gap in an otherwise continuous built up frontage or the development of land or buildings that are substantially surrounded by existing buildings; and
- b) Does not result in the development of land which, by reason of its openness, physical characteristics or ecological value, makes a significant contribution to the character and amenities of the village; and
- c) Does not adversely affect the urban/rural transition by using open land within the curtilage of buildings at the edge of the settlement; and
- d) Takes account of the form, setting, local building style and heritage of the settlement; and
- e) Generates a level of traffic which is compatible with the environment of the village and which can be satisfactorily accommodated on the surrounding network.

The proposed development would not comprise infilling and officers consider that the land does not make a significant contribution to the character and amenities of the village, being separated from the main village centre by the woodland to the west of the site. The proposal would result in the development of open land at the edge of a settlement but this land does not form part of existing curtilages. The proposed development would be located adjacent to the Nugent Close development and would reflect the density of the neighbouring site.

The proposed development would be of a contemporary design and not necessarily reflect the local building style and heritage, although bricks are used widely within the settlement and there are some uses of timber cladding. However, the type of housing, setting, layout and spacing would not be dissimilar from the neighbouring Nugent Close development and the form of development, being a majority of detached and semi-detached properties would reflect Nugent Close and Dunsfold more widely.

The County Highway Authority has been consulted and is satisfied, subject to conditions, that the level of traffic generated could be satisfactorily accommodated on the surrounding road network. This has been discussed in greater depth within the Highways and Parking section of this report.

The proposed development would conflict with the Policy RD1 of the Local Plan. However, it is noted that the vast majority of the site falls outside of this designation and the acceptability of the proposed development would be considered in respect of its location within the Countryside beyond the Green Belt and the design of the development considered on its own merits.

Conservation Area

Paragraph 128 of the NPPF states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 129 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Paragraphs 131 states that, 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness'.

Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building... should be exceptional'.

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve

substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The NPPG 2014 provides guidance under the Section titled 'Conserving and Enhancing the Historic Environment'. Whilst not a policy document, it does provide further general advice to policies in the NPPF.

Pursuant to the decision of the High Court in Barnwell Manor Wind Energy, the Decision Maker should give considerable importance and weight to the setting of the Listed Building. If the harm is found to be less than substantial, it does not follow that the S66 duty can be ignored, although this would lessen the strength of the presumption against the grant of planning permission.

Pursuant to the decision of the Court of Appeal in Forge Field Society, the finding of harm to the setting of a Listed Building or a Conservation Area gives rise to a strong presumption against planning permission being granted. If harm is identified then the decision maker should acknowledge that there is a presumption against permission.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, both the NPPF and Policy HE8 of the Local Plan 2002 state that development should preserve or enhance the character of conservation areas.

The relevant heritage asset to the application is the Dunsfold Conservation Area which is a Designated Heritage Asset. The Conservation Area's special character lies in the quality of domestic scale buildings and it contains 11 Listed Buildings, 1 Building of Local Merit and 6 Heritage Features. Its significance derives from it being a good example of a ribbon type settlement originating in the medieval period. The historic buildings fronting the common illustrate the growth of the village over time and the changing needs and desires in house type.

The majority of the site falls outside of the Dunsfold Conservation Area, however, much of the cycle/pedestrian access to the south-west of the site falls within the Conservation Area. Officers note that this section of the Conservation Area is proposed for removal from the Conservation Area in the Dunsfold Conservation Area Appraisal which is currently in its consultation period and not yet adopted. The Dunsfold Conservation Area Appraisal states that the current Conservation Area boundary dissects 1 and 2 Nugent Close and the gardens of 11 and 12 Nugent Close. As Nugent Close is a modern development, it does not contribute to the special architectural or historical interest of the wider Conservation Area and is therefore proposed for removal from the Conservation Area. The Dunsfold Conservation Area is also located very close to the western corner of the site adjacent to proposed Plots 7 and 8.

The Council's Historic Buildings Officer has assessed the proposals and considers that the proposed development would satisfactorily preserve the character and appearance of the Conservation Area. The woodland between the west of the site and the proposed development would provide a visual barrier between the common and the proposed site. The widening of the track to provide a vehicular access from Dunsfold Common Road would not be sufficiently suburbanising.

It is considered that the proposal would satisfactorily preserve the character and appearance of the Conservation Area in accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The significance of the designated heritage asset would not be harmed or lost through the proposed development within the setting.

Housing Land Supply

The provision of new market and affordable housing will assist in addressing the Council's housing land supply requirements. The new Waverley Local Plan the latest evidence of housing need in the Strategic Housing Market Assessment (SHMA) 2015 is the starting point for considering the amount of housing that the Council is required to supply. The West Surrey Strategic

Housing Market Assessment September 2015 indicates that 519 dwellings are needed per annum.

The draft Local Plan and the Spatial Strategy for the Borough seeks to meet the objectively assessed need of 519 dwellings per annum in full.

On 10 August 2016, the Council published an updated five year housing supply position statement. The Statement sets out the housing requirement for the next five years based on West Surrey SHMA figures and various components of housing supply that the Council expects to come forward in that period.

As it stands, the supply of housing is 5.3 years worth of the housing requirement. Therefore, the Council can demonstrate in excess of the requirements of paragraph 47 of the NPPF. This does not mean, however, that what is otherwise sustainable development should nevertheless be refused.

Housing Mix

The NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Waverley Borough Local Plan 2002, in respect of housing mix, is considered to be broadly consistent with the approach in the NPPF. It outlines the Council's requirements for mix as follows:

- a) at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,
- b) not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
- c) no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

Policy AHN3 of the Draft Local Plan Part 1 states the proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to

date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

The SHMA 2015 provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan; as such, limited weight should be attached to Policy H4.

However, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4 of the Waverley Borough Local Plan 2002.

The West Surrey SHMA provides the following information with regard to the indicative requirements for different dwelling sizes:

Unit Type	1 bed	2 bed	3 bed	4 bed
Market homes	10%	30%	40%	20%
Affordable homes	40%	30%	25%	5%

The applicant has proposed the following mix of housing:

Unit Type	Number of units	% of overall total
1 bedroom	9	21.43 %
2 bedroom	13	30.95 %
3 bedroom	14	33.33 %
4 bedroom	6	14.29 %
Total	42	100%

In comparison with the indicative requirements of the SHMA, this is broken down into the following two tables for market and affordable housing:

Market Housing

Unit Type	SHMA	Proposed mix
1 bedroom	10%	2 (8%)
2 bedroom	30%	8 (32%)
3 bedroom	40%	10 (40%)
4 bedroom	20%	5 (20%)
Total	100%	25 units (100%)

Affordable units

Unit Type	SHMA	Proposed mix
1 bedroom	40%	7 (41.18%)

2 bedroom	30%	5 (29.41%)
3 bedroom	25%	4 (23.53%)
4 bedroom	5%	1 (5.88%)
Total	100%	17 units (100%)

The proposed mix would very closely reflect the indicative requirements of the SHMAA (2015).

The total number of units which would have 2 bedrooms or less would be 22, which would equate to 52.38% of the total number of units. This would accord with criterion a) of Policy H4 as it would exceed the 50% requirement.

Of the 42 dwellings proposed, 36 would have 3 bedrooms or less, equating to 85.7 % of the total number of units. This would accord with criterion b) of Policy H4 which requires not less than 80% of the dwellings to have 3 bedrooms or less.

5 dwellings, the 4 bed market dwellings, would have an external floor area in excess of 165m². This would amount to 11.9% of the proposed dwellings and would be below the maximum 20% threshold of Policy H4 for a maximum percentage of dwellings in excess of 165m².

Having regard to these considerations, officers consider that the proposed mix would accord with Policy H4 of the Local Plan 2002 and the 2015 SHMA.

The density element of Policy H4 of the Waverley Borough Local Plan 2002 is given less weight than guidance in the NPPF 2012 which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances. Rather than prescribing a minimum or maximum density, the NPPF sets out, at paragraph 47, that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Density is a rather crude numeric indicator. What is considered more important is the actual visual impact of the layout and extent of development upon the character and amenities of the area.

The overall development would have a density of 17.3 dwellings per hectare. When taken excluding the proposed open space outside the main residential area, the density would be 31.34 dwellings per hectare. This would not be dissimilar to the density of 30.4 dwellings per hectare of the adjacent Nugent Close development when calculated excluding surrounding open space.

Policy H4 of the Local Plan 2002 states that the Council will resist developments which make inefficient use of land and encouragement would be given to proposals which would provide 30 to 50 dwellings per hectare. Officers consider that as the density on the main residential area of the site would be over 30 dwellings per hectare, and that the density when calculated excluding the proposed open space would be very similar to that of the adjoining development, that the proposed density would be appropriate to the area and in accordance with Policy H4 of the Local Plan 2002.

The proposed housing mix and density are considered to be appropriate having regard to the evidence in the SHMA, the requirements of Policy H4 of the Local Plan 2002 and Policy AHN3 of the Draft Local Plan Part 1.

Affordable Housing

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, and should identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand.

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified.

The Local Plan is silent with regard to the delivery of affordable dwellings in locations such as this. Specifically, there is no threshold or percentage requirement in the Local Plan for affordable housing on sites outside of settlements. This is because, within an area of restraint, housing development under the current Local Plan is unacceptable in principle, including affordable housing. If, however, the Council were to accept the principle of housing development on this site, in the interest of creating a balanced and mixed community and meeting the identified need for affordable housing in the Borough, the provision of affordable housing would be required as part of the proposals.

The provision of a significant level of affordable housing could be regarded as a benefit of considerable weight which would need to be evaluated when considering whether to make an exception to planning policy.

Policy AHN1 of the Draft Local Plan states that the Council will require a minimum provision of 30% affordable housing.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2016-2019. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

The West Surrey SHMA 2015 indicates a high need for affordable housing in Waverley, with an additional 314 additional affordable homes required per annum. Farnham is the town with the highest level of estimated housing need in the Borough, with a need for an additional 111 affordable homes per annum. New affordable homes are needed for a broad spectrum of households in Waverley, including people struggling to get on the housing ladder and family homes, as proposed on this site.

The SHMA (2015) provides the following information with regard to the indicative requirements for different dwelling size affordable units:

Unit type	1 bed	2 bed	3 bed	4+ bed
Affordable	40%	30%	25%	5%

Affordable units

Unit Type	SHMA	Proposed mix
1 bedroom	40%	7 (41.18%)
2 bedroom	30%	5 (29.41%)
3 bedroom	25%	4 (23.53%)
4 bedroom	5%	1 (5.88%)
Total	100%	17 units (100%)

In this instance, 41.18% (7.no) of the units would be 1 bedroom, 29.41% (5.no) of the units would be 2 bedroom, 23.53% (4.no) of the units would be 3 bedroom and 5.88% (1.no) of the units would be 4 bedroom. It is considered that such a mix would be acceptable.

Unit Type	Affordable Rented	Shared Ownership	Total
1 bedroom	6	1	7
2 bedroom	4	1	5
3 bedroom	2	2	4
4 bedroom	0	1	1
Total	12 (70.6%)	5 (29.4%)	17 (100%)

The SHMA (2015) also recommends 30% of new affordable homes to be intermediate tenures and 70% rent. 29.4% of the affordable homes would be shared ownership and 70.4% of the affordable homes would be affordable rented. Officers consider that the proposed split in this regard would be acceptable.

Affordable housing is a key corporate priority for the Council and officers consider that significant weight should be attached to the level of affordable housing provision with the current scheme at 40%, in a range of sizes, types and tenures to meet affordable housing need in Waverley. Officers conclude that, overall, the proposed affordable housing mix would contribute to meeting local needs in line with guidance contained within the NPPF.

Highways and parking considerations

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

Paragraph 32 of the NPPF 2012 states: “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

Local Plan Policy M4 states that the Council will seek to improve conditions for pedestrians by providing or securing safe and attractive pedestrian routes and facilities in both urban and rural areas. Developments should include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, to public open space, to local facilities and amenities, or to public transport.

Policy ST1 of the Draft Local Plan Part 1 states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

Policy FNP30 of the Farnham Neighbourhood Plan sets out that large scale residential development proposals shall be accompanied by a Travel Plan and ensure that sustainable transported links are provided to the principal facilities. Development proposals shall not significantly add to traffic congestion in the town and add inappropriate traffic on rural lanes. Safely located vehicular and pedestrian access with adequate visibility splays shall be provided. Where adequate transport infrastructure is not available to serve the development, the development shall provide for, or contribute towards, appropriate measures to address the identified inadequacy.

The application is accompanied by a Transport Assessment (TA) prepared by PSP Consulting (PSP) to support the application. It was concluded that safe and satisfactory access to the site could be achieved for all users. The TA concludes that the proposed development traffic flows would be low and the existing traffic on Dunsfold Common Road is also light. There would not be traffic capacity issues at the proposed junction. There are no accident remedial measures currently necessary or likely to be necessary in relation to the very low level of traffic from the proposed development. The overall conclusion was that the highways and traffic impacts of the proposed development would not be severe.

The County Highway Authority has assessed the application and is satisfied that the development could be provided without prejudice to highway safety or capacity, and in accordance with the requirements of the NPPF. A number of conditions and informatives have been recommended by the County Highway Authority should permission be granted.

No objection has been raised by the County Highway Authority, subject to the following contributions and off-site highway works:

Financial contributions

- Prior to occupation of 50% of the proposed development to pay to the County Council £80,000 for sustainable transport improvements, comprising improvements to bus stop infrastructure and pedestrian

safety and accessibility improvements. The sum shall be index linked from the payment date to the date of any resolution to grant planning consent.

The above contribution would be used to provide bus stop infrastructure improvements on Dunsfold Road and pedestrian safety and accessibility improvements between the site and Dunsfold village centre.

On the above basis, and subject to the off site highways works and contributions towards transport improvement schemes being secured through a S106 agreement, officers consider that access to the application site could be provided without prejudice to highway safety or capacity, in accordance with the NPPF and Development Plan Policies.

The NPPF supports the adoption of local parking standards for both residential and non-residential development.

The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The Council's adopted Parking Guidelines (2013) set out the following guidelines for new residential development:

Dwelling size	Number of parking spaces
1 bedroom	1 space
2 bedroom	2 spaces
3+ bedroom	2.5 spaces

The proposal includes the following parking provision:

Type	Number of spaces
Garages	24
Allocated parking spaces	73
Unallocated/visitor parking spaces	18
Total	115

The proposed allocated parking for the site is acceptable and would accord with the relevant parking guidelines. The parking provision would include 18 unallocated parking spaces, 17 of which would be in excess of the requirements of the Council's Parking Guidelines for residential development.

Visitor parking is spread across the site. Officers are satisfied that overall the provision of parking for the scheme would be acceptable.

The access to the site would involve crossing an area of Waverley Borough Council Common Land. Whilst the agreement to this is a land owning and not a planning matter, in terms of clarifying deliverability, Members will note that the Council's Executive approved the request for this easement on 05/04/2016, subject to the terms and conditions as set out in the report, with the final agreement of other terms and conditions to be delegated to the Director of Finance and Resources in consultation with the Portfolio Holders for Finance and Customer and Corporate Services.

Common Land

The main vehicular access to the proposed site would be constructed across designated Common Land. The applicants are aware that a Common Land application under Section 38 of the Commons Act 2006 is needed outside of the application process and a relevant application was submitted to the Planning Inspectorate on 31 May 2016 and a decision is pending. This would allow the applicant to carry out works on registered common land under the Commons Registration Act 1965.

In regard to Section 193 of the Law of Property Act 1925, the rights of air and exercise to the public are subject to "any Act, scheme or provisional order for the regulation of land". This includes the Town and Country Planning Act (grant of planning permission for development of common land) and the Commons Acts (permission to carry out restricted works). Any rights that the public have over the land in question can be extinguished by the applicant obtaining the necessary permissions under the relevant legislation.

Two forms of legislative control apply to the application site: under the Planning Act and the need to obtain planning permission for the works but also, under the Commons Act 2006 for "restricted works". These are separate processes and any decision to grant planning permission would not predetermine the decision under the Commons Act 2006.

The normal planning process has to be gone through, taking into account the normal planning considerations. If the application to the SoS is successful the land would be released from its registration as common land. In this circumstance, the applicant would have to register replacement land as common land for the land lost from the common. The applicant has further acknowledged this and has identified potential land for exchange.

There is nothing to stop the applicant making an application for planning permission in advance of the decision of the Commons Act application to the SoS and one does not prejudice the consideration of the other (i.e. if planning permission is granted it does not necessarily follow that the application for common land deregulation would be allowed).

Impact on the countryside beyond the Green Belt and AGLV

Paragraph 17 of the NPPF 2012 sets out that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: inter alia take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Policy C2 of the Waverley Borough Local Plan 2002 states that building in the countryside, away from existing settlements will be strictly controlled.

Policy C2 of the Waverley Borough Local Plan 2012 is consistent with paragraph 17 of the NPPF 2012 in that it seeks to protect the intrinsic character and beauty of the countryside. Policy RE1 of the Draft Local Plan Part 1 echoes the safeguarding of the intrinsic character and beauty of the countryside in accordance with the NPPF.

Policy C3 of the Local Plan states that development should serve to conserve or enhance the character of the landscape.

The site is located within the Countryside beyond the Green Belt outside any defined settlement boundary. However, the application site is set out as a green site in the LAA (2016) which is not a policy document but has been used to inform the Local Plan Part 1 and will be used to inform the Local Plan Part 2.

The site is located within an Area of Great Landscape Value wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape.

Officers also note that the site is within a candidate area to become AONB as indicated by the current Review by Natural England. Whilst this should be given some weight as the site would meet the criteria for inclusion, the proposals are at an early stage and so this weight would be limited. Nevertheless, the advice to Local Authorities is that candidate areas should be treated with the same level of protection as AONBs in terms of the requirement for preservation and enhancement of the natural intrinsic beauty.

A Landscape and Visual Impact Assessment has been submitted. The landscape immediately surrounding the site is broadly characterised as village to the south and west and rural to the north and east. Further afield, the landscape is one of open farmland with scattered farmsteads in a largely pastoral landscape, the significant exception being Dunsfold Aerodrome 1km to the south-east.

The LVIA considers that the landscape of the area is of a high overall value, however, that the overall magnitude of effect would be a slight adverse effect. It was considered that, despite the greenfield development, the proposals would integrate well with the existing landscape and townscape character.

When considering the development as a whole it was considered that the visual effects of the proposal would be limited and focussed primarily on a few residences directly overlooking the site and that in the wider context of Dunsfold village and the surrounding countryside, the overall effects on visual amenity would be small.

In assessing the impact on the intrinsic character and beauty of the countryside in accordance with the NPPF and the Local Plan policy requirement to conserve or enhance the character of the development, officers note that the proposed development would encroach into the open countryside and result in minor adverse impacts to the landscape character.

When considering the likely impact on the landscape, officers note that the proposed development would not be viewed in isolation from the village, but rather be seen in the context of a natural extension to the edge of the village. Officers are of the view that the proposal would not materially prejudice the openness, character and natural beauty of the open countryside and it would accord with Policy C2 of the Local Plan, Policy RE1 of the Draft Local Plan Part 1 and the NPPF in this regard.

Design and visual amenity

Paragraph 56 of the NPPF 2012 states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.

Paragraph 58 of the NPPF 2012 sets out that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 60 of the NPPF 2012 states that it is proper for development to seek to promote or reinforce local distinctiveness. Paragraph 63 states that great weight should be given to outstanding or innovative designs which help raise the standard of design more general in the area.

Paragraph 64 of the NPPF 2012 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 65 of the NPPF 2012 states that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape.

Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

Dunstable Village Design Statement (2001) states that there are a wide variety of styles among the properties on the electoral roll with the vast majority being 2 storey, set well back from the road and of red brick with clay tile roofs.

The Dunstable Village Design Statement states that new development should preserve the feeling of space and rural views that are a key characteristic of the village, use traditional local materials where feasible consistent with existing or adjacent structures, ensure boundary treatments are traditional and avoid obscuring the feeling of space, boundary hedges should be of indigenous species, driveways should use traditional materials and there should be no additional street lighting.

The Dunstable Village Design Statement states that new development should maintain the existing variety of construction and style, demonstrate an awareness of the local context and scale in its use of harmonious traditional materials to maintain variety in detailing, layout and form, be placed sensitively on plots to maintain space from adjacent buildings, preserve existing indigenous trees, retain open views of the surrounding countryside and provide adequate and discreet off street parking. Additionally the Design Statement notes that roof pitches and heights should harmonise with adjacent buildings, brickwork should be in a traditional style using red stock bricks, garages should be of materials and a style appropriate to the dwelling, windows should harmonise with the styles in the locality and should be appropriate to the style of building and chimneys should be of brick construction and in a style appropriate to the dwelling.

The proposed dwellings would be two storey, as is typical within the village with the exception of the 2 wheelchair accessible bungalows. Whilst the bungalows would be different from the predominant 2 storey built form in the village, officers consider that the bungalows have been well designed to integrate within the development and that they are not in prominent positions. Additionally, consideration should be given to the benefit to the community of the provision of these accessible properties when weighing up the harm arising from any conflict with the intentions of the Village Design Statement.

The design of the proposed dwellings has been carefully considered and refined to take into consideration suggestions and advice received during the time of the development of this proposal. Whilst the proposed dwellings would not be reflective of historic buildings within Dunstable, they have been designed to reflect on local style and materials in a contemporary way and would fit sympathetically adjacent to the more recent Nugent Close development. Officers consider that it can be acceptable that a new village extension situated in a location visually separated from the historic core of the village by the Common Land woodland can be contemporary in nature.

Indeed, any style of new development would appear 'new' when considered against the historic buildings within the village. The Council's Residential Extensions SPD (2010) does focus on traditional built form, but notes that Waverley is supportive of contemporary design where appropriate.

The dwellings would be formed of Michelmersh First Quality Multi Facing Brick (red), Michelmersh Rural Multi Facing Brick (red) and/or Siberian Larch Cladding. The dwellings would have aluminium windows, light grey zinc panels between windows, zinc flat roof porches and powder coated aluminium gutters and grey aluminium chimney flues.

Officers note that the Village Design Statement encourages the use of red stock bricks and consider that timber cladding would add interest to the proposed development and also reflect the rural location of the development. The chimneys would be formed of contemporary grey aluminium, which whilst a deviation from the Village Design Statement, officers consider would be appropriate for the contemporary nature of the proposed dwellings and the provision of chimneys would be preferable to no chimneys. The chimneys would reflect the contemporary design of the windows, doors, porches and panels.

The proposed development would have a degree of variety between dwellings in terms of design, orientation and materials to add interest, with the use of varying roof heights and styles to further add visual difference between properties and allow for vistas. There would also be a mixture of narrow and wide fronted dwellings to further add character and interest to the development. The density of the dwellings would decrease marginally towards the north and east of the site as it approaches the open countryside. The dwellings would have active frontages with parking mainly located to the side or rear of properties. Officers consider that the proposed spacing between the dwellings would allow for views to be maintained through to landscaping and the site boundaries.

To the south of the site, the properties adjacent to Nugent Close would have been positioned to respect the existing properties

The scheme would provide 3 metre wide cycle/pedestrian links in 4 places; to the south of Plot 7; to the south of Plots 7 and 8; and to the south-west of Plots 35 and 36 Nugent Close linking with Nugent Close between Nos. 15 and 16 Nugent Close and to the south of Nugent Close. The provision of these links would provide good connectivity for residents of the proposed scheme, and would be desirable in planning terms. They would also enable the free movement of residents of Nugent Close and other members of the public to the proposed public open space around the development. Officers consider

that it would be reasonable, if planning permission were granted, to impose a condition requiring the removal of any fences at the boundary of the site in the location of the pedestrian/cycle links shown on the site layout plan and for fences not to be erected in these locations in perpetuity and for the proposed links to the boundary to be provided.

The provision of the cycle and pedestrian link from the eastern side of the site running along the south-east of Nugent Close and linking with Nugent Close to the south-west would be tied into any S106 agreement, should planning permission be granted, to ensure that it is provided and retained.

The dwellings have been designed to create passive surveillance of the shared movement routes which is a good design principle and should both improve safety and allow interaction between residents.

Each dwelling would have a private garden or an appropriate size to allow for private amenity space. Boundaries would be a mixture of vegetation, close-board fencing and brick walls, dependent on location, with final details to be agreed by condition. However, the majority of boundary treatments facing public space would be formal hedging which officers consider would be appropriate and enhance the visual appearance of the scheme and be appropriate to the rural location.

The layout of the site would be constrained by the shape of the site and natural features as well as possible access points. The proposed layout would provide limited choice of vehicular or pedestrian movement. However, the proposed links to Nugent Close and provision of open space within the site should allow for movement.

Refuse and recycling would be stored in rear gardens until collection day, preventing an accumulation of bins within the streetscene.

Officers consider that the proposed scheme would accord with the intentions of the Dunsfold Village Design Statement (2001), reflecting local materials and styles in a contemporary way which would be appropriate to the location of the site which is separated from the historic centre of the village. Officers consider that the scheme has been well designed to ensure that it is a visually interesting scheme, whilst providing connections to prevent the development being isolated, and providing a safe environment for future residents. The proposed development would not be highly visible from the main streetscene of Dunsfold Common Road, being set to the rear of the wooden Common Land, however, it would have its own attractive streetscene with ample vegetation to enhance its appearance.

Officers consider that the proposed development would be appropriate to the site in terms of its scale, height, form and appearance and would reflect the local distinctiveness of the area in a contemporary way appropriate to a village extension. The scheme would only result in the loss of a small number of trees to provide the access road but there would be significant additional planting as part of the proposed landscaping. Each of the dwellings would have their own private garden and there would be a significant quantity of additional public open space within the site.

Officers consider that the development would be of an acceptable design in accordance with the NPPF, Policies D1 and D4 of the Local Plan 2002 and the Dunsfold Village Design Statement (2001).

Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

The proposed dwellings have been designed to reflect the existing neighbouring properties on Nugent Close and would be separated such that they would not result in material harm to existing occupiers from overlooking or loss of light. The dwellings next to the Nugent Close boundary would be of a scale that would prevent them being overbearing and additionally there would be a 5 metre buffer zone between their rear boundaries and those of the Nugent Close properties, which would also incorporate additional tree and vegetation planting to incorporate screening.

It is acknowledged that the outlook from some habitable room windows of the neighbouring properties in Nugent Close would be changed but the right to a view is not a material planning consideration.

Officers are satisfied that the proposed design and layout would ensure that there would be no material harm to neighbouring amenity by way of overbearing impact, overlooking or loss of privacy in accordance with Policies D1 and D4 of the Local Plan 2002.

Impact on trees

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss.

Policy D7 of the Local Plan broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

The site comprises one open field bordering the Nugent Close development, bounded by hedgerows and trees to other boundaries, typical of the pervading character of the Wooded Low Weald. It is countryside recognised as being an AGLV. The principal landscape constraints are the bounding hedgerows and the wooded Common land through which a new road access would be required.

The application is accompanied by a tree report by Barrell Tree Consultancy. The report recognises the direct impacts of the development which include tree and hedgerow removal to implement the new access road, constructed on a porous “no-dig” principle engineered above existing ground levels, to thus limit impact on other trees to be retained in relatively close proximity. The proposed entrance road would cross WBC managed Common Land and would not be to adoptable highways standards.

The proposed landscape layout plan by Indigo gives schematic representation of proposed tree planting to be interspersed around plot boundaries, with additional specific focus on planting along the south-western boundary of the site with Nugent Close and to the south-east of the site where the existing boundary vegetation is less extensive. It is considered that the trees proposed between dwellings may be mutilated in the short term, once established, to purely attempt to create screening between adjacent properties and notwithstanding this, the amenity area would not be large enough to engender mature tree establishment.

The proposed open space would effectively be a buffer zone from the proposed dwellings to the hedging and woodland to the north of the site. 2 Oak trees, a thorn and a Field maple (part) would need to be felled in the location of the proposed access to the north-west of the site.

Conditions have been recommended, if permission is granted, to seek to maintain control of the development process and associated potential for impact on retained trees. These conditions would be in respect of tree

protection, arboricultural supervision, levels and construction details, Services, site set up and a landscape scheme.

Archaeological Interest

The NPPF sets out that, as a core principle, planning should take account of the different roles and character of different areas and heritage assets, in a manner appropriate to their significance should be conserved. In considering proposals for development involving ground disturbance within sites with an area of over 0.4 hectares, Policy HE15 of the Local Plan requires an archaeological assessment is provided and then refers back to Policy HE14 which requires appropriate measures be taken to ensure any important remains are preserved.

The County Archaeologist has considered the proposals. The submitted archaeological assessment that the site has a moderate archaeological potential for the medieval and post medieval periods, with a low potential for later periods, although this may reflect the fact that little previous archaeological investigation has taken place in the area. The County Archaeologist agrees that further archaeological works are required in order to properly assess the nature and extent of any archaeology that may be present and that in the first instance this should comprise an evaluation trial trenching exercise, which will aim to establish rapidly whether archaeological assets are be present. The results of the evaluation will enable suitable mitigation measures to be developed. A condition is recommended, if permission is granted, that no development shall take place until a suitable scheme of archaeological work has been submitted by the applicant and approved by the Planning Authority.

Standard of accommodation for future occupants

Paragraph 17 of the NPPF seeks a high standard of design for future occupiers.

The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25th March 2015. This statement should be taken into account in applying the NPPF and in particular, the policies on local standards or requirements at paragraphs 95, 174 and 177. New homes need to be high quality, accessible and sustainable. The Building Regulations cover new additional optional standards on water and access. A new national space standard has been introduced to be assessed through the planning system. The optional new national standards should only be required through any new Local Plan policies, if they

address a clearly evidenced need and where their impact on viability has been considered.

Policy TD1 of the Draft Local Plan Part 1 refers to maximising opportunities to improve the quality of life and health and well being of current and future residents. Such opportunities include, inter alia, appropriate internal space standards for new dwellings.

With regards to the full element of the application the following table provides an assessment against the Technical Housing Space Standards:

Plot number (differing house type)	Size	Technical Requirement (m ²)	Proposed Floor Area (m ²)	Meets/Fails
6, 7, 9, 10, 24 and 25	1 bedroom, 2 person	50	57.5	Meets
19	2 bedroom, 4 person	70	75.5	Meets
20	1 bedroom, 2 person	50	53	Meets
11, 12, 21 and 22	2 bedroom, 4 person	79	80	Meets
3, 4 and 5	3 bedroom, 5 person	93	94	Meets
23	3 bedroom, 5 person	93	94	Meets
8	4 bedroom, 6 person	106	108	Meets
35 and 36	1 bedroom, 2 person	50	72	Meets
14, 15, 26, 27, 30, 31, 33 and 34	2 bedroom, 4 person	79	80	Meets
16, 18, 29 and 37	3 bedroom, 5 person	93	94	Meets
38	3 bedroom, 5 person	93	96	Meets
2	3 bedroom, 5 person	93	94	Meets
28	3 bedroom, 5 person	93	99	Meets
1, 13 and 17	3 bedroom, 5 person	93	99	Meets

39 and 41	4 bedroom, 8 person	124	147	Meets
32, 40 and 42	4 bedroom, 8 person	124	147	Meets

As set out above, all of the units would meet the recommended Technical Space Standard.

In addition to the above, consideration also needs to be given to the outlook and provision of light for habitable rooms. The Council would generally expect a window to window distance of 21m between the built form of the development and a window to garden distance of 18m, in accordance with the Council's Residential Extension SPD.

Generally, it is considered that the orientation and size of dwellings, as well as the juxtaposition of dwellings in relation to each other and their separation distances, are such that the dwellings would receive sufficient light and have acceptable privacy and outlook.

The relationship between a small number of individual plots, where there is considered to be smaller separation distances, is discussed further below,

Plots 38 and 39 would be located in the south eastern corner of the site. The front elevations of these dwellings would face each other, with a separation distance of 10m. Both dwellings would feature openings in their front elevations which would serve bedrooms. Whilst officers acknowledge that there may be a degree of overlooking and loss of privacy, it is considered that a separation distance of 10m would, in this instance, be such that the scale of any impact would not be sufficient to warrant refusal of the scheme.

The separation distance between the front elevations of dwellings at Plots 21 and 24/25 as well as Plots 22 and 23 would be approximately 12m. Plots 21 and 22 would feature windows at ground floor level in the eastern elevation serving kitchens. At first floor level, these plots would feature windows serving a master bedroom. Plots 24 and 25 would comprise affordable flat units. At both ground and first floor level, there would be openings on the north western elevation which would serve bedrooms. However, both bedrooms for the individual flats would be dual aspect and having regard to the orientation of Plots 24/25 with Plot 21, it is considered unlikely that material direct views would be afforded.

The dwelling proposed at Plot 23 would feature openings on its north western (front) elevation which would serve a living room and kitchen dining room at ground floor level and bedrooms at first floor level. Whilst officers note that the

separation distance in this instance would not accord with the Council's SPD, both rooms at ground floor level would be dual aspect. Further Plot 23 would be orientated away from Plot 22 opposite, such that it is considered unlikely that material direct views would be afforded.

The separation distance between the side elevations of Plot 18 and Plots 19 and 20 is minimal, at 2m. However, there are no windows in the southern elevation of Plot 18 serving habitable rooms and the window in the northern elevation of Plot 20 (first floor level) serves an open plan kitchen diner but the room is triple aspect. As such, it is considered that this room would receive sufficient light from two other windows. Whilst there would be an impact on the level of light serving the kitchen of Plot 19 (ground floor level), the kitchen is of a small size and, having regard to the Council's Residential Extensions SPD would not be considered as a habitable room in this instance.

Officers consider that it would be reasonable to impose a condition, should permission be granted, to secure certain windows on individual plots to be obscurely glazed to ensure there would be no likely be harm to future occupants by way of overlooking.

Having regard to the considerations above, it is considered that, overall, the scheme would provide for adequate floor space, acceptable levels of light, outlook and privacy for future occupants of the site, subject to the inclusion of the above mentioned condition. No material concern is therefore raised by officers in respect of the standard of accommodation provided by the proposal and the proposal is seen to accord with Policy D4 and paragraph 17 of the NPPF in this respect.

Provision of amenity and play space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.

Paragraph 17 of the NPPF 2012 states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 70 of the NPPF 2012 supports this by stating that planning policies and decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required. For developments of flats or maisonettes, Policy H10 sets out that outdoor space may be for communal use rather than as private gardens.

Policy TD1 of the Draft Local Plan Part 1 refers to maximising opportunities to improve the quality of life and health and well being of current and future residents. Such opportunities include, inter alia, the provision of private, communal and public amenity space and on site play space provision (for all ages).

The Council uses the standard recommended by Fields in Trust (FIT) 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (2016) for assessing the provision of outdoor playing space.

For a development of 10 – 200 dwellings, the Fields in Trust guidance referred to above sets out that a Local Area for Play (LAP), Locally Equipped Area for Play (LEAP) and a contribution towards a Multi-Use Games Area (MUGA) should be provided.

A LAP comprises a play area equipped mainly for children aged between 4-6 years old. LAPs should be located within 100m from every home. The main activity area should be a minimum of 100sqm with a 5m minimum separation between the activity zone and the boundary of the dwellings.

A LEAP comprises a play area equipped mainly for children age between 4-8 years old. LEAPs should be located within 400m from every dwelling. The main activity area should be a minimum of 400sqm with a 20m minimum separation between the activity zone and the boundary of the dwellings.

The proposal would provide a joint LEAP/LAP within the site. Furthermore, the application has proposed contributions would be made towards the refurbishment and enlargement of the play area at King George V playing field in Dunsfold. Full details of the proposed LEAP/LAP area would be secured through a Section 106 agreement, should planning permission be granted.

The management of the play area would be through the Management Company to be secured through the Section 106 agreement.

It is indicated that each proposed dwelling would benefit from private outdoor amenity space, including private space for individual flats. In addition, there would be open space provided around the peripheries of the application site.

An underground gas storage tank for the development would be provided in the vicinity of the open space and LEAP. Officers have raised concerns in this regard and have been assured by the applicant that the tank will be installed, owned and maintained by Calor Gas, and this is a proven method for supplying gas to areas where no gas supply currently exists. They would own the compound containing the tank, and would keep it fully maintained at all times.

The proposal is considered to make appropriate amenity space provision such to provide a good standard of accommodation for future occupants and to accord with Policy H10 of the Waverley Borough Local Plan 2002. Whilst a completed legal agreement has not been received at this time, the applicant has indicated a willingness to enter into a suitable legal agreement to secure the relevant contributions. Subject to this being completed, officers would raise no objection.

Air quality

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution. In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular, development which may have a materially

detrimental impact on sensitive uses with regard to environmental disturbance or pollution will not be permitted.

The site is not within a designated AQMA and nor is it adjacent to one. However, the impact on air quality remains an important material consideration. The proposed development would introduce new residents into an area that has an established road network and therefore may expose future occupants to air pollution associated with road traffic. The new development would also potentially increase road usage in the area by potential future occupiers.

An Air Quality Assessment has been submitted and acknowledges that the current air quality at this location is below the national objective limits.

The Council's Environmental Health Service has assessed the application in respect of air quality and considers that the submitted report fails to recognise that due to the rural location of this development site, there is likely to be a high level of commuter travel required for work, educational and shopping purposes. The nearest railway station with the most direct route to this development site is located in Godalming and additional traffic will further affect the air quality management area already designated at this location.

There are also some concerns relating to potential emissions during any deconstruction and construction phases of the project, affecting existing receptors in the area through potential fugitive dust emissions and by increased traffic to the site during development. It should be noted that the impact of dust and emissions from deconstruction and construction can have a significant impact on local air quality. As there is no safe level of exposure, all reduction in emissions will be beneficial. It is considered to be a medium risk proposal in terms of the Mayor of London, London Council's Best Practice Guidance, "The control of dust and emissions from construction and demolition" 2006.

The Council's Environmental Health Officer has recommended the imposition of conditions to overcome the concerns raised above, if permission is granted, including the requirement for a site management plan for the suppression of mud, grit, dust and other emissions to be submitted to, and approved by, the LPA. Other conditions recommended include one prohibiting burning, the provision of Electric Vehicle Charging Points and working hours.

Noise impacts

Noise needs to be considered when developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The principal considerations are:

- Whether or not a significant adverse effect is occurring or likely to occur;
- Whether or not an adverse effect is occurring or likely to occur;
- Whether or not a good standard of amenity can be achieved.

The planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. To prevent unacceptable risks from pollution, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

The Council's Environmental Health Service has considered the application in respect of noise and recommended conditions to minimise potential nuisance from noise, dust, vibrations and lighting.

Contaminated Land

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general

amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances.

The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

The proposed development site is directly adjacent on its western edge to a former gravel pit that may have been infilled.

The Council's Environmental Pollution Officer has assessed the application and, due to this potentially contaminative former use, in order to ensure compliance with clause 120 and 121 of the NPPF, it is recommended that contaminated land conditions are used.

Flooding and drainage

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at

risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant.

Policy CC4 of the Draft Local Plan Part 1 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed.

In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate floor risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

In a Written Ministerial Statement on the 18th December 2014, the Secretary of State for Communities and Local Government set out the Government's expectation that SuDS will be provided in new developments, wherever this is appropriate. Decisions on planning applications relating to major developments should ensure that SuDS for the management of run-off are put in place, unless demonstrated to be inappropriate.

Under these arrangements, Local Planning Authorities should consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. SuDS may not be practicable for some forms of development. New development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of SuDS. When considering major development, SuDS should be provided unless demonstrated to be

inappropriate. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The proposal would be for residential purposes and this is classified as 'More Vulnerable' and as such, the use is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 2 of the NPPF – Technical Guidance Document. It is not therefore necessary to consider the sequential or exception tests in this instance.

However, the application relates to a major development and the site area exceeds 1 ha. Therefore, a site specific Flood Risk Assessment (FRA) is required and one has been submitted with the application.

The accompanying FRA has been prepared by FairhurstGGA Consulting Engineers and is dated August 2016. This document concludes that the site is located within Flood Zone 1 and would have a low annual probability of flooding and the site specific Flood Risk Assessment indicates that there would be a low risk of flooding from all sources.

Thames Water has been formally consulted on the proposal and has identified an inability of the existing waste water infrastructure to accommodate the needs of the application. Thames Water has therefore recommended a 'Grampian Style' condition in respect of the submission and approval of a drainage strategy detailing any on and/or off site drainage works. Informatives have also been recommended by Thames Water, should permission be granted, in relation to surface water drainage, groundwater discharge and water supply. Officers consider that this would ensure that drainage strategy would be acceptable and not result in material harm to neighbouring properties or occupiers of the site due to the existing infrastructure not being suitable for the proposed development.

As the existing site is currently an open area of greenfield, there are neither foul or surface water public sewers within the site. The proposed development would discharge foul water to the existing public sewer network in the adjacent site to the south. The proposed development would discharge surface water to a new swale on the southern boundary of the site at a limited flow rate of 11.5 l/s controlled by Hydrobrake flow devices. Storage would be provided for the additional volume within permeable paving.

The LLFA has considered the proposal and is satisfied that the proposed drainage scheme would be acceptable but has recommended a number of

conditions to ensure that the SuDS scheme would be properly implemented and maintained throughout the lifetime of the development.

Having regard to the above, it is considered that the proposals would not lead to increased flood risk, either on site or elsewhere, subject to conditions, and would accord with Policy CC4 of the Draft Local Plan Part 1 and the NPPF 2012 in this respect.

Infrastructure contributions

The three tests as set out in Regulation 122(2) require s106 agreements to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The NPPF emphasises that to ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

From 6th April 2015, CIL Regulation 123 was amended to mean that the use of pooled contributions under Section 106 of the Town Country Planning Act is restricted.

Policy D13 of the Local Plan states that “development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements”.

Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

Policy ICS1 of the Draft Local Plan Part 1 states that infrastructure considered necessary to support new development must be provided either on- or off-site or by the payment of contributions through planning obligations and/or the Community Infrastructure Levy. The Council will resist the loss of key services

and facilities unless an appropriate alternative is provided or evidence is presented which demonstrate that the facility is no longer required. New services and facilities where required will be supported. Land for infrastructure, as identified through the Infrastructure Delivery Plan, will be safeguarded.

No more may be collected in respect of a specific infrastructure project or a type of infrastructure through a Section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6th April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

In the light of the above change, the infrastructure providers have been requested to confirm that the identified contributions contained within the PIC calculator meet the tests of CIL Regulations 122 and 123. The final obligations to be included within the Section 106 agreement will need to satisfy the tests of the Regulations.

Infrastructure providers responsible for the provision of infrastructure within Waverley have been consulted and, as a result, the following contributions are sought and justified:

Provision of recycling containers	£1,260
Early years education infrastructure in the Dunsfold Area (Little Harriers Day Nursery project)	£28,268
Primary education infrastructure in the Cranleigh Area (Cranleigh Primary School project)	£115,315
Play Area refurbishment and enlargement at King George V playing field	£49,350
Bus stop infrastructure improvements on Dunsfold Road and pedestrian safety and accessibility improvements between the site and Dunsfold village centre	£80,000
Provision of on-site affordable housing (40.4%)	
Environmental Enhancements in Dunsfold (notice board and various signs advertising facilities)	£13,250
Leisure Contribution (Cranleigh Leisure Centre poolside upgrade)	£34,320

Onsite LEAP	
Total	£321,763 plus affordable housing and LEAP

The providers have confirmed that the proposed contributions would not result in the pooling of more than 5 contributions towards one specific piece of infrastructure. The infrastructure improvements required would therefore comply with CIL Regulations 122 and 123.

The applicant has indicated a willingness to enter into a suitable legal agreement to secure relevant contributions. As of yet, a signed and completed legal agreement has not been received. However, it is anticipated that an agreement would be entered into. Subject to the receipt of a suitable, signed legal agreement to secure infrastructure contributions, it is concluded that the proposal would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF in respect of infrastructure provision.

Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for Committee.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total of £60,900) per annum for six years. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal (total of £35,700).

Biodiversity and compliance with Habitat Regulations 2010

The NPPF 2012 states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient

to current and future pressures. When determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

Distinctions should be made between the hierarchy of international, national and locally designated sites. Policy C10 of the Local Plan states that development within or affecting Sites of Nature Conservation Importance (SNCI) and Local Nature Reserve designations will not be permitted unless it can be demonstrated that it would not conflict with nature conservation interests.

Policy NE1 of the Draft Local Plan Part 1 states that the Council will seek to conserve and enhance biodiversity within Waverley. Development should retain, protect and enhance features of biodiversity and geological interest and ensure appropriate management of those features. Adverse impacts should be avoided or, if unavoidable, appropriately mitigated. Within locally designated sites, Policy NE1 sets out that development will not be permitted unless it is necessary for appropriate on site management measures and it can demonstrate no adverse impact to the integrity of the nature conservation interest.

The National Environment and Rural Communities Act 2006 (NERC) states that the Council as local planning authority has a legal duty of care to protect biodiversity.

The site does not fall within a designated SPA, SAC or SSSI. However, parts of the site, comprising the access points to the west, fall within a locally designated Site of Nature Conservation Importance (SNCI) – Dunsfold Common and Green.

The application is accompanied by an Extended Phase I Ecological Assessment, prepared by Ecological Survey & Assessment Limited, dated August 2016. The Assessment sets out that the site consists of tussock poor semi-improved grassland containing patches of scrub, bordered by treelines, woodland and watercourses. As a result of the semi-natural composition of

these habitats, the report concludes the site to be of medium ecological value and there to be potential for a range of protected species including foraging and roosting bats, dormouse, common species of reptiles and great crested newt.

As a result of the findings of the Phase 1 survey, recommendations are set out for further Phase 2 surveys to be carried out. Having taken these recommendations into account, the application is also accompanied by a Phase 2 Ecological Assessment, prepared by Ecological Survey & Assessment Limited, dated August 2016. Phase 2 surveys aimed at fully determining the status of bats, dormouse, reptiles and great crested newts were carried out. The report sets out that a range of bat species were recorded, a small number of reptiles were recorded and a medium population of great crested newts were recorded within ponds to the west of the site. No dormice were recorded.

The accompanying Phase 2 Ecological Assessment specifies the following recommendations:

- New lighting schemes should be sensitive to foraging bats and avoid illuminating boundary vegetation. Any external illumination should be restricted to motion activated, low level luminaire lighting.
- Buildings should incorporate features which will encourage their use by roosting bats – cavity roost units.
- A capture and translocation exercise should be undertaken prior to development commencing (between April and September) to move animals (reptiles) away from the construction zones. This should be undertaken in conjunction with careful strimming of areas of suitable habitat, carried out by a qualified ecologist. Reptiles should be placed into the western and northern buffer areas. Such translocation should be undertaken in early October if weather conditions are suitable.
- A reptile exclusion fence should be erected around the perimeter of the site, with the exception of the western buffer. A reptile mitigation strategy should be prepared following any grant of permission to provide further details of the exact timing of the works and post development management.
- A European Protected Species Mitigation (EPSM) Licence would be required prior to the proposed development works commencing.
- Terrestrial habitat features such as hibernacular and native species planting should be provided within the western buffer to provide enhanced habitat for species on site.

- Should works have not commenced by March 2017, or the proposals for the site change significantly, the ecological assessment should be updated.

Additional recommended measures referred to in the Phase 1 survey are as follows:

- The eastern boundary of the adjacent SNCI should be buffered from housing by at least 10m. A post and rail fence should be installed along the boundary to deter access.
- The vehicular access through the SNCI should be formed using a non-dig construction and have no curbs or drains.
- Vegetation around the periphery of the site should, where possible, be retained.
- As way of enhancement to the site four Schwegler house sparrow terraces should be installed within the proposed development. The location of these should be signed off by a suitably qualified ecologist.
- Vegetation clearance should be undertaken between September and February, inclusive, to avoid the nesting bird season, or if not possible, an ecologist should be present immediately prior to clearance to check vegetation. Active nests should be left with an undisturbed 5-10m buffer until nesting ends.

The Ecology Surveys submitted with the application indicate that the proposals would involve activities which would affect a European Protected Species. Two legal decisions have recently helped to clarify the role and responsibilities of Local Planning Authorities (LPAs) in respect of European Protected Species (EPS) when they are considering development consent applications. Those cases are R (Simon Woolley) v Cheshire East Borough Council and Millennium Estates Limited¹, a High Court case, and more recently still the Supreme Court decision in R (Vivienne Morge) v Hampshire County Council (the Morge case). These cases do not create a new obligation or requirement on LPAs but they do provide some clarification of the duties placed on LPAs by the Conservation of Habitats and Species Regulations 2010 (the Regulations).

The Regulations transpose certain prohibitions against activities affecting EPS. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. Those derogations are transposed into the Regulations by way of a licensing regime that allows what would otherwise be an unlawful act

to be carried out lawfully. Among the reasons why a licence may be granted and the reason relied upon by developers when seeking a licence to carry out operations for the purposes of development, is that there are imperative reasons of overriding public interest why the operation should be carried out.

Natural England is the licensing authority for the purposes of this licensing regime. In addition to satisfying itself that one of the reasons provided for by the Regulations, in this case imperative reasons of overriding public interest exists, before granting a licence Natural England must also be satisfied that there is no satisfactory alternative and that any action licensed will not be detrimental to the maintenance of the population of the species at favourable conservation status in its natural range. The reason for granting the licence together with the two conditions that must be met before a licence can be granted are what Natural England refers to as the three statutory tests.

The Regulations also provide that a competent authority, including a planning authority must, in the exercise of any of their functions, have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. It is this duty that was considered in the Morge case. In that case the Supreme Court stated that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development would (a) be likely to offend one of the prohibitions referred to above and (b) be unlikely to be licensed under the regime described. Following that, it is clear that there will be circumstances in which planning authorities will be required to form a view on the likelihood of a licence being granted by Natural England. It is for the planning committee to determine the planning application in light of the three tests and the Morge and Woolley cases do not alter that position.

In determining whether or not to grant a licence Natural England must apply the requirements of Regulation 53 of the Regulations and, in particular, the 3 tests set out in sub-paragraphs (2)(e), (9)(a) and (9)(b):-

(1) Regulation 53(2)(e) states:

a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.

(2) Regulation 53(9)(a) states:

the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”

(3) Regulation 53(9)(b) states:

the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range

It is clear from the Ecological Survey results that the proposal would offend Article 12(1) of the Habitats Directive and a licence would be required. Following the advice contained above, it is incumbent on the Local Planning Authority to assess the likelihood of obtaining the said licence. This assessment is based on the comments of Surrey Wildlife Trust and the 3 tests already cited. Given the comments from Surrey Wildlife Trust and subject to the imposition of suitable planning conditions to secure where necessary extra survey work, and mitigation, officers consider that owing to the overriding need for the delivery of market and affordable housing and the absence of any suitable alternatives to deliver the level of housing provision proposed at this site within the locality; that the proposal would contribute to the social and economic needs of the local community; and subject to the effective implementation of mitigation measures, that the proposed development would meet the Imperative Reasons of Overriding Public Interest test in a licensing context and would, with the effective implementation of mitigation, cause no adverse effect on the conservation status of the protected species concerned. Officers conclude that the proposal would be likely to obtain the requisite licence.

Surrey Wildlife Trust has assessed the submitted reports and has advised that, should the Council be minded to grant planning permission, a detailed Landscape and Ecological Management Plan (LEMP) should be secured by way of condition. This should set out details on how site features would be managed and measures to compensate for the loss of habitat areas and secure biodiversity enhancements.

Concern has been raised by Surrey Wildlife Trust with regard to the loss of reptile habitat, and extent and management provisions of the reptile translocation areas, which are considered to be contrary to the NERC Act and the NPPF. This concern is noted by offices and has been taken into consideration in the discussion above with regard to the likely granting of a European Protected Species Mitigation (EPSM) Licence.

Surrey Wildlife Trust has further commented that any external lighting installed on the proposed development should comply with the recommendations of the Bat Conservation Trusts’ document entitled ‘Bats and Lighting in the UK – Bats and The Built Environment Series’.

Natural England is the statutory consultee where development is in or likely to affect a SSSI. At its closest point, the application site is located within 1.6km of the Chiddingfold Forest Site SSSI. Natural England has been consulted on the application and is satisfied that the proposal would not result in any damage or destruction to the interest features of the SSSI. No objection is therefore raised by Natural England.

With regard to the impact on the non-statutory designated site, Dunsfold Common and Green SNCI; as stated above, the access points located to the west of the application site would fall within this area. The majority of the site, and the area of land on which the proposed housing would be located, does not fall within the SNCI. The submitted Phase 1 Ecological Report sets out that the location of the SNCI is such that there may be a resultant impact on this area through increased public usage and disturbance through light spillage. However, as the proposed vehicular access track would follow an existing track, any likely impact would be minor. Recommended actions include the eastern boundary of the adjacent SNCI being buffered from the proposed housing by at least 10m and vegetation along this boundary should not be illuminated. Further, the submitted report recommends using a no-dig construction to minimise any impact arising from the proposed upgrading of the existing track.

Surrey Wildlife Trust notes that the construction of the access road would lead to a direct loss of ground flora, felling of trees and fragmentation of a protected designated habitat. However, the trees in this area are considered to not be of a high public amenity value relative to other surrounding trees in the area. Further, having regard to the relatively small area of the application site which falls within the SNCI, and the recommended actions set out above which officers consider reasonable to secure by way of condition should permission be granted, officers are satisfied that there would be no material detrimental harm to the SNCI.

Taking into account the above considerations, subject to the inclusion of conditions should permission be granted, no material objection is raised on biodiversity grounds.

Health and wellbeing

Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making.

Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work

effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

The NPPG 2014 sets out that the range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how:

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);
- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The need to maximise opportunities to improve the quality of life and health and well-being of current and future residents is echoed in Policy TD1 of the Draft Local Plan Part 1.

The proposal would include the provision of an equipped play space within a wider open space to the north-east of the residential development. There would be additional open space maintained the south-east and west of the site. These areas would have open access to residents and non-residents.

Officers consider that the provision of private amenity space for all units, public open space and play space would be a benefit to the scheme in terms of the health and wellbeing of future residents.

Crime and disorder

S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities.

In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Paragraph 69 of the National Planning Policy Framework 2012 highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities.

To this end, planning policies and decisions should aim to achieve places which promote inter alia safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Surrey Police have been formally consulted on the application and have requested that consideration be given to gaining Secured by Design certification for this development. This will ensure that the properties are constructed with a good level of basic security. However, as the Council does not have a policy to require this, it would not be reasonable to request this condition.

Nonetheless, officers are of the view that the site could be developed in such a way so as to not lead to crime and disorder in the locality which would accord with the requirements of the NPPF 2012 and the Crime and Disorder Act 1998.

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.

Environmental Impact Regulations 2011 (as amended)

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 (as amended) or a

variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

Pre Commencement Conditions

Article 35 of the DMPO 2015 requires that for any application for planning permission, the Notice must state clearly and precisely the full reasons, in the case of each pre-commencement condition, for the condition being a pre-commencement condition. This is in addition to giving the full reason for the condition being imposed.

“Pre commencement condition” means a condition imposed on the grant of permission which must be complied with: before any building/ other operation/ or use of the land comprised in the development is begun.

Where pre commencement conditions are justified, these are provided with an appropriate reason for the condition.

Development Management Procedure Order 2015 - 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:-

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.

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;

Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Response to Parish Council and Third Party comments

Officers can confirm that the applicant has agreed to provide an equipped play area on site, the details and provision to be subject to a Section 106

agreement, should permission be granted, as well as providing £49,350 towards the upgrade of the existing children's playground at King George V Playing Field in Dunsfold. Officers consider that this would allow for convenient access to onsite playspace for families within the site, and other local members of the public, whilst also supporting the enhancement of the existing village facility and providing an incentive for new residents to integrate with the village community outside of the residential site.

There is no legal means by which the affordable housing could be limited to those with local connections.

The site has been allocated in the LAA2016 as a housing site.

Officers have considered the density and note that it closely reflects that of Nugent Close when calculated excluding the proposed open space and would reflect the Council's planning policy in respect of density.

Officers have carefully considered the design of the proposed development and addressed it within the report and are of the opinion that the design would be appropriate to the site and would reflect traditional Dunsfold design features in a contemporary way, providing an attractive development, whilst not distracting from Nugent Close to the south and that this would be appropriate for a village extension and would accord with the intentions of the Dunsfold Village Design Statement by reflecting local materials and style whilst providing variety.

The waste water capacity would appropriately be addressed by a condition to ensure that the waste water capacity would be sufficient for the proposed development prior to development commencing.

There would be no street lighting or bollard lighting and the separation distance between existing and proposed properties would be such that no material harm from light intrusion would be likely to occur.

Whilst land ownership is a private issue, officers are satisfied that the proposed cycle/pedestrian track would be located outside of the land boundaries of the properties in Nugent Close.

The impact on the landscape character and biodiversity have been addressed within the report and officers are satisfied that there would be no material harm in these regards. An acceptable SuDS scheme has also been proposed.

In respect of the concerns raised by the Open Spaces Society, officers have justified why they consider the scheme to be visually appropriate. The proposed development would not prevent the use of the Common Land by the public and officers are satisfied that the development would result in additional public open space around the proposed development which would be managed by a separate Management Company which would be required under the Section 106 agreement.

Connectivity between sites is considered to be a good design principle and encourages social inclusion and community and prevents isolated developments. Officers are satisfied that the provision of footpaths and cycle links with Nugent Close would not materially harm the amenities of existing occupiers of Nugent Close and the County Highway Authority has raised no concerns in respect of safety.

Conclusion/ planning judgement

In forming a conclusion, the NPPF requires that the benefits of the scheme must be balanced against any negative aspects of the scheme.

The Council can identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand for the next five years. The Council has also published a Draft Local Plan – Part 1. As such, policies that relate to the supply of housing can be afforded substantial weight in the determination of this application. The test/balance required by paragraph 14 of the NPPF, when policies are considered out of date, is considered to not be engaged.

The site is located within the Countryside beyond the Green Belt, outside of a defined settlement area, and therefore the principle of development is considered to not be acceptable when considered in line with the adopted Local Plan. However, the site has been identified as a green site within the Council's Land Availability Assessment (2016) and the Draft Local Plan – Part 1 sets out a requirement for Dunsfold to deliver 80 dwellings. Further, whilst the proposal would result in an encroachment into open countryside and an impact to the landscape character, officers are of the view that the proposal would be seen in the context of a natural extension to the edge of the village, not in isolation. The adverse impact to the landscape character is considered to be minor in scale and officers are of the view that the proposal would not prejudice the openness, character and natural beauty of the open countryside.

Overall, the proposed development would function well, be of a high quality design and would integrate well with the surrounding development. The

proposal would provide for an acceptable housing mix and density and the affordable housing proposed would contribute to meeting local needs.

There would be no resultant material harm to neighbouring residential amenity, trees or to designated heritage assets. Having regard to the size of the proposed units, officers are satisfied that the proposal would provide a good standard of accommodation. The provision of private amenity space and public open space would be positive features of the proposal and it is considered that the proposed layout would not likely lead to crime and disorder in the wider community.

Subject to the implementation of mitigation measures, officers are satisfied that the proposal would result in an acceptable impact on air quality, no adverse impact on future occupants of the site by way of noise and no material ecological harm. Similarly, subject to securing a detailed remediation scheme and programme of archaeological work, it is considered that there would be no adverse impacts arising from land contamination or archaeological implications accordingly.

Officers are satisfied, having regard to the expert opinion of the County Highway Authority, that access to the application site could be provided without prejudice to highway safety or capacity. In addition, having regard to the proposed SuDS scheme, it is considered that the proposal would not lead to increased flood risk on site or elsewhere.

Overall, officers consider that any adverse impacts of the development would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Recommendation

RECOMMENDATION A

That, subject to the completion of a Section 106 agreement to secure appropriate contributions in respect early years education and primary education; recycling containers; Playground refurbishment at King George V playing field; LEAP and LAP on site; Leisure contribution; environmental enhancements; provision of 40% affordable housing; off-site highways works; Woodland improvement; Parish Council 10 year maintenance plan; the setting up of a Management Company for open space, play space, landscaping, footpath and cycle links, and SuDS; conditions 1 to 44 and informatives 1 to 23, permission be GRANTED.

1.

Condition

The plan numbers to which this permission relates are 6148 01N, 6148 02, 6148 10A, 6148 11C, 6148 12A, 6148 13A, 6148 14A, 6148 15A, 6148 16A, 6148 17A, 6148 18A, 6148 19B, 6148 20B, 6148 21B, 6148 22B, 6148 23B, 6148 24B, 6148 25A, 6148 26A, 6148 30B, 6148 31A, 6148 32A, 6148 33A, 6148 50A, 459-001B, 459-007A, 14428-BT6. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies C1, C3, RD1, HE8, D1 and D4 of the Waverley Borough Local Plan 2002.

2.

Condition

No variation of the type and colour of the external materials to be used in the construction of the development as shown on the approved deposited plan, including the materials board, shall be made without the prior written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies C1, C3, RD1, HE8, D1 and D4 of the Waverley Borough Local Plan 2002.

3.

Condition

Prior to the commencement of the development, a site management plan for the suppression of mud, grit, dust and other emissions during both the deconstruction and construction phase should be submitted to and approved in writing by the Planning Authority. Emissions generation activities will be controlled and minimised through use of mitigation measures that are identified in section 4.3 of the London Councils Best Practice Guidance, and other similar guidance. The submitted method statement should be full and extensive to ensure that all on-site contractors follow best practicable means in accordance with the above mentioned Guidance to minimise any dust and emissions. The measures as approved shall be employed throughout the period of development unless any variation has been approved by the Local Planning Authority.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

4. Condition

No materials shall be burnt on site at any time during the construction process.

Reason

In regard to the environmental implications of the development and to protect the air quality for the existing receptors and the nearby Air Quality Management Area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and the requirements of the NPPF 2012.

5. Condition

Prior to the commencement of development, a scheme detailing the provision of Electric Vehicle Charging Points (EVP's) for each unit within the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the scheme and maintained thereafter.

Reason

In order to promote sustainable travel such to accord with Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012. This is a pre commencement condition because it relates to the construction process.

6. Condition

Construction works pursuant to this permission shall not take place other than between the hours 08:00am and 18.00pm Mondays to Fridays and between 08:00am and 13:00pm on Saturdays. No works shall take place on Sundays or Bank Holidays.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

7. Condition

Before the commencement of the development hereby approved, details of how the Sustainable Drainage System will cater for system

failure or exceedance events, both on and offsite, must be submitted to and approved by the local planning authority.

Reason

To ensure that the proposal has fully considered system failure and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

8. Condition

Before the commencement of the construction of the development hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason

To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

9. Condition

Prior to construction of the development hereby approved, a drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels must be submitted to and approved by the local planning authority.

Reason

To ensure the drainage design meets the technical standards and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

10. Condition

Prior to construction of the development hereby approved, details of the proposed maintenance regimes for each of the SuDS elements must be submitted to and approved by the local planning authority.

Reason

To ensure the drainage system is maintained throughout its life time to an acceptable standard and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

11. Condition

Prior to construction of the development hereby approved the following drawings need to be supplied where appropriate:

- A finalised drainage layout detailing the location of SUDs elements, pipe diameters and their respective levels
- An impervious area plan
- Long and cross sections of each SuDS Element including details of flow restrictions and associated calculations showing that the system will not flood under the requirements the SuDS standards. These must be submitted to and approved by the local planning authority.

Reason

To ensure the drainage strategy meets the technical standards and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

12. Condition

Prior to occupation, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason

To ensure the Sustainable Drainage System has been constructed as agreed and to avoid adverse environmental impact upon the community and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

13. Condition

The development hereby approved shall not be commenced, excluding the works in conjunction with the formation of the vehicular access hereby approved, unless and until the proposed vehicular access to Dunsfold Road has been constructed and provided with visibility splays in accordance with the approved plans and thereafter the visibility

splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

14. Condition

The development hereby approved shall not be first occupied unless and until the proposed pedestrian and cycle access to Dunsfold Road and Nugent Close has been constructed in accordance with the approved plans.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M4 of the Waverley Borough Local Plan 2002.

15. Condition

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

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M4 of the Waverley Borough Local Plan 2002.

16. Condition

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

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) vehicle routing
- (f) measures to prevent the deposit of materials on the highway
- (g) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused

(h) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the National Planning Policy Framework 2012. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. This matter is in connection with the construction process and is therefore a pre commencement condition.

17. Condition

The development hereby approved shall not be first occupied unless and until the following have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) The secure parking of bicycles within the development site,
- (b) Travel Information Pack to be provided to residents regarding the availability of and whereabouts of local public transport, services/amenities and walking/cycling routes, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M4 of the Waverley Borough Local Plan 2002.

18. Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

To ensure an acceptable Sustainable Drainage System and to comply with Policy D1 of the Waverley Borough Local Plan 2002 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS. This is a pre commencement condition because

the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

19. Condition

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 by the applicant and approved by the Planning Authority.

Reason

The development proposed covers a large surface area and it is considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development in accordance with Policy HE15 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

20. Condition

No development shall take place before a scheme has been submitted to and approved in writing by the Local Planning Authority, which specifies the provisions to be made for the control of noise emanating from the site. Thereafter, the use shall not commence until the approved scheme has been fully implemented.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

21. Condition

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for;

- a) An indicative programme for carrying out of the works
- b) The arrangements for public consultation and liaison during the construction works
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)

- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e) the parking of vehicles of site operatives and visitors
- f) loading and unloading of plant and materials
- g) storage of plant and materials used in constructing the development
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i) wheel washing facilities
- j) measures to control the emission of dust and dirt during construction
- k) a scheme for recycling/disposing of waste resulting from demolition and construction works

Where any of the above points are not relevant to the proposed site this should be indicated.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

22. Condition

All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated so that the rating level of noise emitted does not exceed the background sound level, when measured according to British Standard BS4142: 2014 at any adjoining or nearby noise sensitive premises.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

23. Condition

No deliveries shall be taken at or dispatched from the site outside the hours of 08:00- 18:00 Mondays-Fridays and 08:00-13:00 on Saturdays, nor at any time on Sundays and Public Holidays.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

24. Condition
No machinery shall be operated which is audible outside the site boundary outside the following hours:-

08:00 - 18:00 Mondays - Fridays, 08:00 - 13:00 Saturdays and not at all on Sundays or Public Holidays.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

25. Condition
No floodlights or other forms of external lighting shall be installed at the development (either for the carrying out of the development permission or for use when the development is occupied) without the prior permission in writing of the local planning authority.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

26. Condition
No development shall commence, including any groundwork preparation, until a detailed, scaled Tree Protection Plan 'TPP' and related Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Area of trees shown to scale on the TPP including installation of service routings and site access and addressing the heads of terms in Barrell tree report 14428-AA2-DC. All works shall be carried out in strict accordance with the approved details.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

27. Condition
No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by

the Local Planning Authority. The supervision and monitoring shall be undertaken in strict accordance with the approved details. The scheme shall include details of a) a pre-commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and personnel responsible for the implementation of the approved development and b) timings, frequency & methods of site visiting and an agreed reporting process to the Local Planning Authority.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

28. Condition

Before any work begins on site, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved in writing by the Local Planning Authority.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

29. Condition

Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to be agreed with the Local Planning Authority in writing.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

30. Condition

Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.
3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The space referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the Local Planning Authority.

Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

31. Condition

No development shall take place until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

32. Condition

Prior to commencement of development, other than that required to be carried out as part of an approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.

b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include

(i) All works to be undertaken

(ii) Proposed remediation objectives and remediation criteria

(iii) Timetable of works

(iv) Site management procedures

The scheme shall 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. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

33. Condition

Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 32, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works:

- a) An investigation and risk assessment, undertaken in the manner set out in Condition 32 (a) of this permission.
- b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 32 (b).
- c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 32(c).

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

34. Condition

The development must be carried out in strict accordance with the recommendations on pages 21-27 of the Extended Phase 1 Ecological Assessment (Revision 3) (August 2016) and the recommendations on pages 20-25 of the ECOSA Phase 2 Ecological Assessment (Revision 3) (August 2016).

Reason

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts are not endangered by the development in accordance with Policy D5 of the Waverley Borough Local Plan 2002.

35. Condition

The development must be implemented in accordance with an appropriately detailed landscape and ecological management plan (LEMP). This document should be submitted to and approved in writing by the Council prior the commencement of development and should include adequate details of the following;

- Description and evaluation of features to be managed and created including measures to compensate for loss of grassland habitat and proposed tree and hedge removal
- Aims and objectives of management
- Appropriate management options to achieve aims and objectives
- Prescriptions for management actions

Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity

- Ongoing monitoring and remedial measures.

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

36. Condition

The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked. The parking/turning areas shall be retained and maintained for their designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the National Planning Policy Framework 2012.

37. Condition

No operations involving the bulk movement of earthworks/materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the National Planning Policy Framework 2012.

38. Condition

The garaging hereby permitted shall be used and retained solely for the purpose of the parking of vehicles and domestic storage and shall at no time be used for habitable accommodation.

Reason

In order to ensure that sufficient parking is retained for the development and in order that the development should not prejudice highway safety, the free flow of traffic, nor cause inconvenience to other highway users

in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

39. Condition

No development shall take place until details of all proposed screen walls or fences, or other means of enclosure, have been submitted to and approved in writing by the Local Planning Authority, these shall be erected prior to the occupation of any part of the approved development, and thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

40. Condition

Prior to the commencement of development, cross sections/details indicating the proposed finished floor levels of the proposed buildings and finished ground levels surrounding the buildings shall be approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

41. Condition

Prior to commencement of development a detailed remediation strategy for the removal of Himalayan Balsam on the site must be submitted to and approved by the Local Planning Authority and then implemented in accordance with the approved strategy.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it goes to the heart of the matter.

42. Condition
The first floor windows in the southern elevation of plot 18, the north-eastern elevation of plot 27, the south-western elevation of plot 26, the northern elevation of plot 12 and the southern elevation of plot 11 shall be formed of obscure glazing and fixed shut below 1.7 metres from finished floor level to the extent that intervisibility is excluded and shall be retained.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

43. Condition
Prior to the occupation of the first dwelling, any fences on site preventing the use of the proposed cycle/pedestrian links must be removed and the unfenced cycle/pedestrian links at these locations be retained.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

44. Condition
Prior to the occupation of the 40th dwelling the cycle/footpath links connecting to the boundaries with the adjacent site, as shown on the Proposed Site Layout Plan, must be provided and thereafter retained.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Informatives

1. Consideration should be given to the DEFRA good practice guidance "Low Emission Strategy: Using the Planning System to Reduce Transport Emissions" with a view to mitigating the impact of the development.
2. Publicly accessible points can be registered with a national scheme to ensure availability of EVP's to a wider network of users.
3. If any proposed works structurally affect the watercourse then ordinary watercourse consent will be required. Forms are available on request from SUDS@surreycc.gov.uk

4. The applicant should ensure that any receiving water bodies are able to manage the runoff from the development.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see [tp://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme](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.
6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
8. 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.
9. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will

pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

10. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
11. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover
12. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991
13. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing

wqriskmanagement@thameswater.co.uk. Application forms should be completed on line via ww.thameswater.co.uk/wastewaterquality.

14. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
15. The drainage strategy for the site advises that foul flows for the site will drain directly to the TW pumping station (Nugent Close (Dunsfold) SPS). Can the developer please make contact with our Developer Services Department on 0845 850 2777 to discuss this proposal and to ascertain whether upgrades are required at the SPS to accommodate this development.
16. Any unexpected contamination issues should be reported to the Council's Environmental Health Service and actioned in line with industry best practice and relevant British standards.
17. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents during the demolition and/or construction phases of the development. The applicant should follow the guidance provided in the Construction Code of Practice for Small Developments in Waverley.
18. The granting of any permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact the Environmental Health Service on 01483 523393.
19. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

20. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.
21. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
22. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
23. 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.

Recommendation B

That, if the requirements of Recommendation A are not met permission be REFUSED for the following reasons:

1. Reason
The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development. As such, the proposal would fail to effectively limit the impacts of the development on existing infrastructure. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.
2. Reason
The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education; recycling containers; playground refurbishment at King George V playing field; onsite LEAP; Leisure Contribution; environmental enhancements; Woodland improvement; Parish Council 10 year maintenance plan; and the setting up of a Management Company for open space, play space, landscaping and SuDS. The proposal therefore conflicts with Policies

D13 and D14 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF.

3. Reason

The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community, contrary to the requirements of paragraph 50 of the NPPF.