

WA/2022/02506 - Outline application with some matters reserved for the erection of 78 dwellings including associated infrastructure, public open space, parking and access, LAND NORTH OF QUEEN'S MEAD, CENTRED CO-ORDINATES 496040 136027 PETWORTH ROAD, CHIDDINGFOLD.

Applicant: Mr R. Arthur-Francis and Shanly Homes Ltd
Parish: Chiddingfold
Ward: Chiddingfold and Dunsfold
Grid Reference: E: 496040
N: 136027
Case Officer: Michael Eastham
Neighbour Notification Expiry Date: 01/02/2023
Expiry Date/Extended Expiry Date: 16/11/2023

RECOMMENDATION

That, delegated authority be granted to the Executive Head of Planning Development to granted planning permission subject to the applicant entering into an appropriate Section 106 Agreement securing; the provision of affordable housing at 30% plus contribution for 0.4 of a unit; highway improvements to the bus stops on Petworth Road (the A283); Public Footpath Nos. FP557, FP211 and FP238a to Petworth Road to be upgraded to a Public Bridleway; the provision and management of play areas comprising a Locally Equipped Area of Play (a LEAP) and two Local Areas of Play (LAPs) within the site; and the management of a surface water drainage scheme; and subject to the conditions listed below, permission be **GRANTED**.

Site Description

The application site, which measures 4.54 hectares, is situated to the north of Wildwood Close, Queen's Mead, Woodside Road and St Teresa of Avila RC Church and to the west of Petworth Road (the A283); in the village of Chiddingfold. The site is currently occupied by open fields. The entire site is allocated for residential development under Policy HA3 of the Chiddingfold Neighbourhood Plan (i.e. Sites 6 and 7): Site 6 comprises the western parcel of the application site and Site 7 comprises

the eastern parcel of the site, located adjacent to Petworth Road (the A283). The whole site is located within the Surrey Hills Area of Outstanding Natural Beauty (AONB).

Proposal

Outline planning permission is sought for the erection of 78 dwellings including 23 affordable homes, together with the provision of public open space incorporating play areas (i.e. a LEAP and 2 LAPs), car parking and visitor parking, a new vehicular access directly off Petworth Road (the A283), and a new surface water drainage system. The site would be developed in two phases: Phase 1 would involve the development of the eastern parcel of the site comprising 58 units and Phase 2 would be the development of the western parcel of the site comprising 20 units. The applicant is applying for access to the site, appearance, scale and the layout of the proposed development as part of this outline planning application. Details regarding the landscaping of the proposed development would be submitted for consideration as part of a separate reserved matters application.

Relevant Planning History

WA/1991/0068 – Erection of field shelter, Land at Woodside Road, Chiddingfold. Granted on 6th March 1991.

Relevant Planning Constraints

- Surrey Hills Area of Outstanding Natural Beauty (AONB)
- Area of Great Landscape Value (AGLV)
- Green Belt outside of any defined settlement
- RD1 Rural Settlements
- Chiddingfold Conservation Area
- Ancient Woodland 500m Buffer Zone
- Grade 3 Agricultural Land
- Wealden Heaths Phase I SPA 5km Buffer Zone
- Protection of Heritage Assets

Development Plan Policies and Proposals

Local Plan (Part 1) 2018 - Strategic Policies and Sites, 2018 - Policies SP1, SP2, ST1, TD1, HA1, RE2, RE3, ALH1, AHN1, AHN3, CC1, CC4, NE1, NE2.

Local Plan (Part 2) 2013: Site Allocations and Development Management Policies – Policies DM1, DM2, DM4, DM5, DM6, DM7, DM9, DM20, DM25, DM36.

Chiddingfold Neighbourhood Plan (2013-2032), made in May 2021 – Policies KP1, HA3, H3, H4, H5, BE1, BE2, BE3, BE4, BE5, BE6, BE7, TP1, TP2, TP4, RL4, NE1, NE2, NE3, NE4, NE5, I9, I10.

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 (Part 1) 2018, the adopted Local Plan (Part 2) 2023 and the Chiddingfold

Neighbourhood Plan (2013-2032) are the starting point for the assessment of this proposal.

Other Guidance

- National Planning Policy Framework (2023)
- National Planning Practice Guidance (2014)
- Waverley Council's Parking Guidelines (2013)
- Surrey County Council Vehicular and Cycle Parking Guidance (2018)
- Cycling Plan SPD (April 2005)
- Climate Change and Sustainability SPD (October 2022)
- National Design Guide (2019)
- Infrastructure Contributions SPD (2008)
- Residential Extensions SPD (2010)
- Open Space, Sport and Recreation Study (2012)

Consultations and Parish Council Comments

County Highway Authority	No objection subject to conditions and a S106 Agreement to ensure improvements made to the bus stops on Petworth Road; increased pedestrian and cyclist accessibility; introduction of traffic calming measures and Rights of Way improvements.
County Rights of Way Officer	No objection subject to public footpath improvements.
Minerals and Waste Planning Authority	No objection. The proposal should include adequate facilities for waste storage and recycling. A condition is required for the submission of a waste management plan.
Chiddingfold Parish Council	No objection. <ul style="list-style-type: none">• CNP Site HA3 does not require a community building or a nursery school on this site (as shown on the illustrative layout included in the Neighbourhood Plan).

- Proposal for 78 dwellings compared with the CNP Policy HA3 stated minimum of 60.
- Need for 1, 2 and 3 bed homes.
- Insufficient small/detached dwellings.
- Permitted development rights should be withheld to ensure 1, 2 and 3 bed homes are retained.
- Support proposed SuDS scheme.
- Separation of foul and surface water drainage systems is vital.
- Water harvesting, grey water recycling, provision of water butts is encouraged.
- Driveways, parking areas and paths should be permeable.
- Support proposed walking route through site.
- Bus stops should be sited to maximise sight lines on Petworth Rd.
- Southbound bus stop should be located closer to Woodside Road.
- Support cycle storage for each dwelling.
- Support parking over-provision; would support provision of additional visitor parking.
- Prefer one LAP, not two LAPs with funding going towards extending and improving playground on Coxcombe Lane Recreation Ground.
- Benches and picnic tables could be provided in public open space around the ponds.
- Planting native hedgerows and tree planting enhance wildlife corridors and wildlife stepping-stones.
- Support provision of two ponds and protection of existing watercourses.
- Ecological enhancements supported; fencing should have holes for hedgehogs.
- The Council owned land at Petworth Road as the SANG site would deliver the mitigation required, provide

enhanced recreation opportunities and help deliver biodiversity net gain.

- Proposed bridge threatens oak; re-align the road to retain oak tree.
- Buffer (0.5m) on north side of access road inadequate for street trees.
- Footpaths FP557 and FP211 require improved drainage and surfacing.

Surrey Hills AONB Planning Adviser

Object. Over-intensive development, out of character with its AONB setting, with too many parked vehicles for an AONB village. The site could accommodate 65 dwellings. The brief should have been to produce a landscape led scheme for at least 60 dwellings in the most attractive way possible, meeting housing needs that would make a positive contribution to the character of the village.

County Archaeologist

No objection subject to a condition.

Council's Design Officer

No objection. The amended appearance, layout and detailing are now in accordance with the expectations of the masterplan and wider design policies. The scheme has been significantly uplifted and reflects the character of Chiddingfold. Conditions are required regarding the material samples and boundary treatments.

Council's Historic Buildings Officer

Proposed development would result in less than substantial harm (moderate) to Chiddingfold Conservation Area; less than substantial harm (low) to Hatchedts (formerly known as Hill Cottage) Grade II Listed Building; and no harm to Old Dog Kennel Hill House Grade II Listed Building.

The Woodland Trust	No objection provided the Ancient Woodland is afforded a 30 metres buffer free from infrastructure, including roads and SuDS.
Council's Tree Officer	No objection. The layout plan has been amended to ensure retention of mature trees; ensure a reduction in direct impact on the Ancient Woodland to the north; and ensures sufficient space for planting of street trees along the central spine road.
Environmental Health Officer (Pollution)	No objection. A condition is required to guard against risk from unforeseen land contamination.
Environmental Health Officer (Air)	No objection, subject to conditions relating to a Construction Environmental Management Plan, no burning of waste during construction, and controlling hours of construction.
Council's Housing & Enabling Team	No objection subject to completion of a Section 106 Agreement for affordable homes.
Surrey Police	No comment provided.
Natural England	No objection subject to securing appropriate mitigation for recreational pressure impacts on Wealden Heaths Phase I Special Protection Area (SPA).
Surrey Wildlife Trust	No objection subject to conditions.
Lead Local Flood Authority	No objection. Conditions required to ensure SuDS scheme is properly implemented and maintained throughout lifetime of development.

Thames Water	No objection subject to a condition.
Southern Water	No objection subject to conditions. The exact position of the existing foul sewer must be determined on site in consultation with Southern Water.
South East Water	No comment provided.
Scotia Gas Networks (SGN)	No comments to make.
NHS Surrey Heartlands CCG	No comment provided.
Gatwick Airport Safeguarding	No need to be consulted on this application as it is outside the 15km 'physical' safeguarding area.

Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2019” the application was advertised in the newspaper; a site notice was displayed at the site on 14th October 2022 and neighbour notification letters were sent out.

Twelve letters have been received raising objections on the following grounds:

- Residents of Wildwood Close not notified by letter when application submitted.
- Red line boundary incorrect as it includes the stream on the southern boundary.
- The number of proposed dwellings should be reduced.
- Applicant’s leaflets refer to 85 dwellings, not 78 dwellings.
- Dwellings 1-9 face the development so they may overlook other dwellings.
- There would be an increase in traffic on Petworth Road (the A283).
- Any trees that are removed should be replaced.
- The proposed development would generate noise and disturbance.
- Screening is needed for dwellings 1-9 on the far side of the stream.
- The development would lead to the loss of wildlife.

Determining Issues

Principle of Development

Housing Land Supply

Lawful use of the site

Impact on the Surrey Hills AONB and visual amenity considerations

Density

Impact on Trees

Impact on Ancient Woodland

Scale, Layout and Appearance

Housing Mix

Affordable Housing

Highways and Parking

Impact on residential amenity

Public and Amenity Space

Standard of accommodation

Impact on designated Heritage Assets

Archaeology

Flooding and Drainage

Biodiversity and compliance with Habitats and Species Regulations 2017

Effect on the Wealden Heaths Phase I Special Protection Area (SPA)

Contamination

Sustainability

Water Framework Regulations 2011

Self-build and Custom Housebuilding

Human Rights Implications

Other matters

Working in a positive / proactive manner

Planning Considerations

Principle of Development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

Policy SP2 of the Local Plan (Part 1) 2018 sets out the spatial strategy for the Borough and is a key policy in seeking to ensure that the development that takes place in the Borough is sustainable. It seeks to focus development at the four main settlements and, to avoid major development on land of highest amenity and landscape value, and to safeguard the Green Belt.

Policy ALH1 of the Local Plan (Part 1) 2018, which is closely linked with Policy SP2, details the amount and broad distribution of the 11,210 net additional dwellings required in the period from 2013 to 2032 to meet the full, objectively assessed needs for market and affordable housing.

Policy ALH1 accepts that there is not enough suitable land for housing within the existing settlements of the Borough to meet the need for new homes and states that (paragraph 6.16 of the supporting policy text) the Council's strategy includes making selected releases of greenfield land, mostly directed at Farnham and Cranleigh, then Godalming and Haslemere due to their settlement size and facilities. This has been achieved by allocating sites within LPP1 where development can be sustainably achieved outside of settlement boundaries on greenfield sites. Policy ALH1 allocates the provision of 130 dwellings in Chiddingfold in the period 2013 to 2032.

The settlement boundaries for Chiddingfold were previously defined by the Local Plan 2002. A review of the Green Belt boundary in Waverley was undertaken in 2014. The Local Plan (Part 1) 2018 removed the northern part of the village of Chiddingfold from the Green Belt and identified broad areas beyond the settlement boundaries for potential removal from the Green Belt to meet development needs, in accordance with the recommendations of the Green Belt Review. The Chiddingfold Neighbourhood Plan (2013-2032) amended the adopted settlement boundaries, as defined by the Waverley Local Plan 2002, as follows:

- The inclusion of site allocations including Allocation Ref. HA3: land to the rear of Wildwood Close and Queen's Mead (Combined Site H6 & H7). This is the application site.
- Minor adjustments to both settlement boundaries, which are intended to more accurately represent the extent of each built up area, including where development has taken place since the adoption of Local Plan (Part 1).

Consequently, the application site is now located within the settlement boundary of Chiddingfold in the Neighbourhood Plan; but an area at the front of the site, adjoining Petworth Road remains in the Green Belt.

Policy KP1 of the Chiddingfold NP (2013-2032) is consistent with national policy in relation to the Green Belt and is prepared to be in accordance with the adopted Waverley Local Plan policies. Policy KP1 of the NP says that “development proposals within the settlement boundary (detailed at Figure 4.1), except where the settlement boundary is washed over by the Green Belt are acceptable in principle, subject to compliance with other policies in the Development Plan.”

Policy H1 of the Chiddingfold NP (2013-2032) says that the housing allocation HA3: Land to the rear of Wildwood Close and Queen’s Mead (i.e. combined Site H2 & H3) should comprise a minimum net increase in dwelling numbers of 60 units.

Policy HA3 of the Chiddingfold NP (2013-2032) says the development of the land to the rear of Wildwood Close and Queen’s Mead will be required to:

- Deliver at least 60 new dwellings;
- Limit the provision of new dwellings to the parts of the site that are outside the Green Belt;
- Have regard to Supporting Document C of this Neighbourhood Plan; Sites 6 & 7 Illustrative Masterplan and Design Guidelines;
- Identify Suitable Alternative Natural Greenspace capacity to accommodate the development;
- Create a wooded boundary to the eastern edge of the site;
- Provide vehicular access from the A283 and separate pedestrian access points into the eastern and western parcels of land on the site;
- Provide pedestrian connectivity through the site, linking it to the existing public right of way (ref. FP211) which runs along the northern edge of the site;
- Provide fully serviced plots for self-build in accordance with the most up-to-date Housing Needs Assessment;
- Keep existing watercourses open;
- Be informed by a landscape and visual impact assessment; and
- Ensure that the occupation of the development is phased to align with the delivery of water network capacity enhancements and sewerage network reinforcements in liaison with Thames Water and Southern Water respectively.

The site (allocation reference HA3) is split into 2 sites in the Chiddingfold Neighbourhood Plan (sites H6 and H7): Land to the rear of Wildwood Close and Queen’s Mead (combined site) for the development of 60 dwellings. Policy HA3 sought to deliver at least 60 dwellings on site and also have regard to the supporting documents of the Neighbourhood Plan (NP) including Sites 6 & 7 Illustrative Masterplan and Design Guidelines. Policy HA3 in the Neighbourhood Plan – Land to the rear of Wildwood Close and Queen’s Mead - says: “The development of this site will be required to have regard to Supporting Document C of this Neighbourhood Plan: Sites 6 and 7 Illustrative Masterplan and Design Guidelines.” The nursery building in the eastern parcel of the site and the community building in the western parcel of the

site are identified in the Illustrative Masterplan (Preferred Option Masterplan) that accompanies the Neighbourhood Plan.

The amended Design and Access Statement sets out why the nursery building and the community building which are included in the allocation in the Chiddingfold Neighbourhood Plan (2013-2032) are not incorporated in this outline planning application. Where it deviates from the illustrative masterplan is by not providing the new community facility to the northwest and the nursery building at the entrance. The NP policy does not specifically require these and following discussions with the Parish Council it is understood that following further assessment and extensive consultation they were not facilities required by the village on this site and were discounted at the point of the site being allocated for residential development. The space that they occupied has been replaced by housing and open space. The Parish Council has confirmed that it does not intend to develop a nursery building or a community building on the site; and it wishes to see residential development on the site.

The site would be developed in two phases: Phase 1 would involve the development of the eastern parcel comprising 58 units and Phase 2 would be the development of the western parcel comprising 20 units as set out on Drawing No. 22026 S103 - Proposed Phasing Plan.

As such, the principle of residential development on this site is in accordance with the policies in the Local Plan Part 1, 2018 and the Chiddingfold Neighbourhood Plan (2013-2032) as it is an allocated housing site in the NP (Policy HA3). The western and eastern parcels of land within the site are identified as being within the built-up area boundary of Chiddingfold and residential development on this part of the site is considered to be acceptable, in accordance with the policies in the Local Plan (Part 1) 2018 and the Chiddingfold NP (2013-2032).

Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 1st April 2023 on 4th October 2023. The Council calculates it currently has a 3.89 year supply of housing land. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF, 2023 is engaged via footnote 8. As the Council cannot currently demonstrate a 5-year supply, the Council accepts that the 'tilted balance' at paragraph 11(d) of the NPPF, 2023 is engaged and the development plan policies most important in the determination of the application must be considered out-of-date. Permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits. From February 2023 the Council has been subject to the Standard Method for housing need which will potentially affect the Council's annual housing requirement.

Paragraph 11(c) of the NPPF, 2023 advises the approval of development proposals that accord with an up-to-date development plan without delay.

Lawful use of the site

The lawful use of the application site that is subject to the current planning application is agricultural (i.e. Grade 3 agricultural land).

Impact on the Surrey Hills AONB and visual amenity considerations

Paragraph 174 of the NPPF, 2023 states that development should contribute to and enhance the natural and local environment recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

Paragraph 176 of the NPPF, 2023 states that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designate areas.

Paragraph 177 of the NPPF, 2023 states when considering applications for development within Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

The site is a housing allocation in the Chiddingfold Neighbourhood Plan contributing to the Waverley Local Plan requirement for the village to accommodate at least 130 dwellings during the plan period. The Chiddingfold NP (2013-2032) has been through the statutory procedures leading to formal adoption and it complies with the adopted Waverley Local Plan (Part 1) 2018, it would be unnecessary for the application to be tested against the additional tests in paragraph 177 of the NPPF (*set out above*) relating to major development in an AONB. For instance, the major development test as to whether the development need could be met elsewhere outside the AONB has already been carried out in preparing the Local Plan (Part 1) and the Chiddingfold Neighbourhood Plan.

The site is located within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV) wherein Policy RE3 of the Local Plan (Part 1) states that development should serve to conserve or enhance the distinctive character of the landscape in which it is located, commensurate with its designation as a local landscape designation.

Placing this proposal into context, the AONB Planning Adviser considers it is the only major housing development on undeveloped land in the Surrey Hills AONB for many years. The AONB Planning Adviser is concerned that the proposed development is too intensive which would not just result in excessive total building mass but an environment that would be dominated by too many parked vehicles for an AONB

village. The Chiddingfold NP (2013-2032) allocation was for at least 60 dwellings. It is understood that the developer consulted the Parish Council informally on a scheme for 85 dwellings before submitting the current outline planning application for 78 dwellings. The AONB Planning Adviser considers that between 60 and 65 dwellings may be more appropriate to the setting of this site on the outer edge of the village which together with the landscape beyond are both protected under their AONB status. The AONB Planning Adviser considers the layout shows buildings and car parking areas coming too close to the roads leading to insufficient space for hedgerow and tree planting. Deeper native tree and hedgerow planting should be provided along the north-east boundary to extend towards the central spine road up to Petworth Road (the A283), to screen views of the development from the main road and the adjoining AONB.

The AONB Planning Adviser considers that the brief should have been to produce a landscape led scheme which would make a positive contribution to the character of Chiddingfold; and that the application should be refused as the proposal constitutes an over-intensive form of development, which would be out of character with its AONB setting, contrary to Local Plan Policy RE3, Surrey Hills AONB policies P1, P2 and P3 and paragraph 176 of the NPPF, 2023.

It is considered unlikely that the proposed quantum of 78 dwellings would have significantly different effects than the 65 dwellings proposed by the AONB Planning Adviser, due to the proposed layout, the omission of the community building and the nursery building and the associated parking; the retention of the wooded stream across the site; the setback of buildings from the central spine road generally allowing space for planting; the retention of a substantial tract of greenspace around the site boundary which would enable the planting of new trees and hedgerows; and the swathe of open space that is proposed on the land that is to be retained as Green Belt adjacent to Petworth Road (the A283) in the eastern most part of the site.

The proposed layout plan (Drawing No. 22026 P101 Rev. U) retains the westernmost part of the site as open space; approximately 0.6 hectares of land in the western parcel of the site has been kept free of built development within the proposed layout plan when compared to the design within the Neighbourhood Plan masterplan. There is also a much wider tree belt between the western parcel and the eastern parcel on the proposed layout plan than that shown on the Neighbourhood Plan masterplan, which would have the effect of spreading the development further apart and is additional to the 0.6 hectares of land in the western parcel of the site.

It is calculated that the proposed scheme provides a 20-25% reduction in net developable area (i.e. footprint of built development) compared to the Neighbourhood Plan masterplan. The footprint of the proposed built development is more compact and contains fewer parking spaces (i.e. 180 spaces) due to the omission of the community building and the nursery building from the proposed development.

The Parish Council has commented that the proposed buffer zone of 0.5m on the northern side of the access road is inadequate. The amended Site Layout Plan (Drawing No. 22026 P101 Rev. U) illustrates the north side of the central spine road averaging over 3.0m of retained verges for trees and defensible planting / hedgerows, well in excess of the 0.5m quoted by the Parish Council.

In terms of a landscape led scheme, the landscape details would be submitted under a separate reserved matters application; and it is considered that there is sufficient space within the site to create green and blue infrastructure led development which would integrate well with the residential area of Chiddingfold to the south, in accordance with the Illustrative Masterplan and Design Guidelines for the Neighbourhood Plan.

A Landscape and Visual Evidence (Volume 1) dated June 2022; and a Landscape and Visual Impact Appraisal, (LVIA: Volume 2), dated August 2022 have been submitted, which conclude that the proposal would result in a variety of residual landscape effects. Two receptors in the LVIA: topography and perceptual qualities, were predicted to experience major/moderate adverse effects, due to the levelling works required to build houses on the gently undulating terrain on this allocated site. The proposed layout seeks to minimise the amount of levelling works by positioning houses along the contours, rather than across them. The visual change in the landscape (i.e. perceptual qualities) when viewed from the north would be a result of the change from wooded countryside into a housing development on the northern boundary of Chiddingfold. Moderate/minor effects are predicted visually from Petworth Road (the A283) and roads to the south of the site where there is intervening built form, hedgerows and tree cover. Minor adverse effects are expected from the PRoW in the east where views are partly screened and across Petworth Road (the A283). Effects on views from the Cricket Ground to the south of the site are expected to be neutral due to the screening effects of the intervening houses, St Teresa of Avila RC Church and the existing tree cover. It is therefore considered that partial views of the housing development on the site would be expected on the approach to a village and that total screening would be more obtrusive and less characteristic than partial views.

As such, the proposed development complies with Policies RE2 and RE3 of the Local Plan (Part 1) 2018, Policy NE2 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Density

The proposed layout would provide 78 dwellings giving a residential density of 17.18 dwellings per hectare (dph); which is low. Whereas the Chiddingfold Neighbourhood Plan Design Guide states new housing developments “to have densities between 23 and 30 dwellings per hectare with a range of house-types.” The proposed development comprises a low-density development; not an over-intensive form of development as claimed by the AONB Planning Adviser. As such, the proposal is considered to be appropriate for this edge of village location in Chiddingfold.

Impact on Trees

Policy NE2 of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023 state that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. The NPPF, 2023 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 DM11 of

the Local Plan (Part 2) supports the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control. Policy NE2 of the Chiddingfold NP (2013-2032) says that development of any site in Chiddingfold Parish should retain woodland, important trees and hedgerows.

A Tree Survey and Impact Assessment (6th September 2022), a Tree Protection Plan (Drawing No. 1892-KC-XX-YTREE-TPP01 Rev. C) and a Tree Constraints Plan (Drawing No. 1892-KC-XX-YTREE-TCP01 Rev. A) have been submitted.

The Council's Tree Officer initially raised concerns about the close proximity of the dwellings in the western most part of the site to the footpath (FP557), and the need for good separation between the proposed dwellings and the mature trees along the northern and southern boundaries in the eastern parcel of the site. An amended Site Layout Plan (Drawing No. 22026 P101 Rev. U) has been submitted pulling the dwellings eastwards away from the footpath (FP557) in the western parcel and adding screen planting in the western parcel; and pulling the dwellings away from the retained trees which grow along the northern and southern boundaries in the eastern parcel of the site, providing good separation between the proposed dwellings and the retained mature trees, with potential for under-storey planting. The Council's Tree Officer is satisfied with the amended layout which includes space to accommodate the planting of medium sized and longer lasting trees along the central spine road.

As such, the proposed development complies with Policy NE2 of the Local Plan (Part 1), Policy DM11 of the Local Plan (Part 2), Policy NE2 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Impact on Ancient Woodland

The Council's Tree Officer was initially concerned about reducing the direct impact of the development upon the Ancient Woodland further to the north. In terms of the Ancient Woodland there are two paths connecting into footpath FP557, one more centrally located to access the LEAP with the other connecting to the south of plots 71 and 78 directing pedestrians towards the village. Providing a wide enough surface for cyclists will help to protect the ancient woodland from the increase in use of the Rights of Way network north of the site. The Council's Tree Officer is satisfied with the proposed upgrading of footpath FP557 as this should reduce those wishing to wander off and create a greater impact upon the Ancient Woodland.

The amended layout plan (Drawing No. 22026 P101 Rev. U) ensures an offset of up to 39 metres from the Ancient Woodland which is located to the north-east of the site, thereby ensuring there is a stand-off buffer between the Ancient Woodland and the proposed dwellings, which exceeds the required minimum of 30 metres buffer zone, in accordance with the requirements of the Woodland Trust. Given the separation distance between the proposed built development and the Ancient Woodland it is unlikely that there would be material harm as a result of the development proposed. Therefore, it is considered acceptable and in accordance with Policy NE2 of the Local Plan (Part 1) 2018, Policy DM11 of the Local Plan (Part 2) 2023 and the NPPF, 2023.

Scale, Layout and Appearance

Policy TD1 of the Local Plan (Part 1) states “the Council will ensure that the character and amenity of the Borough are protected by requiring new development to be of a high quality and inclusive design that responds to the distinctive local character of the area in which it is located.” Policy DM1 of the Local Plan (Part 2) states that development should not cause harm or damage to existing environmental assets and, and maximise opportunities to enhance such assets. Policy DM4 of the Local Plan (Part 2) states that all new development will be expected to be of a high-quality design. Development should respond effectively to its surroundings, reinforcing local distinctiveness and landscape and historic townscape character. It sets the principles of good design.

The application includes a Figure Ground Analysis Plan which compares the layout of the proposed residential development against the layout in the Neighbourhood Plan. The Figure Ground Analysis submitted with the planning application indicates that the area of land covered by built development in the proposed development would cover less land than the built development in the Neighbourhood Plan, and it would include a larger area of public open space, with the removal of the community building and the nursery building; but an increase in the number of dwellings from 60 to 78 dwellings, which is considered to be acceptable as the land covered by built development would be reduced.

In terms of scale, the majority of dwellings are 1.5 and 2 storeys with focal buildings at 2.5 storeys, in compliance with the Chiddingfold NP (2013-2032). This relatively traditional appearance would not conflict with the existing dwellings on Wildwood Close, Woodside Road and Queens Mead and Petworth Road and would not be harmful to the character or appearance of the area.

The proposed layout was informed by the ‘Chiddingfold Sites 6 and 7 Illustrative Masterplan and Design Guidelines’ (2017) prepared for the Chiddingfold Neighbourhood Plan Steering Group by Aecom, which examined opportunities and constraints which fed into the iterative masterplanning process. Chiddingfold Neighbourhood Plan preferred masterplan comprised a building footprint coverage totalling 0.611ha of the site area, whereas the Site Layout Plan (Drawing No. 22026 P101 Rev. U) submitted with the application comprises a building footprint coverage totalling 0.609 ha of the site area. Therefore, the proposed area of built development would cover less land (i.e. 0.002ha less) than that set out in the Chiddingfold Neighbourhood Plan preferred masterplan.

The amended layout plan (Drawing No. 22026 P101 Rev. U) has removed the car parking spaces in front of dwellings along the central spine road and provided parking spaces down the sides of the dwellings and to the rear of dwellings, thereby improving the street scene and removing the appearance of a car parking dominated scheme. The amended layout plan includes a footpath running along the southern part of the site, linking up the areas of open space and improving connectivity for pedestrians east / west across the site. Following on from the Design Workshop which was held on Thursday 2nd February 2023, the design and appearance of the “Georgian” buildings has been amended, the entrances are now located centrally on the long elevation; render has been replaced with brick and tile or brick and slate. The 2 apartment buildings (Plots 45-51 and 52-58) in the centre of the site have been re-designed (see Drawing Nos. 22026 P146 Rev. C and 22026 P148 Rev. C; the bulk

and massing of the roofs have been reduced, reducing the core bulk considerably to the upper parts of the central apartment buildings; the 2 apartment buildings have the appearance of large Edwardian Villas that have been extended over time; the lift has been removed from both buildings with a dedicated stair to the uppermost (3 bed) apartment.

The amended plans for Plots 73, 74 and 75 located in the western parcel of the site give the building the appearance of a historic Lodge for the Victorian (apartment) buildings accommodating Plots 45-51 and 52-58, which are located in the eastern parcel of the site, which works well on the site. Additional chimneys, ridge tiles and barge boards incorporating decorative detailing were added to the proposed dwellings across the site and window details and porch details were altered; and blank elevations and side elevations were removed to ensure every dwelling had an active frontage facing onto the central spine road. To add further interest to the appearance of the built development, half hipped roofs and catslide roofs have been incorporated in the design of a number of dwellings on the site. The basis of the design approach is the Chiddingfold Character Appraisal.

The development includes a bridge to cross the stream and connect Sites 6 and 7; the design and appearance of the bridge is set out on Drawing No. 22026 P163. The bridge would be brick facing with a timber projecting framework and timber railings; it would comprise a pre-cast concrete arch faced in brickwork. The appearance of the bridge is acceptable as it is a traditional design that is in keeping with the road and railway bridges in the surrounding area.

The Parish Council has requested the re-alignment of the link road into the western parcel as the proposed bridge threatens an oak tree. In terms of the location of the proposed bridge it is necessary to access the western parcel. As set out within the supporting Tree Survey and Impact Assessment, the link road between the parcels requires the loss of a section of scrub and small trees (number 21 in the tree schedule) and one of the larger oak trees in tree group 22. It is intended to retain the other trees alongside the link road in order that their amenity would continue to be enjoyed. Loss of trees on this boundary is inevitable in order to link the two parcels and this arrangement has sought to minimise the impact to acceptable levels. The loss of these trees should be considered in relation to the scheme as a whole that successfully retains the majority of trees within the site. To re-locate the proposed link would likely have a greater impact than currently proposed. The application has been subject to consultation with the Tree and Landscape Officer who has raised no objection to the location of the link road.

The Council's Design Officer is satisfied that the amended appearance, layout and detailing are in accordance with the expectations of the masterplan and wider design policies. As a result, the scheme has been significantly uplifted and reflects the character of Chiddingfold. In particular, the attention to detail including the chimneys on each dwelling or group, ridge tile detailing, eaves details and tile hanging all contribute to a well-considered and thoughtful scheme. The Design Officer has requested that conditions be imposed regarding the submission of material samples and boundary treatments. To avoid these key details being lost during construction, appropriate conditions are included whereby material samples should be submitted (not just photographs), with a clear plan showing the location of each material. The

submission of a materials condition and a boundary treatments condition are considered appropriate and they meet the six tests for imposing conditions set out in the NPPF, 2023.

It is also considered appropriate to withdraw permitted development (PD) rights to the dwellings on the site to retain control over the habitable accommodation at these dwellings and to control further development of the site in the interests of the character of the area and amenities of nearby properties. The Parish Council had requested the withdrawal of PD to ensure 1, 2 and 3 bed homes are retained.

As such, subject to a materials condition, a boundary treatments condition and a condition withdrawing the PD rights, the proposal complies with Policy TD1 of the Local Plan (Part 1) 2018, Policies DM1 and DM4 of the Local Plan (Part 2), Policy BE1 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Housing Mix

The NPPF, 2023 states that a local housing needs assessment should be made to determine the amount, type, size and tenure of housing needed and reflected in policy.

Policy AHN3 of the Local Plan (Part 1) 2018 sets out that 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), 2015.

The SHMA 2015 sets out the likely profile of household types in the housing market area; and the SHMA 2015 provides the following information with regards to the indicative requirements for different dwelling sizes.

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

The applicant's proposed housing mix would comprise:

Market units: 16 x 2 bed, 26 x 3 bed and 13 x 4 bed = 55 units.

Affordable units: 9 x 1 bed, 7 x 2 bed, 6 x 3 bed and 1 x 4 bed = 23 units.

The Parish Council has commented that it does not consider the scheme to include sufficient smaller, detached properties of a design which would appeal to residents seeking to downsize. The application provides for a broad mix of house-types ranging from 1, 2 and 3 bedroom apartments and 2, 3, 4 and 5 bedroom houses broadly in line with the most up-to-date evidence in the SHMA and [Waverley Housing Affordability Study 2021](#). In addition, the scheme has been subject to extensive discussions with the Council's Housing Enabling Team which is supportive of the proposed scheme.

Affordable Housing

Policy AHN1 of the Local Plan (Part 1) 2018 states that the Council will require a minimum provision of 30% affordable housing on all housing development sites which meet the required criteria.

The affordable housing requirement, as set out in Policy AHN1 of the Local Plan (Part 1) 2018, is 30% affordable housing on qualifying sites. On this site of 78 new dwellings, 23 are proposed as affordable which equates to 29.49%; 30% would generate 23.4 affordable homes. The Council's Housing Enabling Team has suggested 23 affordable homes be provided on the application site and the remaining 0.4 homes as a commuted sum, which should be calculated according to the methodology in the Affordable Housing Supplementary Planning Document. To work out the commuted sum, an independent valuation would be required of the Open Market Value of units on the site, along with the Gross Internal Floor Area in order to calculate the sales rate (£ per sqm). The Open Market Values and Gross Internal Floor Areas must be signed off by a RICS Chartered Surveyor or RIBA member architect.

Policy AHN1 of the Local Plan (Part 1) 2018 requires the mix of dwelling types, sizes and tenure split to reflect the type of housing identified in the most up to date evidence of housing need. The Council's latest needs evidence is the [Waverley Housing Affordability Study 2021](#).

Whilst the affordable homes would be allocated to households in housing need from across the borough and there would be no policy requirement to restrict the homes to households from Chiddingfold, it is important to take into account the Chiddingfold Neighbourhood Plan which covers the site and is a material consideration in planning decisions.

The following revised affordable housing tenure mix has been agreed and this will be secured in the Section 106 Agreement: Agreement to provide social rents is a good result for the Council and in line with the priorities in our Housing Strategy, Affordable Housing SPD and the wishes on the Parish Council. Social rent is the most affordable housing tenure, will contribute towards a more balanced community and should be attributed more weight than other tenures which are not as affordable in the local context. The Council's Housing Enabling Team's priority for rented housing is for social rents as reflected in the Affordable Homes Delivery Strategy 2022-25: Build More, Build Better, Build for Life, under Action BB2 which states 'delivery of social rent is considered first, in preference to Affordable Rent on all planning applications requiring affordable housing.' Therefore, the provision of social rather than affordable rents is recommended. Social rent is the most affordable tenure of all, equivalent to around 55% of the local market rent, and there is a pressing need to deliver this tenure to meet the needs of Waverley's lowest income households. Being clear about the Council's expectations from the outset about the rent levels we need creates an even playing field between affordable housing providers. This should be set out clearly in the s.106 agreement.

	<u>First Homes</u>	<u>Shared ownership</u>	<u>Social Rent</u>	<u>TOTAL</u>
<u>1 bed flats</u>	<u>6</u>	<u>0</u>	<u>3</u>	<u>9</u>
<u>2 bed flats</u>	<u>0</u>	<u>2</u>	<u>4</u>	<u>6</u>

<u>2 bed house</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>
<u>3 bed flat</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>2</u>
<u>3 bed house</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>5</u>
<u>TOTAL</u>	<u>6 (26%)</u>	<u>2 (9%)</u>	<u>15 (65%)</u>	<u>23</u>

The proposed dwelling size mix is in accordance with the most up-to-date evidence of housing need and would be appropriate. The proposal therefore complies with Policies AHN1 and AHN3 of the Local Plan (Part 1) 2018 and the NPPF, 2023 and Policy H3 of the Chiddingfold Neighbourhood Plan (2013-2032).

National requirements for First Homes and 10% affordable home ownership have been introduced. The First Homes requirement (25% of all affordable homes to be First Homes), and the requirement for 10% of homes across the development as a whole to be for affordable home-ownership are national policy requirements. These changes are set out in the Affordable Housing SPD update which was adopted at Full Council on 21st March 2023.

First Homes is a discounted market sale product sold at a 30% discount and the sale price after discount must be no higher than £250k. In practice, due to high property prices in Waverley, this means that First Homes will be 1-bed and 2-beds.

Upon the introduction of First Homes via the NPPG, Waverley Borough Council commissioned two studies:

- [Waverley Housing Affordability Study 2021](#)
- [Waverley First Homes Viability Update 2021](#)

The affordable housing should be owned and managed by a housing association or the Council (with nomination rights secured via a nomination agreement if delivered by a housing association). The applicant is encouraged to engage with affordable housing providers and to look to partner with a provider at an early stage so that they can feed into discussions on rent levels, design and future management.

Affordable homes should be indistinguishable from the market housing on the site in terms of their external appearance, in order to promote a tenure neutral environment. It should be workable for affordable housing providers to mix social rent and shared ownership in one apartment building, but it is important to take advice from providers at this stage, particularly with regard to management and service charging issues. First Homes are not managed by an affordable housing provider but sold directly by the developer.

The pepper potting of 23 affordable dwellings in 3 clusters comprising Plots 73-75 and 76-78 in the western parcel of the site; Plots 13-20 on the central spine road; and in

Apartment Building A (Plots 45-51) and Apartment Block B (Plots 52-58) is acceptable as it complies with Policy AHN1 of the Local Plan (Part 1) 2018 and Policy H4 of the Chiddingfold NP (2013-2032).

A Section 106 Agreement has been drafted to secure the provision of affordable housing. As such, subject to the signing of the S106 Agreement, the proposed development complies with Policies AHN1 and AHN3 of the Local Plan (Part 1) 2018, Policy H3 and Policy H4 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Standard of accommodation

Policy TD1 of the Local Plan (Part 1) 2018 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site play-space provision, appropriate facilities for the storage of waste and private clothes drying facilities. Policy DM5 of the Local Plan (Part 2) 2023 says developments should meet, as a minimum, the DCLG's Technical Housing Standards – Nationally Described Space Standard (and/or subsequent revisions to this standard).

All affordable housing provision has been designed in accordance with the requirements of the Nationally Described Space Standards (NDSS).

Unit type proposed	Gross Internal Floor area to meet NDSS
1-bed flat	50 sqm (1 bed 2 person)
2-bed house	79 sqm (2 bed 4 person)
3-bed house (2 storeys)	102 sqm (3 bed 6 person) if rented; if shared ownership, 93 sqm is acceptable
4-bed house (3 storeys)	112 sqm (4 bed 6 person); 121 sqm (4 bed 7 person); to 130 sqm (4 bed 8 person)

Affordable homes should all meet the M4(2) building regulations for accessibility as set out in Policy AHN3 of the Local Plan (Part 1) 2018 and have their own private amenity space wherever possible. Policy AHN3 of Local Plan (Part 1) states that “*the Council will require the provision on new developments to meet building regulations M4 (2); accessible and adaptable dwellings to meet the needs of older people and those with disabilities*”. A 3-bed family home is proposed to be provided as M4(3) wheelchair accessible on Plot 78, which is acceptable as it is in line with current need for adapted dwellings from the Housing Needs Register.

The proposal includes the provision of bin stores to serve the dwellings. Whilst these are shown, it is considered that further detail in relation to their material and appearance would be required to be submitted by means of condition on any grant of permission. No objection is raised with regard to the principle of the provision of such stores and, subject to condition, it is considered that there would be no likely material

visual harm. A swept path analysis plan of a 10.98 metres long refuse truck has been submitted which could be accommodated within the proposed site layout and it is acceptable.

As such, the proposed development complies with Policies TD1 and AHN3 of the Local Plan (Part 1) 2018 and Policy DM5 of the Local Plan (Part 2) 2023, in terms of standards of accommodation.

Highways and Parking

Policy ST1 of the Local Plan (Part 1) 2018 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.

The Transport Statement dated 23rd August 2022 illustrates that the proposed development could generate up to 39 two-way vehicular trips (which equates to one additional vehicular trip every 1 ½ minutes) during peak hours, which is considered to be acceptable. The proposed vehicular access would be via a new access/egress onto Petworth Road (the A283); and footways would be provided at the site access and egress onto Petworth Road. A Transport Note dated 3rd March 2023, the amended Site Layout Plan (Drawing No. 22026 P101 Rev. U) and the visibility splay plans submitted on 5th April 2023 demonstrate that pedestrian crossing points are provided on the central spine road and, where provided, appropriate visibility splays are achieved; traffic calming features are provided along the central spine road to achieve a design speed of 20mph; with a single 2.0 metre service margin on one side of the carriageway to accommodate underground services. The submitted swept path analysis plans demonstrate that a refuse vehicle and delivery vehicles can appropriately access and manoeuvre through the site and bin collection points are located on the route of the refuse vehicle, within an appropriate trolley distance for waste collection operatives.

The County Highway Authority requested improvements to pedestrian crossings within the village. The proposed improvements comprise the provision of dropped kerbs with tactile paving across Woodside Road (pedestrian route from Wildwood Close to Coxcombe Lane), dropped kerbs with tactile paving across three access junctions on Coxcombe Lane and dropped kerbs with tactile paving at the Woodside Road arm of the Woodside Road/Petworth Road junction. The proposed improvements are considered to be appropriate to ensure there is a safe and accessible walking route from the site to the village centre; these improvements would be secured via a s106 Agreement.

The County Highway Authority requested a contribution of £60,000 towards the upgrading of the surfacing and drainage of Public Footpaths FP557, FP211 and FP238a to a Public Bridleway to link future residents by bike to the wider Public Bridleway network. The proposed upgrade of the footpaths to a public bridleway are

considered to be appropriate to improve access for residents; these improvements would be secured via a s106 Agreement.

The bus stops adjacent to the site entrance serve route Number 71 between Guildford and Woolmer Hill in Haslemere, which is an hourly service which runs from Mondays to Saturdays inclusive. The bus stops also provide access to school service PT3, which connects Chiddingfold with St Peter's School in Mero. The County Highway Authority requested improvements to the bus stops and the bus lay-bys including the provision of shelters and real time passenger information; and the provision of a pedestrian crossing on Petworth Road (the A283) in between the location of the two bus stops. Improvements can be provided to the northbound bus stop on Petworth Road (the A283) including the re-location of the bus shelter and provision of real time passenger information; a southbound on-carriageway bus cage marking, along with bus stop flag post, can be accommodated. The Parish Council's comments relating to the preferred location of the existing bus layby and southbound bus stop would be taken into consideration at the detailed design stage in liaison with the County Highway Authority when entering into a s278 agreement (i.e. s278 of the Highways Act) to undertake off-site highways works which are to be secured via a s106 Agreement.

The NPPF, 2023 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. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents. The total car parking requirement in the Council's Parking Guidelines (2013) is 172.5 spaces. Parking has been provided in excess of guidance. The submitted plans show 181 car parking spaces in total (i.e. average of 2.3 spaces per dwelling); and 17 parking spaces would be allocated to visitors, in the form of lay-by parking spaces. This over-provision of car parking spaces on the site is in response to the Parish Council's concerns regarding car parking, and it is considered to be acceptable to avoid parking along the central spine road. The proposed development includes the provision of secure cycle parking spaces in garages and cycle sheds comprising 1 cycle space per 1-bedroom and 2-bedroom units and 2 spaces for 3+ bedroom units which is in compliance with the Council's Parking Guidelines.

It is therefore considered that the proposed development would not prejudice the highway safety of the area and it would provide sufficient parking to serve the proposed dwellings. As such, subject to conditions and the signing of a S106 Agreement for the proposed highway works and upgrades to the public footpaths, the proposed development complies with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2), Policies TP1, TP2, TP4 and RL4 of the Chiddingfold NP (2013-2032), the Council's Parking Guidelines (2013) and the NPPF, 2023.

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 guidance contained in the Council's SPD for Residential Extensions. Policy DM5 of the Local Plan (Part 2) states that development should avoid harm to the amenity of future and existing occupants of nearby land, buildings and residences including by way of overlooking, loss of daylight or sunlight, or overbearing appearance.

Policy DM5 of the Local Plan (Part 2) sets out requirements for 20 square metres of private shared amenity space per-flat. If, as is the case here private amenity patios/balconies are provided to the individual properties – at a minimum of 1.5 x 2.0 metres, then the private shared amenity requirement reduces to 15 square metres per flat.

Policy BE3 of the Chiddingfold NP (2013-2032) says all proposals for new housing developments should demonstrate that they provide adequate external space in order to ensure an appropriate living environment for current and future occupiers. To achieve this, developments should provide an area of external amenity space for each dwelling that is private; usable; appropriately located; and secure and defensible. Where community amenity space is provided instead of private gardens, a standard of 20 square metres per dwelling will be sought.

The proposed development would be sufficiently separated from neighbouring Housing on Queen's Mead, Wildwood Close, Woodside Road and Petworth Road (the A283), that window to window distances would exceed the 21 metre' minimum separation distance set out in the Council's Residential Extensions SPD.

The two apartment buildings (Plots 45-51 and 52-58) in the centre of the site would both comprise 7 flats incorporating 105 square metres minimum of private external amenity space. The Lodge (accommodating Plots 73-75) has private amenity space. Plot 73 has private amenity space measuring 27 square metres; Plots 74 has private amenity space measuring 30 square metres and Plot 75 has private amenity space measuring 48 square metres. All of the apartments would have a private balcony or allocated frontage patios measuring a minimum of 1.5 x 2.0 metres. Private amenity space is proposed to the south of the apartment buildings, and adjacent to The Lodge which is defensible space to ensure privacy and security, to be secured and separated with fencing/hedging and gated access. Private amenity is to be enclosed and secured for exclusive use by flat residents with gated links to the footpath.

As such, the proposal complies with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM5 of the Local Plan (Part 2), Policy BE3 of the Chiddingfold NP (2013-2032) and the Council's Residential Extensions SPD, in this regard.

Public and Amenity Space

On promoting healthy communities, the NPPF sets out that the planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourages 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.

Policy LRC1 of the Local Plan (Part 1) 2018 states that proposals for new residential development will be expected to make provision for play space in accordance with the Fields in Trust standard. For the size of the development, the Fields in Trust standard expects a Local Area for Play (LAP) and a Local Equipped Area of Play (LEAP) to be provided.

The proposed development includes two LAPs and a LEAP, which exceeds the Fields in Trust standard; all of which would incorporate timber play equipment and they would offer the wider community more recreational opportunity.

The Parish Council would prefer one LAP, not two LAPs with the funding achieved from only providing one LAP going towards extending and improving the playground on Coxcombe Lane Recreation Ground. However, the development would be subject to CIL which would give the parish funding they can utilise for local projects such as improvements to the existing playground on the Coxcombe Lane Recreation Ground; so there is no need to reduce the number of LAPs on the site.

A connecting footpath has been shown running through the parcels along the southern part of the site, increasing connectivity across the site between the public open spaces; a LAP with play-space has been incorporated at the eastern end of the site, near the site entrance onto Petworth Road (the A283); and another LAP has been proposed next to the attenuation basin in the eastern parcel of the site; and a LEAP with timber play equipment is proposed in the western parcel of the site, adjacent to the public right of way (Public Footpath No. FP557). Provision has also been made for general amenity space for future occupiers within and around the edges of the site incorporating orienteering points and rest areas. The maintenance of the public open spaces and the play areas on the site would be covered in a Section 106 Agreement. The S106 Agreement will include a clause that the LEAP in the western parcel of the site will be open for use by the residents of Wildwood Close, Woodside Road, Queen's Mead and the surrounding area as well as the future residents of this new development.

The proposed on-site provision of play space, comprising one LEAP and two LAPS is considered to be acceptable. As such, subject to a S106 Agreement, the proposed development complies with Policy LRC1 of the Local Plan (Part 1) 2018, the NPPF, 2023 and the Fields in Trust standard.

Impact on designated Heritage Assets

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

Paragraphs 199, 200, 201 and 202 of the NPPF, 2023 are of particular relevance and are provided below:

Paragraph 199 of the NPPF, 2023 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 200 of the NPPF, 2023 states: “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) Grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) Assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”

Paragraph 201 of the NPPF, 2023 states: “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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 202 of the NPPF, 2023 states: “Where a development 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, where appropriate, securing its optimum viable use.” The National Planning Practice Guidance (NPPG) 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.

Following on from 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 Section 66 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.

The application of the statutory duties within Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Policy DM20 of the Local Plan (Part 2) 2023 states that proposals which would cause less than substantial harm to the significance of the heritage asset will be considered against the other public benefits to be gained. The Council will give great weight to the desirability of preserving the building, its setting or any features of special architectural or historic interest.

The site is located outside of the Chiddingfold Conservation Area; and in close proximity to two Grade II Listed Buildings comprising Hatchetts (formerly known as Hill Cottage) which is a 17th century timber framed cottage of one storey with attic under tile hung gabled dormers, on Petworth Road (the A283) and Old Dog Kennel Hill House, which is a 17th century timber framed cottage with subsequent alterations and extensions on Woodside Road.

The proposed development would introduce a large amount of built form, including vehicle movement and lighting, on a previously undeveloped field which is currently open and unscreened on the north-eastern boundary. Overall, these changes would urbanise the general character of the surrounding landscape and views from the Conservation Area (plate 3 in the submitted Heritage Statement). Housing is already visible from this viewpoint (in particular the properties at Wildwood Close) but the built form will be over 150 metres closer and will introduce vehicle movements. The lack of housing and proposed public open space at the entrance to the site does reduce this harm and the landscape screening on the north-east boundary is vital to retain the rural landscape on the approach to the conservation area from the north and minimise/mitigate the harm. But this screening will take a number of years to establish and have any effect and will not entirely remove the urbanising effect. Therefore, less than substantial harm is identified. Considering the visibility of the site within the Conservation Area and the contribution it makes to the significance this harm is considered to be moderate. This harm could be reduced slightly more through moving the access road further south, allowing for a deeper native boundary.

The development would be visible from the Conservation Area, particularly in the gap between Number 1 The Cricket Green and St Teresa of Avila Church. Plans indicate the boundary screening will be reinforced here (this is vital in order to mitigate/minimise the harm). Therefore, less than substantial harm is identified and it would be on the lower end with mitigation (i.e. significant screening). It would be expected that at the reserved matters stage the proposed landscaping would be designed to reduce the visual intrusion of the new dwellings in views from Woodside Road, in particular behind St Teresa of Avila Church.

As with the conservation area, the proposal will alter the wider rural landscape character surrounding Hatchetts, bringing urbanising built form closer. However, it is not within principal views of or from the listed building and built form is already visible.

Therefore, considering the limited contribution the site makes to the significance, with mitigation (significant screening), less than substantial harm is identified and with mitigation (significant screening) this is minimal.

The Council's Historic Buildings Officer considers that the proposed development would result in less than substantial harm (moderate – subject to mitigation i.e. significant screening) to Chiddingfold Conservation Area and less than substantial harm (low – subject to mitigation) to Hatchetts (formerly known as Hill Cottage) Grade II Listed Building. The proposal may be visible from Old Dog Kennel Hill House, but this would be limited and seen within the context of significant later development; and therefore, no harm is identified to Old Dog Kennel Hill House Grade II Listed Building.

As such, the public benefits that the development may achieve need to be considered as part of the assessment of the application in accordance with paragraph 202 of the NPPF, 2023, along with the contents of the 1990 Act (as amended). It is therefore necessary to consider the public benefits that the development may achieve balanced against the over-development of the site. These include:

- Providing much needed housing to meet the deficit in Waverley's 5-year Housing Land Supply (HLS).
- Benefitting the streets in the vicinity of the site from increased natural surveillance, reducing crime and anti-social behaviour.
- Creating construction jobs.
- Creating new sources of employment and economic activity at the site.

In conclusion, the public benefits of the proposed development sufficiently outweigh the harm caused to Chiddingfold Conservation Area and the two II Listed Buildings: Hatchetts (formerly known as Hill Cottage) and Old Dog Kennel Hill House.

As such, the proposal complies with Policy HA1 of the Local Plan (Part 1) 2018, Policy DM20 of the Local Plan (Part 2) 2023, Policy BE6 of the Chiddingfold NP (2013-2032), the NPPF, 2023 and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.

Archaeology

Policy HA1 of the Local Plan (Part 1) 2018 states that the Council will ensure that the significance of heritage assets within the Borough are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment by, inter alia, facilitating and supporting the identification and review of heritage assets of local historic, architectural and archaeological significance.

Policy DM25 of the Local Plan (Part 2) 2023 requires that appropriate desk-based or field surveys should be submitted with an application and appropriate measures taken to ensure any important remains are preserved.

Policy BE7 of the Chiddingfold NP (2013-2032) says "where important archaeological remains are found to exist, and can justifiably be left in situ, their protection will be required by planning condition or legal agreement."

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The County Archaeologist has reviewed this application and commented that the application site is over the 0.4 hectares, which is recommended for archaeological assessment and possibly evaluation under Policy DM25 of the Local Plan (Part 2).

The application is accompanied by a desk based archaeological assessment prepared by RPS Group. The County Archaeologist has confirmed that the desk based archaeological assessment has consulted all currently available sources, including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that the site itself does not contain any known heritage assets and has a seemingly low archaeological potential. However, the report also states that no previous archaeological investigations have been carried out in the vicinity and so the potential for this area would best be described as uncertain.

The County Archaeologist has recommended that a programme of investigation in the form of a trial trench evaluation should be carried out. The results of the evaluation will enable suitable mitigation measures to be developed for the site should significant remains be present. These mitigation measures may involve more detailed excavation of any archaeological remains, but in the event of a find of exceptional significance then preservation in situ is the preferred option. The County Archaeologist therefore advises that in this case it is reasonable and proportionate to require that a condition is imposed requiring a site-wide trial trench evaluation. This would provide for the opportunity to influence the design and logistics of the development and accommodate any Archaeological Assets worthy of preservation in situ within the detailed development proposal.

It is considered that, subject to a suitably worded condition, the proposed development would not result in harm to archaeological assets and would accord with Policy HA1 of the Local Plan (Part 1) 2018, Policy DM25 of the Local Plan (Part 2), Policy BE7 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Flooding and Drainage

Policy CC4 of the Local Plan (Part 1) 2018 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 flood 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.

Policy NE3 of the Chiddingfold NP (2013-2032) says proposals for the enhancement of existing watercourses, and the creation of new ponds and wetland areas will be supported.

Paragraph 159 of the NPPF, 2023 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future), but where development is necessary in such areas, the development should be made for its lifetime without increasing flood risk elsewhere.

Paragraph 167 of the NPPF, 2023 states that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) 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;
- b) The development is appropriately flood resistant and resilient;
- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Paragraph 169 of the NPPF, 2023 states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) Take account of advice from the lead local flood authority;
- b) Have appropriate proposed minimum operational standards;
- c) Have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d) Where possible, provide multifunctional benefits.

This general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by sources of flooding where possible. The site is in Flood Zone 1.

A Flood Risk Assessment and Drainage Strategy (version C02, dated 19th August 2022), a Stormwater Drainage Design (version C04, dated 3rd March 2023), together with a Flood Risk and Drainage Addendum (version C02, dated 3rd March 2023), prepared by Water Environment were submitted with the planning application and during the consultation period.

The Lead Local Flood Authority (LLFA) initially raised an objection as an integrated sustainable drainage approach had not been proposed. The LLFA requested that the layout should be amended to include swales and an attenuation basin for the western parcel of the site be supported by calculations and the submission of evidence to support the proposed discharge rates from the site.

An updated drainage strategy has been submitted, to address the ordinary watercourse buffer requirement, and to accommodate additional sustainable drainage features within the development. The amended sustainable drainage features include a new surface water attenuation pond for the western parcel of the site and subsequent reduction in underground storage area; and the addition of a swale to drain the central spine road in the eastern parcel of the site. Permeable paving would be incorporated for car parking areas and other SuDS such as tree pits would be considered at the reserved matters stage. The strategy is to discharge to the adjacent river at 11.7 litres per second for the eastern parcel of the site and 5.3 litres per second for the western parcel of the site, for all rainfall events up to and including the 100 year plus climate change event with all stormwater being attenuated below ground. The updated drainage strategy has been submitted in an addendum note, which supersedes the drainage strategy presented in the Flood Risk Assessment (FRA); but the remainder of the FRA remains unchanged.

It is understood that the provision of a swale along the eastern boundary of the central spine road on the western parcel of the site was considered, however, the presence of tree root protection areas (RPAs) in that area meant that a swale could not be included at this stage. This could be re-assessed at the reserved matters stage, once the site-wide levels have been confirmed, as it may be possible to incorporate a shallow swale above the tree roots if it is possible to raise the levels in that area.

The layout changes include an adjustment to the alignment of the proposed built development along the southern boundary of the eastern parcel of the site, to accommodate the required 5.0 metre' buffer zone (easement) to the stream which is an ordinary watercourse.

Following the submission of the updated drainage strategy, the LLFA has withdrawn its objection and it is satisfied with the proposed drainage scheme and has recommended surface water conditions.

As such, subject to surface water conditions, the proposed development complies with Policy CC4 of the Local Plan (Part 1) 2018, Policy NE3 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Foul Water Drainage

In terms of wastewater, foul drainage from the eastern parcel of the site would drain by gravity from east to west in 150mm clay pipework and discharge into manhole number 8001; the western parcel of the site would drain by gravity in 150mm clay pipework from south to north to the north eastern corner of the western parcel; crossing the base of the stream in a new concrete structure and connecting by gravity to manhole 9101, which is considered to be acceptable in principle. As such, the proposed development complies with Policy I9 of the Chiddingfold NP (2013-2032) and the NPPF, 2023.

Biodiversity and compliance with Habitats and Species Regulations 2017

The NPPF requires that 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.' The Council have consulted with Surrey Wildlife Trust on this application.

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated. Policy DM1 of the Local Plan (Part 2) sets out that development should avoid negative impacts upon biodiversity.

A Preliminary Ecological Appraisal Report (dated August 2022) was submitted with the application, which identified that the main protected species present on site are bats and it made recommendations including a sensitive lighting strategy and the retention of hedgerows.

Surrey Wildlife Trust requested further surveys for protected species to inform an Ecological Impact Assessment. In response an Ecological Impact Assessment, dated February 2023 was submitted which included the results of further surveys of protected species. The Ecological Impact Assessment also set out the ecological enhancements comprising: the grassland in the east and west of the site to be retained as open space to be sown with a suitable species-rich meadow mix; the north east boundary of the site to be planted with a species-rich native hedgerow mix; a pond will be created adjacent to the wooded ditch in the centre of the site, with an additional pond created in the north west corner of the site; native tree and shrub planting will be undertaken across the site; a minimum of 20 integrated bat bricks (25%) on new dwellings and a minimum of 20 bat boxes or bark boxes (25%) on retained mature trees; a minimum of 39 integrated swift bricks on new dwellings; a minimum of 20 bird boxes or bark boxes to include nest boxes for house sparrow, starling and tit species and one tawny owl nest box to be sited in woodland to be installed on retained mature trees across the site; and 20 bee bricks on new dwellings and three insect hotels or bee posts within new areas of open space.

Surrey Wildlife Trust requested a more detailed assessment of whether the severance could impact upon the movement of barbastelle across the site. The presence of a 10 metres gap in the woodland belt between the eastern and western parcels could influence behaviour through noise, physical collision with vehicles, impact upon the availability of prey and the reduction in quality of a commuting route. Following Surrey Wildlife Trust's request, a more detailed assessment was provided in a letter submitted on 18th May 2023 explaining that the proposed layout includes a road connection between the two parcels of land requiring a 10-metre gap to be created. The letter was accompanied by Drawing No. 2852-DFL-ELG-XX-LD-EO-13001-S3-P01 and a Lighting Strategy (prepared by DFL, April 2023).

Four trees would be removed, but two trees closest to the road would be retained. The tree canopies would remain in close proximity and this area would be maintained at below 0.5 lux. Impacts are further mitigated through the provision of a green corridor to the east of the hedgerow, which would provide habitat for bats (all of which is below 0.5 lux), including ponds and tussocky field margin which would provide enriched habitat for prey items for Barbastelle bats. The risk of bat collision with vehicles is considered to be low, taking into account the nature of the central spine road and the availability of the upper tree canopy as a commuting feature. Overall, it is considered that appropriate measures to avoid and mitigate impacts on Barbastelle bats would be provided, and there would be no significant effect on Barbastelle bats or the Ebernoe Common SAC as a result of the proposed development.

Surrey Wildlife Trust is satisfied with the Lighting Strategy (Ref. 2852-DFL-ELG-XX-RP-EO-13001-S3-P01) and Horizontal Illuminance (lux) drawing (Drawing No. 2852-DFL-ELG-XX-LD-EO-13001-S3-P01) that have been submitted; and this should be conditioned. The Light Spill Diagram demonstrates it is feasible to maintain a lux level of less than 0.5lux across the foraging and commuting routes used by barbastelle bats, which confirms that the proposal is unlikely to have a negative impact upon barbastelle bats and therefore upon Ebernoe Common Special Area of Conservation. Surrey Wildlife Trust advises that if granted, the proposal proceeds in line with this lighting proposal; and any deviation should be approved by a suitably qualified ecologist.

Ethos Environmental Planning advise in the Ecological Impact Assessment (Ethos Environmental Planning, August 2022) that “A woodland mitigation strategy is required to set out the measures required to mitigate impacts on the adjacent ancient woodland.” Surrey Wildlife Trust advise that the applicant is required to submit the Woodland Mitigation Strategy prior to the commencement of development; and this should be conditioned. Surrey Wildlife Trust has also recommended a condition in respect of a Landscape and Ecological Management Plan (LEMP), which is considered to be acceptable.

As such, subject to conditions, it is considered that the proposed development complies with Policy NE1 of the Local Plan: Part 1, Policy DM1 of Local Plan (Part 2) and the NPPF, in terms of habitat protection and ecological enhancement.

Effect on the Wealden Heaths Phase I Special Protection Area (SPA)

Policy NE1 of the Chiddingfold NP (2013-2032) says proposals that result in significant harm to designated environmental assets, especially the Wealden Heaths Phase I SPA that cannot be avoided, adequately mitigated or, as a last resort, compensate for, will only be supported in exceptional circumstances.”

The site is located within the Wealden Heaths Phase I SPA 5km Buffer Zone and given the number of houses planned, a Suitable Alternative Natural Greenspace (SANG) is required as mitigation. The proposal would result in an increase in the number of people permanently residing on the site and would therefore have a likely significant effect on the integrity of the Wealden Heaths Phase I SPA, due to the risk of increased recreational pressure that could be caused by residential development and therefore such development will require an appropriate assessment.

The Council has carried out an Appropriate Assessment in accordance with paragraph 63 (3) of the Conservation of Habitats and Species Regulations, 2017. The Council is satisfied that the applicant has submitted sufficient information to demonstrate that the proposed development would not result in an adverse effect on the integrity of the European site. A S106 Agreement would be required to secure a financial contribution towards the provision of Suitable Alternative Natural Greenspace (SANG).

The provision of a bespoke SANG is required to mitigate the impact of the proposed development on the Wealden Heath Phase I SPA. Natural England is satisfied with the proposal for a bespoke SANG to be located directly north of the site and incorporate part of Stillers Copse, which is Ancient Wood. Natural England requested securing full implementation, delivery and in-perpetuity funding and management of Stillers Copse Suitable Alternative Natural Greenspace (SANG) under WA/2023/02004 as appropriate mitigation for recreational pressure impacts on Wealden Heaths Phase I SPA. The proposed site for the SANG incorporates dense woodland, open meadows, and a partial riverine character. A Management Plan has been submitted with the SANG application which sets out the management and capacity of the site, costings, funding mechanisms and the body responsible for this (with step-in-rights secured in the event of a private management company) to ensure the SANG is appropriately secured in perpetuity, by means of a separate S106 agreement which would be imposed on WA/2023/02004.

The S106 agreement to be imposed on WA/2022/02506 would secure the SANG prior to first occupation of the first dwelling, which is the point at which the recreational pressure exists that requires the mitigation in the form of a SANG. It is considered that the proposed development would not result in a likely significant impact on the integrity of the Wealden Heaths Phase I SPA due to the secured mitigation solution at the Stillers Copse SANG. As such, the proposed development is acceptable and it complies with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Policy NE1 of the Chiddingfold Neighbourhood Plan (2013-2032), Regulation 62 of the Conservation of Habitats and Species Regulations 2017 and the NPPF, 2023.

Contamination

Policy DM1 of the Local Plan (Part 2) 2023 states that in areas where contamination is known or likely to be found, be subject to a desk-based assessment of the likelihood and extent of land contamination, followed by an intrusive investigation where appropriate, together with the provision of any appropriate remediation measures.

Third party comments were raised regarding available information on ground conditions. A Phase I and II Geo-Environmental Risk Assessment (dated 24th May 2021) has been submitted which concluded that any imported topsoil to sustain planting should be chemically suitable for use in private gardens; and the water company should be consulted prior to water main installation to ensure the materials encountered are suitable for the desired water main. Once these risks have been evaluated/implemented the environmental risk assessment can be considered complete and the development would be suitable for occupancy.

Environmental Health has reviewed the submitted Phase I + II Geo-Environmental Risk Assessment Report (Aviron Associates Limited, May 2021) and has

recommended a condition to guard against risk from unforeseen land contamination, which is considered acceptable as it meets all 6 tests of applying conditions as set out in the NPPF, 2023.

As such, subject to a condition to guard against risk from unforeseen land contamination, the proposed development complies with Policy DM1 of the Local Plan (Part 2) 2023 and the NPPF, 2023.

Sustainability

Waverley Borough Council has declared a climate emergency. The motion was passed at a Full Council meeting on Wednesday 18th September 2019 which sets out the Council's aim to become carbon neutral by 2030. Policy CC1 of the Local Plan (Part 1) 2018 relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, setting out a number of measures against which developments should accord. Policy CC2 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions through a number of measures relating to new development. Policy DM1 and DM2 of Local Plan (Part 2) 2023 seeks to improve energy efficiency and reduce carbon emissions in the Borough.

The Sustainability & Energy Statement dated 17th August 2022 and a completed Climate Change and Sustainability Checklist were submitted with the application. The Sustainability & Energy Statement proposes the installation of air source heat pumps to all units on the site; together with energy efficiency measures incorporated into the fabric specification of all of the proposed dwellings. The Statement confirms that rainwater harvesting butts could be provided for landscaping maintenance.

The permission would be conditioned to ensure appropriate sustainability and climate change measures within the development such as the requirement for an electric vehicle charging point and the requirement that the dwelling meets the 110 litres of water per person per day in accordance with the above policies.

As such, subject to conditions, the proposal complies with Policies CC1 and CC2 of the Local Plan (Part 1) 2018, Policies DM1 and DM2 of Local Plan (Part 2) 2023, Policy I10 of the Chiddingfold NP (2013-2032) and the NPPF, 2023 in terms of ensuring that the development includes measures to minimise energy and water use.

Water Framework Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focussing on ecology. It is designed to:

- Enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems.
- Promote the sustainable use of water.
- Reduce pollution of water, especially by 'priority' and 'priority hazardous' substances.
- Ensure progressive reduction of groundwater pollution.

The proposed development would not conflict with these regulations.

Self-build and Custom Housebuilding

Policy DM36 of the Local Plan (Part 2) 2023 is strong on the provision of self-build and custom housebuilding for development proposals of 20 or more additional dwellings; and Policy HA3 of the Chiddingfold NP (2013-2032) refers to the provision of fully serviced plots for self-build in accordance with the most up-to-date Housing Needs Assessment. The Council should be seeking to secure self-build and custom housebuilding and ensuring that it is contained in S106 agreements. However, it is considered that these are not workable within the context of the village character of Chiddingfold. Self-build plots are either better sited on a smaller dedicated site or on a much larger urban extension type development where the masterplan has the ability and the space to incorporate them, so they provide their own context. The Community Infrastructure Levy (CIL) contribution from this development could be utilised for the provision of self-build plots if there is a real need and desire for them in the Parish.

Human Rights Implications

The proposal would have no material impact on human rights.

Other Matters

Third party comments were raised that the red line location plan was incorrect as it included land along the southern boundary including the stream that were not within the control of the applicant. The applicant has submitted an amended red line location plan to address this anomaly.

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 paragraph 38 of the NPPF, 2023. 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.

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

Conclusion

The proposed residential development would provide 78 additional units of accommodation in a sustainable location. The principle of residential development on this site is in accordance with the policies in the Local Plan (Part 1) 2018 as it is an allocated housing site in Policy HA3 of the Chiddingfold NP (2013-2032). The western and eastern parcels of land within the site are identified as being within the built-area boundary of Chiddingfold and residential development on these parcels of land within the site is considered to be acceptable, in accordance with the policies in the Chiddingfold NP (2013-2032) and the Local Plan (Part 1) 2018.

Paragraph 11(c) of the NPPF, 2023 advises the approval of development proposals that accord with an up-to-date development plan without delay.

Recommendation

That, delegated authority be granted to the Executive Head of Planning Development to grant planning permission subject to the applicant entering into an appropriate Section 106 Agreement securing the provision of affordable housing at 30% and a financial contribution equivalent to 0.4 of a unit ; highway improvements to the bus stops on Petworth Road (the A283); Public Footpath Nos. FP557, FP211 and FP238a to be upgraded to a Public Bridleway; the provision and management of play areas comprising a Locally Equipped Area of Play (a LEAP) and two Local Areas of Play (LAPs) within the site; the management of a surface water drainage scheme on the site and any unadopted space within the development and any minor amendments to the wording of conditions; that permission be **GRANTED** subject to the following conditions:

1. Condition:

Approval of the details of the landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved and in accordance with the approved phasing plan.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition:

Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Condition:

The submission of a reserved matter application pursuant to this outline planning permission shall together provide for no more than 78 dwellings.

Reason:

For the Council to control the amount of development constructed on the site and to accord with Policy TD1 of the Local Plan (Part 1) 2018.

4. Condition:

The development shall be carried out in accordance with the following approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority:

- Loc/001 Rev. C – Site Location Plan
- 22026 S102 Rev. B - Existing Site Survey
- 22026 P101 Rev. U - Proposed Site Layout
- 22026 S103 – Proposed Phasing Plan
- 22026 P102 Rev. L - Proposed Material Plan
- 22026 P103 Rev. L - Proposed Surfaces Plan
- 22026 P104 Rev. L - Proposed Boundary Treatments
- 22026 C101 Rev. E - Coloured Site Layout
- 22026 C102 Rev. B – Coloured Street Scenes (1 of 2)
- 22026 P106 Rev. B – Coloured Street Scenes (2 of 2)
- 22026 P120 Rev. B - Plot 1 Proposed Plans & Elevations
- 22026 P121 Rev. B - Plot 2 Proposed Plans & Elevations
- 22026 P122 Rev. B - Plots 3 - 5 Proposed Plans & Elevations
- 22026 P123 Rev. B - Plots 6 - 8 Proposed Plans & Elevations
- 22026 P124 Rev. B - Plots 9 & 10 Proposed Plans & Elevations
- 22026 P125 Rev. B - Plots 11 & 12 Proposed Plans & Elevations
- 22026 22026 P126 Rev. B - Plots 13 - 15 Proposed Elevations
- 22026 P127 Rev. C - Plots 16 - 18 Proposed Plans & Elevations
- 22026 P128 Rev. B - Plots 19 & 20 Proposed Plans & Elevations
- 22026 P129 Rev. B - Plot 21 Proposed Plans & Elevations
- 22026 P130 Rev. B - Plots 22 & 23 Proposed Plans & Elevations
- 22026 P131 Rev. B - Plot 24 Proposed Plans & Elevations
- 22026 P132 Rev. B - Plot 25 Proposed Plans & Elevations
- 22026 P133 Rev. B - Plot 26 Proposed Plans & Elevations
- 22026 P134 Rev. B - Plot 27 Proposed Plans & Elevations
- 22026 P135 Rev. B - Plot 28 Proposed Plans & Elevations
- 22026 P136 Rev. B - Plot 29 Proposed Plans & Elevations
- 22026 P137 Rev. B - Plot 30 Proposed Plans & Elevations
- 22026 P138 Rev. B - Plot 31 Proposed Plans & Elevations
- 22026 P139 Rev. B - Plot 32 Proposed Plans & Elevations
- 22026 P140 Rev. B - Plots 33 & 34 Proposed Plans & Elevations
- 22026 P141 Rev. C - Plots 35 - 37 Proposed Plans & Elevations
- 22026 P142 Rev. B - Plots 38 & 39 Proposed Plans & Elevations
- 22026 P143 Rev. B - Plots 40 & 41 Proposed Plans & Elevations
- 22026 P144 Rev. B - Plots 42 - 44 Proposed Plans & Elevations
- 22026 P145 Rev. C - Plots 42 - 44 Proposed Plans & Elevations
- 22026 P146 Rev. C - Apartment Block A Proposed Elevations
- 22026 P147 Rev. C - Apartment Block B Proposed Floor Plans
- 22026 P148 Rev. C - Apartment Block B Proposed Elevations

- 22026 P150 Rev. B - Plots 59 - 60 Proposed Plans & Elevations
- 22026 P151 Rev. B - Plot 61 Proposed Plans & Elevations
- 22026 P152 Rev. B - Plot 62 Proposed Plans & Elevations
- 22026 P153 Rev. B - Plot 63 Proposed Plans & Elevations
- 22026 P154 Rev. B - Plot 64 Proposed Plans & Elevations
- 22026 P155 Rev. B - Plot 65 Proposed Plans & Elevations
- 22026 P156 Rev. C - Plots 66 & 67 Proposed Plans & Elevations
- 22026 P157 Rev. C - Plots 68 - 70 Proposed Plans & Elevations
- 22026 P158 Rev. B - Plots 71 & 72 Proposed Plans & Elevations
- 22026 P159 Rev. B - Plots 73 - 75 Proposed Plans & Elevations
- 22026 P160 Rev. C - Plots 76 - 78 Proposed Plans & Elevations
- 22026 P161 Rev. A - Ancillary Buildings 1 of 2
- 22026 P162 Rev. A - Ancillary Buildings 2 of 2
- 22026 P163 - Proposed Bridge Plans & Elevations
- Schedule of Accommodation
- 2201060-03 Rev. C – Pedestrian Connections
- 2201060-04 Rev. F – Proposed Pedestrian Crossing and Visibility Splays
- 2201060-05 Rev. F – Visibility Splays
- 2201060-06 Rev. C – Forward Visibility
- 2201060-12 Rev. F – Forward Visibility
- 2201060-07 Rev. C – Traffic Calming Measures
- 2201060-02 Rev. G – Proposed Access Arrangement and Visibility Splays
- 2201060-08 Rev. C – Proposed Improvements to Local Bus Infrastructure
- 2022-05-25 – Petworth Road
- 2201060-TK04 Rev. C – Swept Path Analysis Bus
- 2201060-TK02 Rev. E – Swept Path Analysis Refuse Vehicle
- 2201060-TK03 Rev. E – Swept Path Analysis 7.5t Box Van
- 2201060-09 Rev. A – Refuse Collection Points and Trolley Distances
- 1892-KC-XX-YTREE-TCP01 Rev. A - Tree Constraints Plan
- 1892-KC-XX-YTREE-TPP01 Rev. C - Tree Protection Plan
- 2852-DFL-ELG-XX-LD-EO-13001-S3-P01 – Horizontal Illuminance (lux) drawing.
- Lighting Strategy (Ref. 2852-DFL-ELG-XX-RP-EO-13001-S3-P01).

Reason:

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM5 of the Local Plan (Part 2) 2023.

5. Condition:

The development hereby permitted shall not commence until full details of existing and proposed ground levels (referenced as Ordnance Datum) for each phase within the site and on land and buildings adjoining the site, including the

finished floor levels of each proposed dwelling, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Finished floor levels should be set at least 300mm above the 1 in 100 plus 455 climate change allowance flood water levels, which is referred to as the design flood event.

Reason:

In the interests of the amenities of neighbouring properties and the character of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1, DM4 and DM5 of the Local Plan (Part 2) 2023. This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

6. Condition:

No above ground development associated with the dwellings hereby permitted shall commence until details and samples of the materials to be used in the external elevations for each phase have been submitted to and been approved in writing by the Local Planning Authority. Material samples should be submitted (not just photographs), with a clear plan showing the location of each material. The development shall be carried out in accordance with the approved details.

Reason:

In the interests of the visual amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policies DM1 and DM4 of Local Plan (Part 2) 2023.

7. Condition:

The dwellings hereby permitted shall not be occupied until details of the boundary treatments have been submitted to and been approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason:

To safeguard the amenities of the neighbouring properties in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM4 and DM5 of the Local Plan (Part 2) 2023.

8. Condition:

The dwellings of each phase hereby permitted shall not be occupied until written evidence has been submitted to and approved in writing by the Local Planning Authority (LPA) demonstrating that they will achieve a maximum water use of no

more than 110 litres per person per day as defined in paragraph 36(2b) of the Building Regulations 2010 (as amended), measured in accordance with the methodology set out in Approved Document G (2015 edition with 2016 amendments). Such evidence shall be in the form of a Design Stage water efficiency calculator. The development shall be completed wholly in accordance with the agreed details.

Reason:

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources in accordance with Policies CC1 and CC2 of the Local Plan (Part 1) 2018 and Policy DM2 of Local Plan (Part 2) 2023.

9. Condition:

No development shall be occupied until confirmation has been provided that either:

- all water network upgrades required to accommodate the additional demand to serve the relevant phase of the development have been completed; or
- a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason:

The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with Policies CC1 and CC4 of the Local Plan (Part 1) 2018, Policy NE3 of the Chiddingfold Neighbourhood Plan (2013-2032) and with the National Planning Policy Framework, 2023.

10. Condition:

Each phase of the development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+40% allowance for climate change) & 1 in 100 (+45% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate no greater than 11.7 litres/second for the

eastern parcel of the site and 5.3 litres/second for the western parcel of the site.

- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) Evidence that a 5m stand-off has been provided from the top of the banks of the existing ordinary water courses located within and along the site boundary.
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flooding.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- g) Prior to the occupation of any Phase, the drainage works related to that Phase (as specified in the drainage strategy approved pursuant to this condition) must be completed.

The development shall be undertaken in complete accordance with the approved details.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policies CC1 and CC4 of the Local Plan (Part 1) 2018, Policy NE3 of the Chiddingfold Neighbourhood Plan (2013-2032) and with Paragraph 169 of the National Planning Policy Framework, 2023.

11. Condition:

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and be approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation

devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason:

To ensure the Drainage System is designed to the he National Non-Statutory Technical Standards for SuDS, in accordance with Policies CC1 and CC4 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023, Policy NE3 of the Chiddingfold Neighbourhood Plan (2013-2032) and with Paragraph 169 of the National Planning Policy Framework, 2023.

12. Condition:

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted a local remediation strategy to the LPA detailing how this unexpected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Following completion of approved remediation works a verification report demonstrating the effectiveness of the approved remediation works carried out shall be submitted to the Local Planning authority for approval prior to occupation of the development.

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 risk to workers, neighbours and other off-site receptors in accordance with Policy DM1 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

13. Condition:

Any reserved matters application relating to landscaping shall be accompanied by an Arboricultural Method Statement confirming how retained trees on site shall be protected during the course of construction. The development shall be carried out in completely accordance with agreed Arboricultural Method Statement. Tree protection to be provided in phases in accordance with the phasing plan to be submitted as part of the reserved matters application.

Reason:

In order to protect any trees that are to remain on the site, in accordance with Policy NE2 of the Local Plan (Part 1) 2018, Policies DM1, DM4 and DM11 of the Local Plan (Part 2), 2023 and Policy NE2 of the Chiddingfold Neighbourhood Plan (2013-2032).

14. Condition:

Prior to the occupation of the first dwelling the proposed vehicular access to Petworth Road (the A283) shall be constructed and provided with visibility splays in accordance with Drawing No. 2201060-02 Rev. G – “Proposed Access Arrangement and Visibility Splays”. Thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6 metres and 2 metres high above ground level.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

15. Condition:

Prior to occupation of the development, a package of improvements works to the bus stops called ‘Petworth Road Catholic Church’ shall be agreed to in consultation with the County Council and constructed in accordance with the agreed scheme. These works should include, but not limited to:

- The replacement and relocation of the northbound shelter to a Littlethorpe shelter, provided with a power source and lighting and Real Time Passenger Information (RTPI). The bus stop flag post should also be relocated.
- The reconfiguration of the northbound lay by to allow a bus to stop parallel to the kerb, while also being able to safely manoeuvre into and from the layby.
- Installation of a bus stop flag post and timetable casing for the southbound service.
- Pedestrian crossing points over Petworth Road and the access to 'Oakwood' provided with tactile paving in between the bus stops.
- A 9.0m length of 125-140mm high kerbs to provide comfortable alighting and boarding for passengers.
- The provision of bus stop clearway road markings for both bus stops.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

16. Condition:

Prior to occupation of the development, the following pedestrian crossing points within the village shall be constructed with flush dropped kerbs and tactile paving in accordance with a scheme to be submitted to and approved by the

County Council. The crossing points include, and are not limited to, the following locations:

- The eastern end of Woodside Road.
- The southern end of Coxcombe Lane.
- Across Woodside Road adjacent to where Public Footpath 557 meets it.
- The access to Stillers from Woodside Road, Queens Mead.
- The double access to the houses at the northern western end of Coxcombe Lane.
- The access to Chiddingfold Village Hall from Coxcombe Lane, Ridgley Road with Coxcombe Lane.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

17. Condition:

Following the construction of the bridge and prior to the commencement of Phase 2 the whole portion of Public Footpath Number 557 within the site and its link with the site estate roads south of Plot 70 shall be constructed and surfaced to be a 3.0m shared cycleway in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. Furthermore, the scheme shall include access details of the site links to the north and south on Footpath Number 557 to ensure accessibility for all pedestrians and cyclists. These accesses into the site shall be a minimum of 3.0m wide.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

18. Condition:

Following the construction of the bridge and prior to the commencement of Phase 2, the proposed path running south of Plots 71 and 78 to Public Footpath 557 shall be constructed and made accessible to residents of the development in accordance with a scheme to be submitted to and approved by 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 Policy ST1 of the

Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

19. Condition:

Phase 1 and Phase 2 (respectively) of the development shall not be occupied unless and until the internal junctions and pedestrian crossing points within the respective phase have been constructed and provided with visibility zones in accordance with the approved plans (Drawing No. 2201060-05-RevF) and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

20. Condition:

Phase 1 and Phase 2 (respectively) of the development shall not be first occupied unless and until space has been laid out within the respective phase of the site in accordance with the approved plans (Drawing No.22026-P101-U) 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 Policy ST1 of the Local Plan (Part 1) 2018, Policy TP4 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

21. Condition:

The development hereby approved shall not be first occupied unless and until independently accessible secure parking of cycle integral to each dwelling or building within the development site have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to encourage sustainable travel, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

22. Condition:

The development hereby approved shall not be first occupied unless and until welcome packs to include information relating to the availability of and whereabouts of local public transport, walking, cycling, car clubs, local shops, schools and community facilities. Thereafter the agreed Welcome Packs shall be issued to each new first-time occupier and the cycle parking shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In order to encourage sustainable travel, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP2 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

23. Condition:

Prior to commencement of Phase 1 and Phase 2 (respectively) of the development a scheme detailing the type of secure, covered cycle parking for dwellings within the respective phase shall be submitted to, and be approved in writing by the Local Planning Authority, and should comprise:

- Houses (to include dedicated independently accessible cycle stores with a standard three-point plug socket for charging e-bikes).
- Flats (communal cycle storage for flats should be provided with enough standard three-point plug sockets to enable 20% of spaces to be used for the charging of e-bikes).

Reason:

In order to encourage sustainable travel, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP2 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

24. Condition:

Prior to the occupation of the development, a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", in general accordance with the 'Heads of Travel Plan' document and the submitted Framework Travel Plan dated August 2022 by the applicant. The updated Travel Statement is to include details of:

- (a) The amount of car and cycle parking available to residents within the site.
- (b) The name and/or job title of the person in the site management company who will distribute the Welcome Pack, and any other responsibilities as required by the measures set out within the Statement.
- (c) The details of the scheme to distribute the sustainable travel vouchers.
- (d) The Welcome Pack for new residents, which should include:
 - (i) Details of local public transport services and location of rail stations and local bus stops.

- (ii) Details of lift sharing schemes.
- (iii) Maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities.
- (iv) Information to promote the take-up of sustainable travel.

The approved Travel Statement shall then be implemented and for each and every subsequent occupation of the development, thereafter, maintain and develop the Travel Statement to the satisfaction of the Local Planning Authority.

Reason:

In order to encourage sustainable travel, in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy TP2 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

25. Condition:

Phase 1 and Phase 2 (respectively) of the development hereby approved shall not be occupied unless and until each of the proposed dwellings within the respective phase and at least 50% of the visitor spaces within the respective phase are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Local Plan (Part 1) 2018, Policy DM9 of Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

26. 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 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 (augur piling shall be used wherever possible), 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 minimise emissions to air during demolition and construction including emissions of dust and dirt, and emissions from vehicles operating on site.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023, and Policies NE4 and NE5 of the Chiddingfold Neighbourhood Plan (2013-2032).

27. 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. provision of boundary hoarding behind any visibility zones
- f. HGV deliveries and hours of operation
- g. vehicle routing
- h. measures to prevent the deposit of materials on the highway
- i. before and after construction condition surveys of the highway and commitment to fund the repair of any damage caused
- j. no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Woodside Road, Queens Mead, Coxcombe Lane or Petworth Road during these times
- k. 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 ST1 of the Local Plan (Part 1) 2018, Policy DM9 of the Local Plan (Part 2) 2023, and Policies NE4 and NE5 of the Chiddingfold Neighbourhood Plan (2013-2032).

28. Condition:

Prior to the commencement of construction and demolition activities (including groundworks) a Waste Management Plan shall be submitted and be approved in writing by the Local Planning Authority, demonstrating that:

(a) the waste generated during the construction, demolition and excavation phase of development is limited to the minimum quantity necessary.

(b) opportunities for re-use and for the recycling of construction, demolition and excavation residues and waste on site are maximised.

(c) on-site facilities to manage the waste arising during the operation of the development of an appropriate type and scale have been considered as part of the development.

(d) integrated storage to facilitate re-use and recycling of waste is incorporated in the development in compliance with Surrey Waste Local Plan 2020.

Reason:

In the interests of the visual amenity of the area, in accordance with Policies DM5 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

29. Condition:

There shall be no burning of any waste or other materials on the site during the construction phase.

Reason:

In the interests of residential amenity, in accordance with Policies DM5 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

30. Condition:

No machinery or plant shall be operated, no demolition or construction processes carried out and no deliveries taken at or dispatched from the site except between the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason:

In the interests of residential amenity, in accordance with Policies DM5 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2023.

31. Condition:

No above ground development associated with the development shall commence until a sensitive lighting management plan has been submitted to and been approved in writing by the Local Planning Authority. The management plan shall detail how all external lighting installed on this development shall comply with the recommendations of the Bat Conservation Trusts' document

entitled “Bats and lighting in the UK – Bats and the Built Environment Series”. The development shall be undertaken in complete accordance with the approved details thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018, Policy DM1 of Local Plan (Part 2) 2023, Policies NE1 and NE4 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

32. Condition:

Any reserved matters application relating to landscaping (as required by condition 2) shall include a phased Landscape and Ecological Management Plan (LEMP). Proposals for ecological enhancement, and where required, compensation and mitigation put forward within the LEMP should be based on the impact avoidance, mitigation and biodiversity enhancement recommendations of Sections 6 and 7 of the Ecological Impact Assessment, dated February 2023, prepared by Ethos Environmental Planning and the results of any protected species presence/likely absence surveys carried out. The LEMP shall include:

- a) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal;
- b) Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
- c) Aims and objectives of management;
- d) Appropriate management options to achieve aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule for securing biodiversity enhancements in perpetuity;
- g) Details of the body or organisation responsible for implementation of the LEMP;
- h) Ongoing monitoring and remedial measures;
- i) Details of legal / funding mechanisms; and
- j) a phasing delivery plan.

The enhancement proposals put forward within the LEMP shall have been subject to quantifiable evaluation through application of the DEFRA Biodiversity Metric ensure to demonstrate to a measurable net gain. The development shall be undertaken in complete accordance with the approved details.

Reason:

In order that the development should protect protected species and provide biodiversity enhancements, in accordance with Policy NE1 of the Local Plan (Part 1) 2018, Policy NE1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

33. Condition:

Prior to the commencement of development, a woodland mitigation strategy shall be submitted for approval in writing by the Local Planning Authority. The woodland mitigation strategy is required to set out the measures required to mitigate impacts on the adjacent ancient woodland. The development shall be undertaken in complete accordance with the approved details.

Reason:

In order that the development should protect the adjacent ancient woodland, in accordance with Policy NE1 of the Local Plan (Part 1) 2018, Policy NE1 of the Chiddingfold Neighbourhood Plan (2013-2032) and the National Planning Policy Framework, 2023.

34. Condition:

Prior to the commencement of development a scheme for the provision of a LEAP and two LAPs including the timetable for their implementation shall be submitted for approval by the Local Planning Authority. The LEAP shall be a minimum size of 400 square metres and the two LAPs a minimum size of 100 square metres. The LEAP and the two LAPs shall be implemented in accordance with the approved scheme and timetable.

Reason:

In order to provide adequate play-space for children, in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policies BE4 and BE5 of the Chiddingfold Neighbourhood Plan (2013-2032).

35. Condition:

The reserved matters details in respect of landscaping required pursuant to Condition 2 shall be in accordance with the approved Proposed Site Layout Plan (Drawing No. 22026 P101 Rev. U) in relation to the developable area and location of open space only, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In order to reduce the impact of the development on the surrounding area in accordance with Policy DM11 of Local Plan (Part 2) 2023 and Policies BE4 and BE5 of the Chiddingfold Neighbourhood Plan (2013-2032).

36. Condition:

A detailed Sustainable Energy Strategy shall be prepared and submitted as part of the reserved matters details and shall be in accordance with the Sustainability and Energy Statement prepared by Bluesky Unlimited and dated

17th August 2022. It shall include measures to ensure a 31% reduction in CO₂ emissions across the site measured against the relevant Target Emission Rate (TER) set out in the Building Regulations 2010 (as amended) (Part L). The development shall be carried out in accordance with the approved Sustainable Energy Strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the development achieves a high standard of sustainable design and construction in accordance with Policies CC1 and CC2 of the Local Plan (Part 1) 2018, Policies DM1 and DM2 of Local Plan (Part 2) 2023 and Paragraphs 153-154 of the National Planning Policy Framework, 2023.

37. 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 been approved by the Local Planning Authority.

Reason:

To ensure any archaeological remains are recorded in accordance with Policy DM25 of the Local Plan (Part 2) 2023 and Policy BE7 of the Chiddingfold Neighbourhood Plan (2013-2032). This condition is required to be addressed prior to commencement in order that the ability to comply with its requirement is not prejudiced by the carrying out of building works or other operations on the site.

38. Condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no form of enlargement of the dwellings hereby permitted shall be carried out without the express permission of the Local Planning Authority.

Reason:

To retain control over the habitable accommodation at these dwellings and to control further development of the site in the interests of the character of the area and amenities of nearby properties, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM4 of the Local Plan (Part 2) 2023 and Policy BE1 of the Chiddingfold Neighbourhood Plan (2013-2032).

39. Condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-

enacting that Order with or without modification) no garages, sheds, greenhouses or other ancillary domestic outbuildings, other than those shown on the approved drawings, shall be erected, without the express permission of the Local Planning Authority.

Reason:

To control further development of the site in the interests of the character of the area and amenities of nearby properties, in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy DM4 of the Local Plan (Part 2) 2023 and Policy BE1 of the Chiddingfold Neighbourhood Plan (2013-2032).

40. Condition:

No dwelling shall be occupied on the site until it have been demonstrated that the suitable alternative natural greenspace (SANG) has been delivered.

Reason:

The provision of a bespoke SANG is required to mitigate the impact of the proposed development on the Wealden Heath Phase I SPA, in accordance with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Policy NE1 of the Chiddingfold Neighbourhood Plan (2013-2032), Regulation 62 of the Conservation of Habitats and Species Regulations 2017 and the National Planning Policy Framework, 2023

Informatives:

1. Community Infrastructure Levy (CIL) - The Waverley Borough Council CIL Charging Schedule came into effect from 1 March 2019. Where CIL liable development is approved in outline on or after 1 March 2019 the liability to pay CIL arises at the time when reserved matters approval is issued - For further information see our webpages (www.waverley.gov.uk/CIL) or contact CIL@waverley.gov.uk
2. "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 actively 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.

3. 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 website.

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.

4. 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 Tel. 0845 600 3078.
5. 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).
6. 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.
7. The road layout shown on the application drawings does not conform with Surrey Design and is not eligible for adoption.
8. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development 2022.
9. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant utility companies and the developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive times to highway users.

10. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
11. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover to install dropped kerbs.
www.surreycc.gov.uk/roads-and-transport/permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
12. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the County Council as part of its licence application fee compensation for its loss based upon the tree's CAVAT valuation to compensate for the loss of highway amenity.
13. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway 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 (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/permits-and-licences/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/floodingadvice.
14. The developer is advised that Public Footpath Number 557 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

15. 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.
16. The applicant is reminded that the granting of planning permission does not authorise the obstructing, diverting or interfering any way with a public right of way. If the applicant wishes to move the path, they may apply under the provisions of the Town and Country Planning Act, 1990 where a diversion is required to enable development to take place. This is usually administered by the Planning Authority but Surrey County Council will frequently carry out this work on their behalf and there is a charge. There is a charge of approximately £2,500, the process is open to public consultation and there is no guarantee of success. The applicant will be expected to enter into a works agreement to carry out any work required to bring the new route up to the necessary standard. Please note that if a temporary closure is required while development is underway, this will not be issued unless a formal diversion application has been made.
17. Proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on the Surrey County Council website. Sub ground structures should be designed so they do not have an adverse effect on groundwater.
18. The developer must agree with Southern Water the measures to protect the public sewers.
19. Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and been approved in writing by the Local Planning Authority in consultation with Southern Water.
20. There are water mains crossing or close to the development. Thames Water do NOT permit the building over or construction within 3.0 metres of water mains. If the developer is planning significant works near the mains (within 3.0 metres) Thames Water will need to check that the development would not reduce capacity limit repair or maintenance activities during and after construction or inhibit the services Thames Water provide in any other way. The applicant is advised to read Thames Water's guide working near or diverting the pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
21. The Council is unlikely to allow any changes to the appearance of the development that would dilute the quality and detail exhibited within the approved plans.

22. 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 38 of the National Planning Policy Framework, 2023.

Case Officer Michael Eastham Signed: Date: 6 November 2023

Agreed by Team or DC Manager.....Date:.....

Time extension agreement in writing seen by signing off officer:

Yes No N/A

Agreed by Development Manager or Head of Planning Services
.....

This report has been agreed under the delegated authority by the Head of Planning Services.

Decision falls within(*number reference*) of the Scheme of Delegation
..... (initialled by Authorising officer)