



Appeal Decision

Inquiry Held on 27-29 February and 1 March 2024

Site visit made on 1 March 2024

by G D Jones BSc(Hons) DipTP DMS MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th May 2024

Appeal Ref: APP/R3650/W/23/3332590

Land at Coombeury Cottage, Dunsfold Common Road, Dunsfold GU8 4NB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Sullivan of Sigma Homes against the decision of Waverley Borough Council.
 - The application Ref WA/2022/03032, dated 18 November 2022, was refused by notice dated 31 May 2023.
 - The development proposed is the demolition of existing buildings and the erection of up to 53 dwellings, public open space, landscaping and related infrastructure (all matters reserved except for access).
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Decision

1. The appeal is allowed and outline planning permission is granted for the demolition of existing buildings and the erection of up to 53 dwellings, public open space, landscaping and related infrastructure (all matters reserved except for access) at Land at Coombeury Cottage, Dunsfold Common Road, Dunsfold GU8 4NB, in accordance with the terms of the application, WA/2022/03032, dated 18 November 2022, subject to the schedule of conditions appended.

Preliminary Matters

2. The proposals are for outline planning permission with access only to be determined at this stage and with appearance, landscaping, layout and scale reserved for future approval. Whilst not formally part of the scheme, I have treated the details relating to these reserved matters submitted with the appeal application as a guide as to how the site might be developed.
3. A legal agreement, dated 13 March 2024, made under s106 of the Town and Country Planning Act 1990 (the Legal Agreement) was submitted shortly after the Inquiry closed in accordance with an agreed timetable. I have had regard to it in my consideration and determination of the appeal.
4. The evidence refers both to National Landscapes and Areas of Outstanding Natural Beauty. For consistency and notwithstanding the phraseology of the National Planning Policy Framework (the Framework), I have used the term National Landscape in my decision.
5. Dunsfold Parish Council is preparing a Neighbourhood Plan. While a draft version was published, it has since been withdrawn. Accordingly, no more than very limited weight is carried by the emerging Neighbourhood Plan.

Main Issue

6. Through the submission of additional material by the appellant, the Council is now satisfied that, subject to mitigation, all of its reasons for refusal have now been resolved except for Nos 1 and 4. Accordingly, as I identified at the start of the Inquiry, the main issue is the effect of the proposed development on the character and appearance of the area, including in respect to trees.

Reasons – Main Issue

7. It is common ground between the main parties that the site forms part of a valued landscape in the terms of the Framework and that it is located within the setting of the Surrey Hills National Landscape (the SHNL). I have found no reason to conclude otherwise. It is also located within an Area of Great Landscape Value (the AGLV) and the proposed access would pass through common land, Dunsfold Common.
8. Both main parties have produced assessments of the landscape and visual effects that would result from the appeal scheme, which come to different conclusions. From all that I heard, saw and experienced during the appeal process, including during my site visit, in my view its effects in these respects would largely lie somewhere between each party's witness's assessments, generally more closely to those of the Council's witness on landscape and visual impact.
9. As a decision-making aid I have, nonetheless, largely adopted the Council's witness's assessment as a benchmark. I have not, though, adopted the Council's case in respect to the effect of the development on the SHNL for reasons which I shall set out below. Before doing so, though, I deal separately with the evidence in respect to trees in the terms of the fourth reason for refusal.
10. That refusal reason relates to the area's character and appearance specifically in terms of how the proposed quantum of built development would affect the reasonable provision of 'good sized' trees as part of the scheme. The evidence went into a considerable degree of detail on this matter. Nonetheless, it is important to keep in mind that the appeal scheme is for outline planning permission with all matters except for access reserved for future consideration.
11. It is very clear to me that there would be fairly substantial space around the site's margins for additional planting, including trees, were the development to proceed along the lines set out in the illustrative material submitted in support of the proposals, and as shown on the proposed parameters plan. With careful consideration and control of the reserved matters, particularly landscaping and layout, this could reasonably supplement and complement the existing mature planting around the site's margins. On this basis, a sympathetic context and setting for the development in character with the area could be achieved.
12. Based on the illustrative layout and having regard to the evidence of the arboricultural witnesses, in contrast, the scope for planting within the developed centre of the site would be much more restricted. Amongst other things, this is primarily because of the limited amount of space that would remain for planting amongst the developed areas, the space required for root and canopy spread and constraints on the size and height of trees in terms of securing good living conditions for residents.

13. Nonetheless, some opportunities for planting within that developed central area would remain, albeit on a very much more constrained basis than around the site's margins. Again, subject to careful consideration of the reserved matters a planting scheme, including suitable native tree species, for the developed centre of the site could be achieved that would be appropriate to the new residential context and complementary to the more substantial existing and proposed tree planting around the site's margins and the wider locality.
14. Accordingly, while trees form part of the assessment of the effect of the development on the area's character and appearance and the harm that would result, in the terms of the fourth reason for refusal trees do not add any particular additional weight to the totality of harm that would occur. Moreover, subject to the careful control and consideration of the reserved matters, there would be no conflict, in this regard, with Policy NE2 (Green and Blue Infrastructure) of the Waverley Borough Local Plan Part 1: Strategic Policies and Sites February 2018 (the Local Plan I), with Policy DM11 (Trees, Woodland, Hedgerows and Landscaping) of the Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies March 2023 (the Local Plan II) or with para 136 of the Framework.
15. Dunsfold is not located in the SHNL but is within its setting. The appeal site is reasonably well contained, due largely to the area's topography and the screening effect of vegetation, particularly woodland. It is also located some distance away from the SHNL. Consequently, at most, there would be only very limited views of the appeal development from the SHNL.
16. Indeed, in views from higher ground of the SHNL, due principally to its well-wooded context, Dunsfold village is currently a largely indistinguishable feature in the landscape. Given that the village is substantially bigger than the appeal development would be, subject to the careful control of the scheme's detailed design and appearance, for the reasons outlined above, I see no reason why this would not continue to be the case were the appeal development to proceed.
17. From outside the SHNL, there are much closer views of the site from which the appeal development would be more readily discernible with the SHNL forming part of the backdrop and/or context. They would though be limited due to the reasons referred to above. As the development would be experienced in the context of the existing village and bearing in mind the distance from the SHNL, in this sense the appeal scheme would also have no adverse impacts via its effect on the SHNL's setting.
18. For the foregoing reasons, subject to careful consideration of the reserved matters, overall, the appeal development would not have a harmful effect on the SHNL via its setting. Accordingly, it would not be at odds with Framework para 182. Nor would it conflict with the first part of Local Plan I Policy RE3 (Landscape Character – i. Surrey Hills Area of Outstanding Natural Beauty).
19. I also note that the site and much of the surrounding area, including Dunsfold village, fall within a candidate area in the on-going SHNL Boundary Review. This, though, does not confer any planning protection. Moreover, there can be no certainty regarding the likely outcome of the Review notwithstanding the area's current status. Accordingly, at this stage the site's inclusion within the SHNL candidate area attracts no more than limited weight.

20. Regarding character and appearance, my attention has also been drawn to a number of other appeal decisions, including those relating to land in the near vicinity of the site. These include an appeal concerning the proposed residential development of a site that adjoins the current appeal site, to the west (the adjoining appeal). That appeal was dismissed.
21. When making his decision, amongst other things, the Inspector for the 'adjoining appeal' stated that that wooded site helps provide a 'clearly important' vestigial link between Dunsfold Common and the broader landscape on the east side of the settlement, within which the current appeal site is immediately located. I have found no good reason to disagree with his assessment.
22. Layout and hence the siting of the built form within the current appeal site would be a matter reserved for future determination. Nonetheless, the proposed parameters plan shows a reasonably substantial gap of open land around the site's fringes would be maintained, particularly to the southernmost corner, thereby retaining a vestigial link. That link would, though, be much diminished, significantly narrowing the gap between the two clusters of development in Dunsfold, to the detriment of the character and appearance of the area.
23. Notwithstanding my conclusions regarding the SHNL and trees as outlined above, the proposed development would have a harmful effect on the character and appearance of the area, which is an AGLV and a valued landscape in the terms of the Framework. Consequently, in that regard, it would be at odds with Policies TD1 (Townscape and Design), RE1 (Countryside beyond the Green Belt) and RE3 (ii) (Landscape Character – ii. The AGLV) of the Local Plan I and with Policy DM15 (Development in rural areas) of the Local Plan II, as well as with para 180 of the Framework.

Other Matters

Planning Obligations

24. In the event that planning permission were to be granted and implemented the Legal Agreement would secure the provision of 16 on-site affordable housing units, comprising 4 First Homes, 2 Shared Ownership and 10 Affordable Rented / Social Rented dwellings; the provision of self-build and custom-build plots on-site at a rate of 5% of the development; the delivery of open space, play areas and a sustainable drainage system along with measures for their future maintenance; and payments towards the provision of subsidised travel on the local Digital Demand Responsive Transport system, as well as for monitoring the travel plan and the Legal Agreement.
25. The Council has submitted a detailed statement (the CIL Compliance Statement), which addresses the application of statutory requirements to most of the planning obligations within the Legal Agreement and also sets out the relevant planning policy support / justification. I have considered the planning obligations therein in light of Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended) and government policy and guidance on the use of planning obligations. Having done so, I am satisfied that those obligations would be required by and accord with the policies set out in the CIL Compliance Statement. Overall, I am satisfied that all of those obligations are

directly related to the proposed development, fairly and reasonably related to it and necessary to make it acceptable in planning terms.

Spatial Strategy

26. The spatial strategy for the Borough is principally embodied in Policy SP2 (Spatial Strategy) of the Local Plan I. The site is located outside the settlement boundary for Dunsfold as defined by the development plan.
27. It is alleged that the proposed development would conflict with parts 1 and 4 of this Policy. I am not convinced that there would be conflict with Part 1 on the basis that the site is not *land of the highest amenity and landscape value*. Although these terms are not defined, the Policy does refer to *the Surrey Hills Area of Outstanding Natural Beauty and to safeguard the Green Belt*. As the site is not in either, it is reasonable to conclude that there is land of higher amenity and landscape value elsewhere in the Borough such that, notwithstanding its high value, the site is not of the *highest* value in the terms of Policy SP2 (1).
28. I recognise, though, that another Inspector in a recent appeal decision concerning proposed development at a site off Knowle Lane, Cranleigh (the Knowle Lane appeal) took a different approach, concluding that that site, which is neither National Landscape nor Green Belt but is valued landscape, should be treated as *land of the highest amenity and landscape value*. As a decision-making tool and in the interest of consistency, I have adopted the same approach in my decision in respect to Policy SP2 (1).
29. Part 2 of Policy SP2 allows *limited levels of development in/around* certain villages, including Dunsfold, *recognising that those villages not within Surrey Hills AONB or Green Belt offer more scope for growth*. Again, 'limited' is not quantified or defined. In my view, however, particularly in the context of the existing settlement and given the relative scale of the proposed development, the appeal scheme cannot reasonably be said to be 'limited'.
30. Accordingly, I have treated the proposed development as being in conflict with Policy SP2 (1) and (4) of the Local Plan I, such that it is contrary to the spatial strategy for the Borough.

Housing Land Supply

31. Although the main parties have differing views on the extent of the housing delivery shortfall, it is common ground between them that the Council cannot currently demonstrate a Framework compliant supply of housing land. While it may be lower, I have used the Council witness's figure of 3.5 years as a benchmark to assist in making my decision. Accordingly, that the appeal development would be at odds with the spatial strategy for the Borough and conflict, in that regard, with Policy SP2 of the Local Plan I as outlined above, currently carries limited weight.

Other Considerations

32. In addition to the appeal decision letters concerning the 'adjoining appeal' and the 'Knowle Lane appeal', the evidence refers to a range of decision letters in respect to other planning appeals and an Inspector's decision on an application made under Section 38 of the Commons Act 2006 for consent to carry out restricted works on common land. I am mindful of the need for consistency in

decision making, particularly in respect to appeals casework. Nonetheless, while I am not familiar with all of the circumstances of those other cases, they do appear to differ in at least some respects to the appeal development. Moreover, each application for planning permission must be determined on its individual merits. Consequently, none of those other cases have had a significant bearing on my decision.

33. I also note the concerns raised by the Council and other parties that if the appeal were to be allowed, the area's potential inclusion within an extended SHNL might be compromised. However, notwithstanding the evidence that is before me on the matter and the identified harm that would result from the appeal development to the character and appearance of the area, this seems unlikely given the modest scale of the site within the context of the much larger SHNL candidate area. Accordingly, this matter attracts no more than limited weight.
34. In addition to the main issue and the other foregoing matters, concern has been expressed locally, including by those who spoke at the Inquiry. Matters raised include that the site is not allocated in a Neighbourhood Plan and there are no plans to do so; existing public footpaths are not proposed to be incorporated into the scheme and the effect of the development on rights of way; further development should not be allowed following the completion of Gratton Close; infrastructure, services and facilities as existing and proposed are inadequate, including public transport, drainage, sewerage, education, retail and medical; the significance of the Digital on Demand Bus service has been overstated; the access would cross common land opposed by the Parish Council for which an application for consent to carry out restricted works on common land has been refused; and Coombebury Cottage should be preserved as a farm.
35. Other issues raised include the refusal of planning permission at the 'adjoining appeal' site; highway safety, congestion and access arrangements; the lack of a design code for the development; the adequacy of proposed play areas; quality of life and living conditions in the area during and after the construction stage, including in respect to noise and disturbance; the accuracy of the Design and Access Statement; the effects of the development on heritage assets, biodiversity, including protected species, and climate change, including compliance with the Council's Climate Change SPD; drainage and flooding; light pollution; the amount of housing that has been approved / planned for in recent years at Dunsfold and at Dunsfold aerodrome, and the scope for further growth; and whether adverse impacts would significantly and demonstrably outweigh the benefits.
36. These matters are largely identified and considered within the Council officer's report on the appeal scheme and were before the Council's decision-making officer/s when they determined the planning application. They were also before the Council when it prepared its evidence and when it submitted its case at the Inquiry, and are largely addressed in its evidence and in the statements of common ground. Other than as set out above, the Council did not conclude that they would amount to reasons to justify withholding planning permission. I have been provided with no substantiated evidence which would prompt me to disagree with the Council's conclusions in these respects subject to the imposition of planning conditions as discussed in the following section.

Conditions

37. The main parties jointly submitted a schedule of 33 conditions. It includes the standard time limit, implementation and reserved matters conditions. I have considered these in the light of government guidance on the use of conditions in planning permissions and made amendments accordingly. My conclusions are summarised below.
38. A condition requiring that the development is carried out in accordance with the approved plans, so far as they relate to matters that are not reserved for future consideration, and controlling compliance with the parameters, demolition and tree survey plans would be necessary to provide certainty and to protect the character and appearance of the area and the living conditions of local residents. To provide certainty and protect the character and appearance of the area, a condition limiting the number of dwellings permitted would also be necessary. For that reason and to help ensure a safe environment, a condition to secure design coding and secured by design would be necessary.
39. To provide certainty and protect the character and appearance of the area, a condition controlling ground levels and ridge heights at the developed site would be necessary. Conditions to control activities associated with the demolition / construction stage, including hours of working, would be necessary in the interests of protecting neighbours' living conditions, highway safety and trees. Further conditions to protect trees would be necessary in the interests of biodiversity and of protecting the character and appearance of the area.
40. Conditions to secure and maintain visibility splays at the vehicular access and provisions for vehicles to turn and park within the site would be necessary in the interests of highway safety. For that reason and to promote sustainable modes of transport, a condition to control details and secure the delivery of the proposed pedestrian access would be necessary. To further promote sustainable modes of transport, reduce the need for travel and in the interests of highway safety, conditions would be necessary to secure the implementation of a revised travel plan, as well as on-site cycle storage and e-vehicle charging infrastructure.
41. Conditions to control the details of surface water drainage and management, would be necessary to reduce flood risk, to control surface water run-off and in the interests of biodiversity. A condition would be necessary to ensure that features of archaeological interest are properly examined / recorded. Conditions to safeguard against contamination that might affect the site, including unsuspected contamination, along with any requisite remediation, would be necessary to protect the health and well-being of future occupiers and off-site receptors as well as in the interests of biodiversity.
42. To provide a suitable living environment and to help meet residents' recreational needs, a condition to secure on-site play space and equipment would be necessary. To improve water efficiency and respond to climate change, a condition to limit water consumption at the completed development would be necessary.
43. In the interests of protecting highway safety and to promote sustainable construction methods, a condition would be necessary to ensure compliance with a Waste Management Plan. Conditions to ensure compliance with a Construction and Environmental Management Plan, a Biodiversity Net Gain

Strategy and an amphibian mitigation and enhancement strategy, and to control external lighting would be necessary in the interests of biodiversity. Regarding this latter matter I note that the suggested condition Nos 24 and 31 are very similar, such that only the latter would be necessary. To support the development of high quality communication infrastructure, a condition to assist the delivery of high-speed broadband to the development would be necessary.

Planning Balance and Conclusion

44. For the purposes of making my decision I have treated Policies TD1, RE1 and RE3 of the Local Plan I and Policy DM15 of the Local Plan II as carrying full weight. On this basis, given the extent of harm identified above, the detrimental effect that the appeal development would have on the character and appearance of the area, which is a valued landscape and an AGLV, and the associated development plan policy conflict collectively carry significant weight against the appeal proposals.
45. As the Council cannot currently demonstrate a Framework compliant supply of housing land, the so-called tilted balance applies, as set out in para 11 of the Framework. It provides that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
46. Even when applying the Council's 3.5 years supply figure, there is a serious and significant shortfall in housing delivery. It is unclear how and when this shortfall will be fully addressed. This process is likely to be challenging given the constraints at play. For instance, some 65% of the Borough lies within the SHNL, Green Belt or both.
47. Within this context the provision of up to 37 market homes - outside the SHNP and the Green Belt, at a settlement that has a reasonably good range of services and facilities - carries significant weight in favour of the appeal development. The appeal scheme would also deliver 16 affordable homes at the site. The evidence indicates that there is substantial unmet need for affordable housing in the Borough.
48. I note that the Inspector in the 'Knowle Lane appeal' appears to have combined the benefits of market and affordable housing delivery when making his decision. Nonetheless, based on the evidence before me, the benefit of providing affordable homes is clearly different from that of providing market housing as they each respond to related yet discrete needs. Accordingly, the proposed provision of affordable housing also carries its own significant weight in favour of the appeal development.
49. Additionally, there would be other more modest benefits associated with the appeal development were it to proceed. These include some of the matters that would be secured via the Legal Agreement, which each attract no more than limited weight. The provision of self-build and custom-build plots responds to a *desire to build one's own house* as the 'Knowle Lane appeal' Inspector put it, such that it attracts only limited weight. The delivery of open space and play areas, while primarily intended for use by residents, would benefit the wider community, as would the payment towards the local Digital Demand Responsive Transport.

50. There would also be benefits to the local economy during the construction phase and the additional population is likely to support the continuation of local services, and there would also be biodiversity net gain. These also attract no more than limited weight.
51. Although collectively weighty, all of the adverse impacts that would, or at least might, result from the appeal development, most notably via harm to the character and appearance of the area and the associated development plan policy conflict, would not significantly and demonstrably outweigh the benefits, particularly those associated with affordable and market housing delivery, when assessed against the policies in the Framework taken as a whole.
52. Accordingly, while perhaps not ideal, the appeal scheme would be sustainable development in the terms of the Framework for which there is a presumption in its favour. Consequently, it would also accord with Policy SP1 (Presumption in Favour of Sustainable Development) of the Local Plan I. Moreover, that it would represent sustainable development in the terms of the Framework is a material consideration that, in the particular circumstances of the case, outweighs the conflict with the development plan as a whole.
53. Therefore, subject to the identified conditions, it follows that the appeal should be allowed.

G D Jones

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

David Lintott, Counsel

Instructed by Lewis Jones of Legal Services,
Waverley Borough Council

He called

Robert Petrow BA(Hons)

DipLA CLMI

Ian Brewster FdSc(Arb)

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Michael Eastham BA(Hons)

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Landscape and Visual Impact

Arboriculture

Planning

FOR THE APPELLANT:

Christopher Young, King's Counsel¹

Instructed by Clare Bartlett of Batcheller
Monkhouse

He called

Paul Lishman MLPM MSc

CLMI

Ben Oates TechArborA

Clare Bartlett BSc(Hons)

DipTP MRTPI PIEMA

Landscape and Visual Impact

Arboriculture

Planning

INTERESTED PERSONS:

Cllr Nigel Waterson

Dr Barbara Judge

Chairman of Dunsfold Parish Council

Interested Party

INQUIRY DOCUMENTS

ID1 - The appellant's opening statement

ID2 - The Council's opening statement

ID3 - Cllr Waterson's statement for Dunsfold Parish Council

ID4 - Dr Judge's statement

ID5 - Extract from GLVIA

ID6 - Mr Petrow's statement re appeal Ref APP/R360/W/22/3293777

ID7 - Mr Lishman's note on his methodology

ID8 - Bundle of duplicate drawings from elsewhere within the evidence

ID9 - Updated table from Mr Oates

ID10 - Tree Species Soil Volume Guide v2 - GreenBlue

ID11 - phlorum's letter on behalf of the appellant in response to Dr Judge

ID12 - Dr Judge's response to phlorum's letter

¹ Mr Young was assisted by Leanne Buckley-Thomson, Counsel, albeit that she did not act as advocate for the appellant.

SCHEDULE OF CONDITIONS FOR APPEAL REF APP/R3650/W/23/3332590:

- 1) Approval of the details of the scale, layout, appearance and 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.
- 2) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of two 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.
- 3) The submission of a reserved matter application pursuant to this outline planning permission shall together provide for no more than 53 dwellings.
- 4) 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 approved in writing by the Local Planning Authority, Drawing Nos:
 - 7233 PL-01 Rev C – Location Plan;
 - 7233 PL-09 Rev A – Parameters Plan;
 - BM-A2868A-01 – Demolition Plan;
 - 2202043-TS-001 Rev F – Proposed Access Arrangement and Visibility Splays; and
 - AR-4231 TSP-221006 – Tree Survey Plan with BS 5837 constraints.
- 5) Prior to, or alongside the submission of the Reserved Matters of the dwellings hereby permitted a Design Code shall be submitted to and approved in writing by the Local Planning Authority – which shall also outline the measures to achieve Secure by Design Gold or Silver Accreditation. The subsequent detailed design of the dwellings shall be in accordance with the approved Code.
- 6) Hours of construction, demolition and site clearance including deliveries to and from the site shall be limited to 08:00 – 18:00 Monday to Friday; 08:00 – 13:00 on Saturdays and no work on Sundays and Bank or Public Holidays.
- 7) No development shall take place on-site until a detailed levels plan, clearly identifying existing and proposed ground levels and proposed ridge heights, has been submitted to and approved in writing by the Local Planning Authority. This shall include details of any earthworks including the proposed grading and mounding of land areas, the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation, encroachment of tree root protection areas and surrounding landform. Development shall be carried out in accordance with the approved details.
- 8) Any reserved matters application relating to landscaping shall be accompanied by an Arboricultural Method Statement (AMS). The development shall be carried out in complete accordance with the approved AMS and Tree Protection Plan (TPP). The Local Planning Authority shall be provided with a minimum of two weeks' written notice to the commencement date of demolition/construction activities. All protection measures shall strictly accord

with the approved TPP and AMS. The Local Planning Authority shall determine the detail within the written notice and if satisfactory shall provide written approval for the development to proceed.

- 9) Prior to the commencement of demolition/construction, an arboricultural scheme of regular site monitoring, including implementation, shall be submitted to and approved in writing by the Local Planning Authority. The approved site monitoring details shall be applied throughout the life of the development after the tree protection written notice has been approved in writing by the Local Planning Authority.
- Details of site monitoring shall include:
- Expected date of first and future tree protection checks to start at least one month after commencement of demolition/construction;
 - Name of appointed arboriculturist/representative responsible for site monitoring;
 - Professional supervision of construction events within Root Protection Areas; and
 - Frequency of monitoring throughout the demolition/construction period; and
 - The development shall be carried out in accordance with the approved Arboricultural Method Statement, arboriculture site supervision, approved recommendations, and tree/soil remediation.
- 10) No part of the development shall be first occupied unless and until the proposed vehicular access to Dunsfold Common Road has been constructed and provided with visibility zones in accordance with the approved plans and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1.05m high.
- 11) No part of the development shall be first occupied unless and until the proposed new footways on Dunsfold Common Road have been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, to provide minimum footway widths of 1 metre on the section south of the access and 1 metre to the north and including the new uncontrolled pedestrian crossing indicated on Drawing No 2202043-TS-001 Rev F.
- 12) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority 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.
- 13) The development hereby approved shall not be first occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority. These details may be addressed as part of a future, reserved matters application.

- 14) No development shall commence until a Construction Transport Management Plan, to include details of:
 - a) Parking for vehicles of site personnel, operatives and visitors;
 - b) Loading and unloading of plant and materials;
 - c) Storage of plant and materials;
 - d) Programme of works (including measures for traffic management);
 - e) Provision of boundary hoarding behind any visibility zones;
 - f) HGV deliveries;
 - 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 a commitment to fund the repair of any damage caused; and
 - j) On-site turning for construction vehicles, has been submitted to and approved in writing by the LPA. Only the approved details shall be implemented during the construction of the development.
- 15) The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be retained and maintained to the satisfaction of the Local Planning Authority.
- 16) The development hereby approved shall not be first occupied unless and until a revised Travel Plan is submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented prior to occupation of the development, and thereafter it shall be maintained and developed to the satisfaction of the Local Planning Authority.
- 17) 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 shall satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, the National Planning Policy Framework and the Ministerial Statement on SuDS. The required drainage details shall include:
 - a) Evidence that the proposed solution shall 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 of 9.7 l/s;
 - b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Including details of the proposed basins and swales and any lining requirements;
 - c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site shall be protected from increased flood risk;
 - d) Details of drainage management responsibilities and maintenance regimes for the drainage system; and

- e) Details of how the drainage system shall be protected during construction and how runoff (including any pollutants) from the development site shall be managed before the drainage system is operational.
- 18) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the approved 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.
- 19) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- 20) Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the National Planning Policy Framework; and
- b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include:
- All works to be undertaken;
 - Proposed remediation objectives and remediation criteria;
 - Timetable of works; and
 - Site management procedures.
- The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- 21) Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with Condition 22 and shall be submitted to the Local Planning Authority for approval prior to occupation of the development.
- 22) Following commencement of the development hereby approved, if unexpected contamination is found on-site at any time, other than that identified in accordance with Condition 20, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The

- following shall be submitted and approved in writing by the Local Planning Authority prior to re-commencement of works:
- a) An investigation and risk assessment, undertaken in the manner set out in Condition 20 of this permission;
 - b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 20(b); and
 - c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 21.
- 23) Prior to the commencement of development, a scheme for the provision of a Local Equipped Area of Play (LEAP) and Local Areas of Play (LAPs) including the timetable for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The LEAP shall be a minimum size of 400 square metres and the 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.
- 24) Prior to the occupation of the dwellings, details shall be submitted to and approved in writing by the Local Planning Authority to confirm that the dwellings have been completed so that the potential consumption of wholesome water by persons occupying a dwelling shall not exceed 110 litres of water per person per day.
- 25) Prior to the commencement of construction and demolition activities (including groundworks) a Waste Management Plan shall be submitted and 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; and
 - d) Integrated storage to facilitate re-use and recycling of waste is incorporated in the development in compliance with Surrey Waste Local Plan 2020.
- 26) There shall be no burning of any waste or other materials on the site during the construction phase.
- 27) Prior to the first occupation of the dwellings hereby permitted the highest available speed broadband infrastructure shall be installed and made available for use.
- 28) No development shall take place until a detailed Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the final biodiversity net gain assessment, using the Statutory Biodiversity Metric Calculation Tool, which demonstrates how the proposal will provide a biodiversity net gain. The CEMP shall be based on the proposed impact avoidance, mitigation and enhancement measures specified in the above referenced report and shall include, but not be limited to the following:
- a) Description and evaluation of features to be managed;

- b) Ecological trends and constraints on-site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions, together with a plan of management compartments;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures;
 - i) Legal and funding mechanisms by which the long-term implementation of the plan shall be secured by the applicant with the management body(ies) responsible for its delivery;
 - j) Monitoring strategy, including details of how contingencies and/or remedial action shall be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme;
 - k) Final Biodiversity Net Gain Assessment, to include Statutory Biodiversity Metric Calculation Tool with full detail of off-site strategy;
 - l) Amphibian Mitigation and Enhancement Strategy;
 - m) Risk assessment of the potentially damaging construction activities;
 - n) Practical measures to avoid and reduce impacts during construction;
 - o) Location and timing of works to avoid harm to biodiversity features;
 - p) Responsible persons and lines of communication; and
 - q) Use of protective fences, exclusion barriers and warning signs.
- 29) Prior to, or alongside the submission of, any reserved matters application relating to scale, layout, appearance and landscaping (as required by Condition 1), a bat mitigation strategy and updated bat surveys of trees shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved strategy, including any mitigation measures identified as necessary. The updated bat surveys of trees shall include a bat preliminary ground level tree roost assessment of all trees to be removed or impacted. Bat presence/likely absence survey shall be carried out on all trees which have been assessed as having high or moderate suitability to support roosting bats in line with good practice guidelines for bat surveys.
- 30) The development hereby permitted shall not be occupied until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall achieve lighting to conform with at least Zone 1b as defined by the Institution of Lighting Professionals and Guidance Note 8 – Bats and Artificial Lighting (GN08/2023). The development shall be carried out in accordance with the approved details. No additional sources of external lighting shall be installed on the development without the prior written approval of the LPA.
- 31) Prior to the commencement of development (apart from any site clearance and demolition), a Biodiversity Net Gain (BNG) Strategy, shall be submitted to

and approved in writing by the Local Planning Authority. This strategy shall demonstrate how a minimum 10% net gain shall be delivered and how it shall be managed for 30 years. The approved BNG Strategy shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on-site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Detail of habitat creation;
 - e) Details of how the minimum BNG shall be delivered including details of any habitat banking arrangements and off-site provision necessary to secure achievement of the overall target and how this is to be secured;
 - f) Description of the management operations necessary to achieving aims and objectives;
 - g) Prescriptions for management actions;
 - h) Preparation of a works schedule, including annual works schedule;
 - i) Details of the monitoring needed to measure the effectiveness of management;
 - j) Details of the timetable for each element of the monitoring programme;
 - k) Details of the persons responsible for the implementation and monitoring;
 - l) Mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
 - m) Reporting on year 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation calculations at each stage.
- 32) Prior to, or alongside the submission of any reserved matters application relating to scale, layout, appearance and landscaping, an amphibian mitigation and enhancement strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved strategy, which shall include, but not be limited to:
- Terrestrial Habitat Suitability Assessment for Amphibians;
 - An amphibian tunnel under the access road and if required, guiding fences;
 - Installation, management and maintenance plan for amphibian tunnel under the access road;
 - Appropriately designed and located gully pots, and dropped and wildlife friendly kerbs;
 - Evidence of terrestrial habitat corridors for amphibians;
 - Sensitive Lighting Strategy;
 - Provision of aquatic habitat on-site, which is suitable for breeding amphibians; and
 - Method Statement for activity within suitable amphibian habitat.