



Appeal Decision

Hearing Held on 29 November 2022

Site visit made on 29 November 2022

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 February 2023

Appeal Ref: APP/R3650/W/22/3302987

Hawthorns, Hale Road, Farnham, Surrey GU9 9RL

- 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 and Mrs A Lifford and Stax Group Ltd against the decision of Waverley Borough Council.
 - The application Ref WA/2021/03018, dated 4 October 2021, was refused by notice dated 27 June 2022.
 - The development proposed is an outline proposal for the creation of new access off Hale Road; development of up to 65 mixed dwellings to include 40% affordable housing, creation of public open space (including small public car park); associated landscaping and infrastructure.
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Decision

1. The appeal is allowed and outline planning permission is granted for the creation of a new access off Hale Road; development of up to 65 mixed dwellings to include 40% affordable housing, creation of public open space (including small public car park); associated landscaping and infrastructure at Hawthorns, Hale Road, Farnham, Surrey GU9 9RL in accordance with the terms of the application, Ref WA/2021/03018, dated 4 October 2021, subject to the conditions set out in Schedule 1 of this decision.

Preliminary Matters

2. The appeal relates to an outline application with access to be considered at this stage.

Main Issues

3. The main issues in this appeal are;
 - Whether the proposal would be in a suitable location for new housing
 - The effects of the proposal on the landscape character of the area
 - Whether any conflict with the development plan is outweighed by any other matters.

Reasons

Introduction

4. The appeal site is about 2.82 hectares in size and is located on the north-eastern edge of Farnham. It comprises a substantial detached house (Hawthorns), its garden and adjoining paddocks and field/meadow. Hawthorns is accessed from Hale Road along a private track shared with Bells Piece, a day centre located to the south of the appeal site.
5. On entering the private track there is the car park of the Six Bells Public House to the south and a small field to the north apparently previously used by the residents and operators of Bells Piece for horticulture and occasional events but now appears somewhat overgrown and untended. Beyond this there is a gravel drive, the entrance to which is marked by domestic style gates. It leads to Hawthorns and passes the eastern and northern boundaries of a small paddock that includes a cluster of trees and a small area of hardstanding used as a car park. It is enclosed by a conifer hedge and this gives the paddock a semi-domestic appearance.
6. To the north of this paddock is another area of grassland. Although the appellant states that this is part of the residential curtilage of Hawthorns, it does not have an appearance that would suggest this is the case. Nevertheless, it is mowed and is enclosed by a domestic style post and rail fence. The remainder of the site includes a long field/meadow which adjoins the Nadder Stream, and a further area abutting Hale Road (B3007). These have a more rural, natural and unmanaged appearance. There are mature boundary trees with Farnham Park to the west, Hale Road to the east and the land beyond the Nadder Stream to the north. The neighbouring Farnham Park is a registered park and garden and an attractive public open space between Farnham and Hale.
7. To the south of the appeal site is Scholars Way, a public footpath that links Hale Road with Farnham Park, Farnham Castle and the Town Centre. Scholars Way broadly marks the northern extent of the settlement boundary of Farnham. Hale Road links the Six Bells roundabout with the A325 and is an important route into Farnham. On the eastern side of Hale Road, and opposite the appeal site, are allotments, a petrol filling station and the entrance to Roman Way, a predominately residential cul-de-sac.
8. The proposal for up to 65 homes has been submitted in outline with all matters of detail reserved for future consideration save for the access. The proposed access would be taken from Hale Road. The appellant has also submitted an indicative landscape character plan showing how the residential element of the scheme could be laid out. The proposal would include 40% affordable housing.

Whether the proposal would be in a suitable location for new housing

9. Policy RE1 of the Waverley Local Plan Part 1 2018 (LP1) states that "*Within areas shown as Countryside beyond the Green Belt on the Adopted Policies Map, the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF*". The Farnham Neighbourhood Plan (FNP) covers the wider Town Council area, including the appeal site. Policy FNP10 states that, outside of the Built-Up Area Boundary (BUAB), as

defined on Map A, priority will be given to protecting the countryside from inappropriate development. A proposal for development will only be permitted where it would meet a number of criteria, including to conserve or enhance landscape value, including that of Areas of Great Landscape Value (AGLV) and areas of high landscape value and sensitivity. Policy FNP14 identifies housing allocation sites and the appeal site is not included. The revised version of the FNP was 'made' in April 2020. It is notable that this version of the FNP contains allocations sufficient to meet Farnham's housing target.

10. The appeal site is outside the BUAB and does not represent any of the types of development permitted outside the BUAB through FNP16, FNP17 and FNP20. Therefore, on this matter I conclude that the appeal site is not an appropriate location for new housing and conflicts with Policy RE1 of the LP1 and Policies FNP10 and FNP14 of the FNP. I give moderate weight to this conflict.

The effects of the proposal on the landscape character of the area

11. The appeal site broadly comprises areas of different character and appearance which vary from domestic curtilage to rural field. The area with a residential character consists of the house and curtilage of Hawthorns. The two paddocks sit within the centre of the appeal site, the largest of which is enclosed by the driveway to Hawthorns and a conifer hedge and is adjacent to Bells Piece, which is a site that includes several buildings. The smaller one is enclosed by a fence and has a mown and tended appearance. I share the view of the appellant that the paddocks have a semi-domestic character.
12. The remainder of the site encompasses the long field/paddock adjacent to the Nadder Stream in the north and the other abutting Hale Road to the east. There is a row of trees between these two areas. These have a more natural meadow type character that is consistent with land to the north of the Nadder stream. These two parts of the appeal site provide an attractive rural landscape setting to the stream.
13. The two meadows in the north and east have the character of small rural fields. They are part of a rural landscape that includes the Nadder Stream and Farnham Park and exhibit some of the key characteristics and positive attributes of the North Farnham Rolling Clay Farmlands landscape character type defined in the Surrey Landscape Character Assessment. The remainder of the site is not representative of this landscape character type but is open and largely undeveloped save for Hawthorns. This provides a buffer between the edge of Farnham and the Nadder Stream, which is an important landscape feature.
14. The Council's Landscape Study identifies the appeal site as being in Landscape Segment FN8. This landscape segment was identified in the study as having many landscape qualities which make an important contribution to the setting of Farnham. The two meadows in the appeal site that provide a setting to the Nadder Stream are of high landscape sensitivity and high landscape value. I agree that this part of the site is part of a valued landscape and justifies being identified as an Area of High Landscape Value and Sensitivity in the FNP.
15. The Farnham Landscape Character Assessment builds on the Council's Landscape Study and places the site in the Cemetery Fields Landscape Character Area, a sub section of Segment FN8. This landscape character area

is identified as being of high landscape sensitivity and of high landscape value. It provides an evidence base that underpins the AGLV as a high-level landscape designation which indicates the value of the local landscape. At a strategic level, sites within the AGLV were consistently excluded from being allocated in the FNP as a whole.

16. However, I consider that not all areas of the AGLV are of the same value and the appeal site has elements of more value to the landscape than others, as was recognised in the previous appeal for this site (Ref: APP/R3650/W/19/3211033 dated 14 May 2020). The parts of the appeal site that have a domestic and semi-domestic character are not representative of the wider rural character of the AGLV or the Cemetery Fields Landscape Area. Unlike the meadows, these parts of the appeal site are of moderate landscape sensitivity and value. In this respect, I disagree with the findings of the Farnham Housing Land Availability Assessment, that the whole appeal site is of high landscape sensitivity and value. In addition, some of the arguments, that the proposal would have a harmful impact on Farnham Park and contribute to a sense of coalescence have been accepted by the Council as not applying to this appeal.
17. The appeal scheme would provide up to 65 dwellings at the appeal site and this would significantly alter its character. This would have a suburbanising effect which would not be reflective of the rural landscape. This would harm landscape character and the appearance of the appeal site, with much of it becoming a section of built townscape rather than countryside.
18. The appellants' submitted indicative layout shows that the majority of the development could be accommodated on the less sensitive areas of the site comprising the domestic curtilage and the paddocks. However, it also indicates that development would intrude into the two meadows and the Hale Road access would breach the tree belt marking the eastern boundary of the appeal site. This would result in locally significant harm to valuable features in the landscape. However, the encroachment into the meadows would be minimised by the position of the public open space. As a result, much of the longer meadow could be retained as semi natural open space that would relate positively to the Nadder Stream and would provide for public access.
19. As a consequence, the appeal site could be developed in a way that would focus the development on those parts of the site of moderate landscape value and sensitivity, with the encroachment into the more sensitive and valuable parts being minimised or capable of being softened through mitigation.
20. With an appropriate height for the buildings and suitable design and materials (determined at the reserved matters stage) I consider that the wider landscape impacts would be limited as the appeal site is visually contained with dense boundary planting to the north, east and western boundaries. Views into the site from Farnham Park would be largely screened and I note that it is not unusual to see glimpses of residential development outside the Park when one is inside it. The Council accepts that the impact on the setting of Farnham Park would not be harmed by the development.
21. The access onto Hale Road would introduce an urban feature and open up views of the proposed housing. It would be an impact that would be of localised significance, with it being viewed in the context of Hale Road which has built features and development including a petrol station, a public house,

the roundabout and other accesses along this section. I consider that this stretch of the road in the vicinity of the appeal site has a suburban rather than a rural character due to these factors and the presence of kerbs, pavements and lighting. The effects of the proposed access would be seen in this context and so are not significant, in my view.

22. As the access would be directly from Hale Road, I agree that the development would not appear as a natural extension of the settlement north of Osborn Road. It would appear as an enclave of housing north of the clearly defined linear edge of the existing built-up area of Farnham. However, the contained visual nature of the site and the presence of Bells Piece means this would not be harmful in this respect.
23. By retaining the open space along the Nadder Stream as public open space and retention of the existing dense boundary planting, the appeal scheme would not result in a harmful erosion in the sense of separation of Farnham from another settlement. Therefore, the appeal scheme would not result in a sense of coalescence, even though there would be some limited encroachment into the gap between settlements.
24. Overall, the proposal would have some harmful urbanising impact on the landscape character of the appeal site, particularly on landscape features of value, principally the meadows. However, the impact on the meadows could be minimised and the overall visual impact of the proposal would be contained and localised. As a result, I consider that the harmful impact on the landscape would not be significant. Nevertheless, it would have a detrimental impact on a valued landscape and the Countryside Beyond the Green Belt and this would raise conflict Policies FNP1 and FNP10 of the FNP and Policies RE1 and RE3 of the LP1. I consider that this matter carries moderate weight against the proposal.

Planning Obligations and SPA

25. The appellants have provided completed Obligations relating to (i) the provision and management of on-site Sustainable Drainage Scheme (SuDS) and open space, (ii) highways contributions to the County Council (provided for separately as a Unilateral Undertaking, (iii) provision of 40% affordable housing, and (iv) provisions intended for the mitigation of the effects of the development on a nearby Special Protection Area SPA.
26. In relation to the SuDS and open space, these provisions would secure the provision and future management of the SuDS and provision and management of the open space including the play area (LEAP). Although this is a large area, in the circumstances of the overall scheme, I see it as a proportionate provision and shall take it into account in this appeal.
27. The contributions for highways matters are to provide vouchers for sustainable transport as well as for monitoring. I consider this would directly serve the needs of future residents and is proportionate to the development and so is relevant to the appeal scheme.
28. The obligations provide for 40% affordable housing which is in excess of that required by the development plan policies of 30%. Whilst this is more than the minimum development plan requirement, I consider that it is

proportionate to the development and can be taken into account in determining this appeal.

29. In relation to the SPA, the obligations include the payment of contributions for Site Access Management and Monitoring (SAMM) and for a Suitable Alternative Natural Green Space (SANG). The appeal site is positioned close to a European designated site and therefore the Conservation of Habitats and Species Regulations 2017 ('Habitat Regulations') are engaged. Pursuant to this, it is for the me as the competent authority in this case to carry out the required Appropriate Assessment under the Habitat Regulations.
30. The Thames Basin Heaths (TBH) SPA covers approximately 8,274 hectares and spanning 11 local authority areas and forms part of an extensive complex of lowland heathlands in southern England that support important breeding bird populations. The SPA consists of areas of unimproved heathland, scrub and woodland which are now fragmented by roads, urban development and farmland. It is designated for supporting breeding populations of European nightjar, woodlark, and Dartford warbler (these being the qualifying features of the SPA) which are ground-nesting species strongly associated with heathland habitat and scrub. The SPA is underpinned by a number of Sites of Special Scientific Interest (SSSI). The proposed development site is located on the edge of Farnham and is approximately 1.9 kilometres from the nearest part of the SPA.
31. The Council's Thames Basin Heaths Special Protection Area Avoidance Strategy (the 'Avoidance Strategy') provides guidance to developers on the level of avoidance measures that the Council expects to see incorporated within planning proposals. It was prepared with reference to Natural England's advice that any application for residential development that results in an increase in the number of dwellings within 5 km of the SPA will, without avoidance measures, be likely to have a significant effect within the meaning of the Habitats Regulations. The Avoidance Strategy identifies a "Zone of Influence" (between 400m and 5km) from the SPA perimeter to the curtilage of any dwelling. These identify the area within which mitigation and avoidance are required. Mitigation and avoidance are identified in the Avoidance Strategy as being the provision of SANG or financial contributions towards the management of strategic SANG, and SAMM contributions used at the SPA.
32. Given the attractive nature of the SPA, its proximity and good access from the appeal site, it is likely that any future residents of the appeal site would use parts of the SPA for recreational purposes. Therefore, the proposal would be likely to give rise to recreational disturbance impacts, potentially affecting the qualifying features of the SPA. It is common ground that future residents would be likely to have an adverse effect in this way, especially from its use by dog walkers.
33. Taking account of the potential impacts I consider that, when following a precautionary approach, the proposal, alone and when considered in combination with residential development, would be likely to have a significant effect on the SPA. Hence, an appropriate assessment is required to consider the implications of the proposal for the integrity of SPA. The impacts from recreational disturbance on the SPA which would occur if the appeal scheme were permitted, if left unmitigated, would fail to maintain the integrity of the SPA. Therefore, the proposal would fail to adhere to the

conservation objectives for the SPA. The Habitats Regulations require that the competent authority may only give permission for the proposal after having ascertained that it will not adversely affect the integrity of the European site. In so doing, they may give consideration to any conditions or other restrictions which could secure mitigation and so provide certainty that the SAP would not be unreasonably affected.

34. The appellant's Obligations include the contributions to the SANG; in this case, towards the operation or maintenance of the existing Farnham Park Strategic SANG, which comprises 85 hectares of semi-natural grassland, woodland and scrub, immediately adjacent to the appeal site. The contributions would be used to improve the visitor experience at the Farnham Park SANG in order to draw them away from the SPA. The appellant would also provide a financial contribution towards SAMP of the TBH SPA. This is aimed at limiting the damage caused by visitors to the SPA. This can include limiting car parking, providing paths, a warden service, the monitoring of visitor numbers and education. This approach is in line with the Council's Avoidance Strategy and is supported by Natural England. It would help support an alternative recreational destination for residents of the appeal scheme and assist in managing the SPA in a favourable condition as a valuable habitat. Therefore, I concur with the appellant and the Council that this mitigation would ensure the proposal would not adversely affect the integrity of the SPA, as its condition need not deteriorate as a result of the appeal scheme.
35. The contributions towards SANG and SAMP would be secured through the Planning Obligation as set out above. The obligation would be directly related to the impacts of the proposal on the SPA and necessary to make the development acceptable. The contributions would be fairly and reasonably related in scale and kind to the development, as they follow the methodology for calculating them in the Council's Avoidance Strategy. Therefore, I shall take these matters into account in determining the appeal. Additionally, the proposal is consistent with Policy NE3 of the LP1, Policy FNP12 of the FNP and Policy NRM6 of the South East Plan. Therefore, in relation to the Appropriate Assessment, I conclude that the proposal, with the mitigation measures set out, would not adversely affect the integrity of the SPA in view of the site's conservation objectives.

Whether any conflict with the development plan is outweighed by any other matters

36. The Council agrees that it cannot demonstrate a 5 years' supply of housing land. Although there is some disagreement about the amount that it can demonstrate. Although it was not necessary to examine matters to a great extent, given the Council's overall position, it seems to me that the Council's suggested delivery for some sites has not been demonstrated. In these circumstances I consider that supply would be short of the Council's figure of 4.9 years and closer to the appellant's figure of 3.46 years.
37. In these circumstances Paragraph 11 of the Framework states that planning permission should be granted unless, (i) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusal or, (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of

the Framework taken as a whole (the 'tilted balance'). In accordance with paragraph 182 of the Framework, the tilted balance can be applied as I have concluded that the proposal would not have an adverse effect on the integrity of the SPA.

38. The proposal would not offend any policies of the Framework that protect areas or assets of particular importance. Therefore, the tilted balance in paragraph 11d(ii) can be applied. In relation to paragraph 14 of the Framework which provides specific protection for Neighbourhood Plans in this context, this is no longer relevant as the Neighbourhood Plan was 'made' in April 2020, more than 2 years ago.
39. The proposal would involve developing an unallocated site outside the BUAB, in conflict with policies within the LP1 and FNP. I have given moderate weight to the harm arising. I have also concluded that moderate weight should be given to the harmful urbanising effects of the proposal on the landscape.
40. The proposal would result in up to 65 new homes with a proportion of affordable homes. In the context of the Council's inability to demonstrate a suitable supply of housing land, I give this matter significant weight. The provision of more than the policy requirement for affordable housing is of particular note in this respect. There would be economic benefits from the construction and occupation of new homes, which attract moderate weight. The site is well-located for local services and employment opportunities and would allow residents to access them without reliance on a private car, which attracts moderate weight. The provision of new public space also attracts moderate weight. The proposal would involve the re-use of some previously developed land, but as this is only a small part of the site, it attracts only a little weight in favour of the appeal.
41. I consider that the total benefits of the scheme weigh significantly in favour of the appeal. When taken as a whole, the adverse impacts are of moderate weight and are insufficient to significantly and demonstrably outweigh the benefits.

Conditions

42. The agreed Statement of Common Ground contains a schedule of agreed conditions for consideration. The appellant has thereby given agreement to any such pre-commencement conditions and confirmed this verbally at the Hearing. I have taken account of the advice in the Framework and PPG in relation to the use of conditions.
43. In addition to the standard time limits for the approval of reserved matters and the commencement of development, it is also necessary to specify the reserved matters and the approved drawings in the interests of certainty. In order to adhere to Policy CC2 of the LP1 it is necessary to impose a water requirement of 110 litres per person per day. In order to safeguard and record any archaeological remains it is necessary to impose a condition securing a programme of archaeological investigation.
44. So that the access is suitably constructed and safe, conditions relating to its construction and the provision of visibility splays are necessary. It is also necessary to ensure the provision of the shared footway/cycleway, pedestrian crossing point and highway drainage infrastructure. I shall also impose a

condition which requires the provision of car parking and turning areas prior to occupation of the dwellings, so that suitable provision is made, in the interests of highway safety. It is also necessary to include a condition requiring a Construction and Environmental Transport Management Plan so that highway safety is not prejudiced. For the same reason I shall include a condition relating to the provision of bulk storage of materials on the site.

45. A condition requiring the provision of cycle storage is necessary so that alternative means of transport are encouraged. So that residents and other users of the site have suitable and safe facilities a condition requiring the approval of internal roads, footpaths and cycle routes is justified, including a footway/cycle route from Scholars Greenway to the site's western boundary with Farnham Park.
46. So that sustainable patterns of travel are encouraged a condition requiring a Travel Pack is necessary as well as suitable vehicle charging points at the new dwellings. So that wildlife is suitably protected, an Ecological and Management Plan is necessary. I shall also include a condition requiring a Construction Environmental Management Plan so that the construction process does not have any unacceptable effects.
47. So that badgers and their setts are not affected I shall include conditions which require a survey to detect any new setts and also to require a licence for works, if necessary. So that the site is suitably drained I agree that conditions requiring the implementation of a suitable surface water drainage scheme and verification that this has been suitably implemented are necessary, as well as a scheme for the disposal of foul drainage.
48. To protect neighbouring residents I shall include a condition which limits the hours during which machinery and plant can be operated on the site and deliveries made during construction works. I shall also include a condition which seeks to ensure a suitable noise environment for future residents. Notwithstanding some provisions for the Local Equipped Area of Play (LEAP) within the planning obligations, I shall include a condition which requires a detailed scheme for its design and its timely provision. I shall also include a condition requiring that the approved cycle/footway link between Hale Road and the western boundary of the site remains as approved, accessible and free for use and from obstruction.
49. I have not included the suggested conditions relating to tree protection and finished ground levels as these appear to me to relate to matters considered at the reserved matters stage and not at this outline consideration.

Conclusion and Decision

50. The proposal would give rise to adverse impacts due to the location of the development and its effects on the landscape. However, the proposal would give rise to notable benefits which are not significantly and demonstrably outweighed by the adverse impacts. Therefore, the appeal is allowed.

T Wood

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

D Bond
E Simes

FOR THE LOCAL PLANNING AUTHORITY:

P Arthurs
R Butcher
R Dovey

INTERESTED PERSONS:

J Hyman
C Powell
C Cockburn
D Howell
J Gallini
A MacLeod

SCHEDULE 1, CONDITIONS (25 in number)

1. Approval of the details of the appearance, landscaping, layout and scale (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.
2. 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.
3. The plan numbers to which this permission relates are plan entitled Presentation Planning Layout reference 021515-STAX-01 Rev A and plan entitled Proposed Site Access reference 16438-SK-001 Rev I.
4. No part of the development shall be commenced unless and until the proposed vehicular access to Hale Road has been constructed and provided with:
 - (i) a means at the back edge of highway of preventing highway water from entering the private land and water from private land entering the highway;
 - (ii) 2.4m x 54m visibility splays, in general accordance with Drawing No. 16438-SK-001 Rev I, and thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.
5. No part of the development shall be first occupied unless and until the following works have been constructed in general accordance with Drawing No. 16438-SK-001 Rev I:
 - (i) the proposed 3.0m wide shared footway/cycleway on the west side of Hale Road;
 - (ii) the proposed uncontrolled pedestrian crossing with central pedestrian refuge;
 - (iii) highway drainage infrastructure required to accommodate all the highway improvement works including (i) and (ii) above including any other necessary accommodation works required to facilitate the highway works.
6. The development hereby approved shall not be first occupied unless and until space is 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.
7. No development shall commence until a Construction and Environmental 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 and maintenance of boundary hoarding including decorative displays and facilities
for public viewing, where appropriate
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway including wheel washing
facilities
- (i) before and after construction condition surveys of the highway and a commitment to fund
the repair of any damage caused
- (j) on-site turning for construction vehicles
- (k) arrangements for public consultation and liaison during the construction works
- (l) measures to minimise the noise (including vibration) generated by the construction process to include method of piling of foundations, the careful selection of plant and machinery and use of noise mitigation barriers
- (m) details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (n) measures to control the emission of dust and dirt during construction
- (o) a scheme for recycling/disposing of waste resulting from demolition and construction works
- (p) no burning of material on site

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.

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

9. The development hereby approved shall not be first occupied unless and until facilities for the secure parking of bicycles for houses and flats within the development site has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

10. The development hereby approved shall not be commenced unless and until the layout of internal roads, footpaths, footways and cycle routes have been

submitted to and approved in writing by the Local Planning Authority. Such details shall include the provision of visibility splays (including pedestrian inter-visibility splays) for all road users, pram crossing points and any required signage and road markings. Once agreed the approved details shall be implemented to the satisfaction of the Local Planning Authority. There shall be no obstruction to visibility splays between 0.6m and 2m high above ground level.

11. The development hereby approved shall not be first occupied unless and until a 3.0m wide shared footway/cycleway within the site from Scholars Greenway to the site's western boundary with the potential to connect to the Hale Trail in Farnham Park has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

12. Prior to the first occupation of the development a Sustainable Travel Information Pack 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 and Surrey County Council's Travel Plans Good Practice Guide for Developers. The approved Sustainable Travel Information Pack shall be issued to the first-time occupier of each dwelling, prior to first occupation. The pack should include:

- Details of local public transport services and location of rail stations and local bus stops
- Details of local car club and lift sharing schemes
- Maps showing local walking and cycling routes and isochrone maps showing accessibility to public transport, schools and local community facilities
- Information to promote the take-up of sustainable travel.

13. The development hereby approved shall not be occupied unless and until each of the proposed dwellings (houses and flats) are provided with a fast charge socket (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.

14. Any reserved matters application relating to layout/landscaping (as required by condition 2) shall include an Ecological Mitigation and Management Plan and this shall include, but shall not be limited to, the following:

- The application of the DEFRA Biodiversity Metric V3.1 to the proposed development site and to be designed to provide ecological net gain enhancements in accordance with the findings of the Net Gain Metric.
- Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal
- Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings.
- Full Great Crested New Mitigation Strategy

- Full Reptile Mitigation Strategy (to include where reptile habitat will be provided on site, how this habitat will be managed, a carrying capacity assessment for the retained and created reptile habitat)
- Full Bat Mitigation Strategy (to include a Sensitive Lighting Plan)
- Aims and objectives of management
- Appropriate management options to achieve aims and objectives
- Prescriptions for management actions
- Preparation of a work schedule for securing biodiversity enhancements in perpetuity
- Details of the body or organisation responsible for implementation of the Ecological Mitigation and Management Plan
- Ongoing monitoring and remedial measures.
- Details of legal / funding mechanisms.

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

15. Any reserved matters application shall be accompanied by a Construction Environmental Management Plan (CEMP) which shall include, but shall not be limited to, the following:

- Map showing the location of all the ecological features;
- Risk assessment of the potentially damaging construction activities;
- Practical measures to avoid and reduce impacts during construction;
- Location and timing of works to avoid harm to biodiversity features;
- Responsible persons and lines of communication;
- Use of protected fences, exclusion barriers and warning signs.

The development shall be carried out in complete accordance with the approved Construction Environmental Management Plan.

16. Prior to the commencement of any works on site that may affect badgers and their setts, the applicant shall obtain a badger mitigation licence from Natural England and any work shall be carried out in accordance with the mitigation, compensation and enhancement actions required within the licence.

17. Immediately prior to commencement of development, a survey of the site by an appropriately qualified and experienced ecologist shall be undertaken within the proposed development boundary and a 30m buffer, to confirm if any new badger setts are present and whether any previously inactive setts have now become active. If any badger activity is detected in addition to the known active setts identified as part of this application, a suitable course of mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the mitigation measures agreed.

18. 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 planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) The results of infiltration testing completed in accordance with BRE Digest: 365 and confirmation of groundwater levels.
- b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 5.2 l/s/ha applied to the developable area.
- c) 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.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times should infiltration drainage be proposed.
- 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 flood risk.
- 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) Protection for the existing culvert for the Nadder stream under the highway and, if necessary, improvement, to support the development and the SuDS design for the development and highway works.

19. 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 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.

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

1. Foul water Capacity exists off site to serve the development, or

2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. 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, or

3. All foul water network upgrades required to accommodate the additional flows from the development have been completed.

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

22. Prior to above ground works commencing, a scheme to demonstrate that the external noise levels within back gardens will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233:2014, Guidance on Sound Insulation and Noise Reduction for Buildings, shall be submitted to and approved in writing by the Local Planning Authority. No residential units shall be occupied until the approved scheme is implemented.

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

24. The dwellings shall be completed to meet the requirement of a maximum usage of 110 litres of water per person per day.

25. Prior to the occupation of the development hereby approved, a detailed scheme for the proposed Local Area of Play and the Local Equipped Area of Play to include a proposed timetable for implementation and details of the equipment provided, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

25. The cycle/footway link between Hale Road and the western boundary of the site that adjoins Farnham Park shall remain in place at all times and shall be made accessible to all members of the public. The cycle/footway link shall be kept from obstruction at all times.