

Appeal Ref: APP/R3650/W/23/3327643 Scotland Park,  
Haslemere

DRAFT Schedule of Conditions – Appellant and LPA Version  
1<sup>st</sup> April 2025

**Note – substantially the same as the Conditions proposed for the First Appeal**

**Conditions**

- 1) In respect of the area of the site for which outline planning permission is granted (as shown by 6046/PL02 A – Component Plan) 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.

Reason:

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

- 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. For the areas which outline planning permission is granted as shown by 6046/PL02 A – Component Plan) must be begun no 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. For the area which full planning permission is granted as shown by 6046/PL02 A – Component Plan) the development shall commence within three years from the date of this permission.

Reason:

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

- 3) Prior to the commencement of the development hereby permitted, a phasing plan shall be submitted and approved by the Local Planning Authority. This shall include:
  - The phasing and timescales of delivery of all open space, SANGs and infrastructure (including all roads, pedestrian and cycle routes within the Access and Movement Parameter Plan);
  - The general location and phasing of key infrastructure relating to the entire development to the extent possible at that time, including surface water drainage (SUDS), green infrastructure and open space, structural landscaping, community facilities and access for pedestrians, cyclists and people in vehicles in order to demonstrate the relationships of the infrastructure elements to the phase or parcel for which reserved matters approval is being sought;

- The open space, SUDS and Children's Play provision to be provided in advance or within any individual phase as relevant to the reserved matters application boundary.

Other than the SANG, LAPs and LEAPs, the remaining open space (as indicated by the Landscape General Arrangement Plan Ref. SL202\_L\_X\_GA\_0\_00 Rev A) shall be delivered by the 83<sup>rd</sup> dwelling occupation.

The development shall be phased in accordance with the approved phasing plan.

Reason:

In the interest of proper planning.

4) The development shall be carried out in accordance with the following approved plans:

- Drawing No. 6046/PL 01 – Location Plan
- Drawing No. 17054-002 Rev. F Midhurst Road Access (Proposed Ghosted Right Turn Lane / Priority Junction at Midhurst Road Option 2)
- Drawing No. SL202\_L\_X\_GA\_0\_00 Rev. A Detailed Area Landscape Plan
- Drawing No. SL202\_L\_X\_GA\_0\_01 Rev. A Planting Plan Access Road
- Drawing No. SL202\_L\_X\_GA\_0\_02 Rev. A Planting Plan South West Field
- Drawing No. SL202\_L\_X\_GA\_0\_03 Rev. A Planting Plan Conifer Plantation
- Drawing No. SL202\_L\_X\_GA\_0\_04 Planting Plan Southern Wetland
- Drawing No. SL202\_L\_X\_GA\_0\_05 Planting Plan South East Field
- Drawing No. SL202\_L\_X\_GA\_0\_06 Scout Facility Planting Plan
- Drawing No. 6046/PL 04A Land Use Parameter Plan
- Drawing No. 6046/PL 05A Access & Movement Parameter Plan
- Drawing No. 6046/PL 06A Building Heights Parameter Plan
- Drawing No. 6046/PL 07A Green & Blue Infrastructure Parameter Plan
- Drawing No. 6046/PL 08A Building Density Parameter Plan
- Drawing No. 6046/PL 09A Detailed Area Slab Levels
- Drawing No. 6046/PL 10A Western Access Approach Detail
- Drawing No. 6046/PL 11A Western Woodland Detail Drawing
- Drawing No. 6046/PL 12A Central Woodland Detail
- Drawing No. 6046/PL 13A Southern Fields Detail Drawing
- Drawing No. 6046/PL 14 Eastern Development Design Framework Plan
- Drawing No. 6046/PL 02A Components Plan
- Drawing No. 6046/PL\_100A Plot 1 T1 Floor and Roof Plans
- Drawing No. 6046/PL\_101A Plot 1 T1 Elevations
- Drawing No. 6046/PL\_109 Ramblers Park Pavilion
- Drawing No. 6046/PL\_104 Scout Hut Plan
- Drawing No. 6046/PL\_105 Scout Hut Elevations
- Drawing No. 6046/PL\_106 Forest School Plan
- Drawing No. 6046/PL\_107 Forest School Elevations
- Drawing No. 6046/PL\_108 Forest School WC Elevations
- Drawing No. 492\_CS\_01 Landscape (Wetland) Cross Section Plan
- Drawing No. 492\_D6 Landscape Boundary and Surface Treatment Plan
- Drawing No. 492\_D7 Landscape Boundary and Surface Treatment Plan

- Drawing No. 492\_D8 Landscape Boundary and Surface Treatment Plan
- Drawing No. 492\_D1 Boardwalk Platform Plans and Elevations
- Drawing No. 492\_D2 Boardwalk Platform Plans and Elevations
- Drawing No. 492\_D3 Boardwalk Platform Plans and Elevations
- Drawing No. 492\_D5 Tree Pit in Soft Landscape Plan
- ~~Drawing No. CBA10881.03A TPP Tree Protection Plan~~
- ~~Drawing No. CBA10881.02B TRRP Tree Retention and Removal Plan~~
- ~~Drawing No. 6046 / PL 03A Tree Retention and Removal Plan Sheet 1 of 2 and 2 of 2~~

**Commented [LB1]:** Update to reflect the tree removal undertaken by Surrey County Council along Midhurst Road.

**Reason:**

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

- 5) Prior to the approval of any reserved matters application, a Design Code shall be submitted to and approved in writing by the local planning authority. The design code shall be in accordance with the principles and parameters established by the Design and Access Statement, and shall include:
- a masterplan showing the relationship of built development to open space;
  - block principles to establish the location of uses including the Forest School, Scout Building, the self-build plots, density and building typologies; in addition, design principles including primary frontages, pedestrian access points, fronts and backs and threshold definition;
  - principles for the road hierarchy, pedestrian and cycle connections, including the alignment, width, lighting and surface materials to be used;
  - a strategy for street tree planting;
  - principles for the layout to accommodate and respond to existing landscape features within the site (including for the retention of existing trees, hedges and other boundary planting);
  - design of the public realm, including principles for the design and layout of public open space, areas for play, lighting, street furniture and sustainable urban drainage (including features such as ponds, ditches, storm water planters and swales);
  - a car parking strategy to demonstrate how parking provision will be well integrated both with the built development and hard and soft landscaping;
  - measures to demonstrate how the design can maximise resource efficiency and climate change adaptation through external, passive means, such as landscaping, orientation, massing, and external building features;
  - details of measures to minimise opportunities for crime;
  - measures to show how design, orientation and the use of materials will mitigate the landscape and visual impact of the development;
  - building typologies to include information about height, scale, form, level of enclosure, building materials and design features.

**Reason:**

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

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

Reason:

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

- 7) 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.

Reason:

In the interests of the amenities of adjoining occupiers of the development, in accordance with TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

- 8) No development shall take place of a phase until a detailed levels plan, clearly identifying existing and proposed ground levels and proposed ridge heights, has been submitted to and been approved in writing by the Local Planning Authority. This should 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 and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason:

To ensure the appearance of the development does not adversely affect the surrounding area in visual terms in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and Policy DM11 of the Local Plan (Part 2) 2023.

- 9) Prior to the commencement of the area of land for which full planning permission is granted, and prior to or alongside the Reserved Matters applications relating to landscaping for the areas which outline planning permission is granted (both as shown by 6046/PL02 A – Component Plan) an Arboricultural Method Statement shall be submitted, by phase, and approved by the Local Planning Authority confirming how retained trees on site shall be protected during the course of construction. The development shall be carried out in accordance with agreed Arboricultural Method Statement.

Reason:

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

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

Reason:

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

- 11) No works shall commence on-site (apart from initial construction works permitted by the CTEMP condition 16) unless and until the proposed access to Midhurst Road hereby approved has been constructed and provided with visibility splays in accordance with the approved plans, Drawing No. 17054-002 Rev F, and thereafter the visibility zones shall be kept permanently clear of any obstruction over 0.6m high.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

- 12) The development hereby approved shall not be first occupied unless and until the highway improvement works to Midhurst Road, and at the junction of Midhurst Road / Scotland Lane have been constructed and provided in accordance with Drawing No.s 17054-024 Rev. D (Midhurst Road Speed Roundels) and Drawing No. 17054-004 Rev. C Footway Improvements Midhurst Road/Scotland Lane.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

- 13) The development hereby approved shall not be first occupied unless and until a dedicated pedestrian/cyclist route has been provided within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority in consultation with Surrey County Council. The scheme shall include the proposed link from the development to adjacent land (planning permission ref. WA/2020/1213) accessed from Scotland Lane. Thereafter it shall remain permanently open for public use.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

- 14) Each of the dwellings in the development hereby approved shall not be 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 and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

- 15) 50% of all visitor parking spaces and 50% of all parking spaces in association with the scout/nursery/education facilities of the development hereby approved shall be provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

- 16) No development within a phase shall take place until a Construction Transport and Environmental Management Plan ("CTEMP") for that phase has been submitted to and approved in writing by the Local Planning Authority. The CTEMP shall include:
- a) The proposed construction traffic routes to the site, to be identified on a plan
  - b) A programme of works including measures for traffic management including timing
  - c) Area(s) for the parking and turning on site of construction vehicles and vehicles of site operatives and visitors
  - d) Area(s) of the loading and unloading of plant and materials
  - e) Area(s) for the storage of plant and materials used in construction of development

- f) Details of waste management and storage arrangements including waste recycling where possible
- g) Contact details of the Project Ecologist and/or Ecological Clerk of Works responsible for particular activities associated with the CTEMP
- h) Details of the location of any boundary hoarding in the vicinity of junction visibility zones
- i) A plan showing habitat areas to be specifically protected during construction
- j) Details of the measures to be used during construction in order to minimise the environmental impact of the works including potential disturbance to protected species
- k) Details of the pollution control measures necessary to minimise noise (including vibration) generated by the construction process in accordance with BS 5288 including in the selection of plant and machinery and use of noise buffers and to control the emission of dust, dirt and run-off
- l) Measures to prevent the deposit of materials on the highway
- m) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- n) Before and after condition surveys of the highway and a commitment to fund the repair of any damage caused by construction traffic servicing the site
- o) Details of any proposed temporary diversions of Public Rights of Way on the site

The construction of each phase of the development shall be carried out in accordance with the approved CTEMP for that phase.

**Reason:**

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site and to mitigate any adverse impact from the development on both the strategic and local road networks in accordance with policies ST1 and NE1 of Local Plan (Part 1) (2018) and in accordance with DfT Circular 01/2022. It is also to ensure impact on neighbouring residents' amenity is minimised in accordance with policy and DM1 of Local Plan (Part 2) (2023). It is considered necessary for this to be a pre-commencement condition because the management of the construction needs to be considered before construction commences.

- 17) Each of the dwellings in the development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles and the provision of a charging point for e-bikes have been provided for each dwelling in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

**Reason:**

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

18) The details within the approved Residential Travel Plan, dated 21<sup>st</sup> June 2022, shall be implemented upon first occupation of the development and thereafter shall be maintained to the satisfaction of the Local Planning Authority.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to promote sustainable forms of transport in accordance with Policy ST1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024.

19) Prior to the commencement of the area of land for which full planning permission is granted, and prior to or alongside the Reserved Matters applications for the areas which outline planning permission is granted by phase (both as shown by 6046/PL02 A – Component Plan) details of the design of a surface water drainage scheme shall 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, National Planning Policy Framework and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+25% 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. Where infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.8 l/s/ha applied to the positively drained areas of the site only.
- 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.). 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.
- c) 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.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) 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.

Reason:

To ensure the design meets the national Non-Statutory Technical Standards for SuDS and the final drainage design does not increase flood risk on or off site.

20) By phase, prior to the completion of the development and before any occupation, 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.

Reason:

To ensure the Drainage System is designed to the National Non-Statutory Technical Standards for SuDS. This condition is in accordance with paragraph 173 of the National Planning Policy Framework and Policy CC4 of the Local Plan (Part 1) 2018 and seeks to reduce the risk of flooding to the proposed development and future occupants. Policy CC4 states *'development must be located, designed and laid out to ensure that it is safe [and] that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere'*.

21) The development shall be carried out in accordance with the submitted SANG Creation and Management Plan (ref 21/09-4B dated 22 June 2022 prepared by EPR Ltd) and the following mitigation measures it details:

- There shall be no raising of existing ground levels in Flood Zones 2 and 3.
- There shall be no impedance of flood flow as a result of the development. As such, boardwalks will be open to allow floodwaters to flow freely in accordance with Boardwalk Plan and Elevation (Drawing No: 492\_D1 to D3, dated 3 June 2022 prepared by Sightline Landscape)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:

This condition is in accordance with paragraph 181 of the National Planning Policy Framework and Policy CC4 of the Local Plan (Part 1) 2018 which state development must not increase flood risk elsewhere. This condition seeks to prevent flooding elsewhere by ensuring that land levels remain the same and ensuring the satisfactory storage and disposal of surface water from the site.

22) With the exception of any advanced planting, no development shall take place until a programme of archaeological work has been implemented in accordance with a Written Scheme of Investigation, by phase, which has been submitted by the applicant and approved by the Local Planning Authority.

Reason:

The site is within an Area of High Archaeological Potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy DM25 of the Local Plan (Part 2) 2023.

- 23) There shall be no occupation beyond the 49<sup>th</sup> dwelling until confirmation has been provided that either: -
- a) all water network upgrades required to accommodate the additional demand to serve the development have been completed, or;
  - b) a development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow additional development to be occupied.

Where all water network upgrades have been undertaken, this should be agreed in writing with the Local Planning Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason:

The development may lead to low / no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid low / no water pressure issues.

**Commented [LB2]:** LPA suggested condition.

The Appellant suggests that this condition is not required on the basis of CD3.2, where Thames Water confirm no objection.

- 24) The development shall not be occupied until confirmation has been provided that either:
- a) All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
  - b) A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where all foul water network upgrades required to accommodate the development have been undertaken, this should be agreed in writing with the Local Planning 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.

Reason:

Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

**Commented [LB3]:** LPA suggested condition.

The Appellant suggests that this condition is not required on the basis of NID 5.1 (Appendix 7), where Thames Water confirm no objection.

25) Prior to the commencement of the area of land for which full planning permission is granted, and prior to the commencement of the area which outline planning permission is granted by phase (both as shown by 6046/PL02 A – Component Plan), 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.
- 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
  - 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.

Reason:

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

26) Upon completion of the approved remediation works by phase, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with Condition 25 and shall be submitted to the Local Planning Authority for approval prior to occupation of the development.

Reason:

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

27) Following commencement of the development hereby approved, by phase, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 25 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 commencement of works.

- a) an investigation and risk assessment, undertaken in the manner set out in Condition 24 of this permission
- b) where required, a remediation scheme in accordance with the requirements as set out in Condition 24(b)
- c) following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 26.

Reason:

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM1 of the Local Plan (Part 2) 2023.

28) Prior to the commencement of the residential development, a scheme for the provision of a Locally Equipped Area of Play (LEAP) and two Local Areas of Play (LAPs) including the timetable for their implementation shall be submitted for approval by the Local Planning Authority. The LEAP shall be a minimum size of 400 square metres and the LAPs a minimum size of 100 square metres. The LEAP and the two LAPs shall be implemented in accordance with the approved scheme and timetable.

Reason:

In order to provide adequate play-space for children, in accordance with Policy TD1 of the Local Plan (Part 1) 2018.

29) 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. 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 should 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 Local Planning Authority.

Reason:

In the interests of the wider landscape character and to ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policies RE1, RE3, NE1 of the Local Plan (Part 1) 2018 and Policies DM1 and DM2 of the Local Plan (Part 2) 2023.

30) Prior to, or alongside the submission of reserved matters for each phase a Sustainable Design and Energy Statement (based on the Sustainability and Energy Statement, dated June 2022) detailing how the proposed buildings are meeting the policy requirements of sustainable design and construction and energy production shall be submitted to and agreed in writing by the Local Planning Authority. Each phase of the development shall then be carried out in accordance with the agreed details. Details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been designed so that the potential consumption of wholesome water by persons occupying a dwelling will not exceed 110 litres of water per person per day. The dwellings shall be constructed to accord with the standard.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Local Plan (Part 1) 2018.

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

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

Reason:

In the interests of the visual amenity of the area, in accordance with Policies DM5 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2024.

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

Reason:

In the interests of residential amenity, in accordance with Policies DM5 of the Local Plan (Part 2) 2023 and the National Planning Policy Framework, 2024.

33) Prior to the first occupation of the dwellings hereby permitted the highest available speed broadband infrastructure shall be installed and made available for use.

Reason:

To ensure sustainable construction and design in accordance with Policy CC2 of the Local Plan (Part 1) 2018.

34) No dwelling shall be occupied on the site until it has been demonstrated that the Suitable Alternative Natural Greenspace (SANG) has been delivered in accordance

with approved details, to the satisfaction of the Local Planning Authority in consultation with Natural England.

Reason:

The provision of a bespoke SANG is required to mitigate the impact of the proposed development on the Wealden Heath Phase I SPA, in accordance with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Regulation 62 of the Conservation of Habitats and Species Regulations 2017 and the National Planning Policy Framework, 2024.

35) No development shall take place until a detailed Landscape and Ecological Management Plan (LEMP) (in general accordance with the outline LEMP dated June 2022) has been submitted to and been approved in writing by the Local Planning Authority. Proposals for ecological enhancement, and where required, compensation and mitigation put forward within the LEMP should be based on the impact avoidance, mitigation and biodiversity enhancement recommendations of Ecological Survey Report, dated October 2023, prepared by Engain Ltd, Biodiversity Net Gain and Enhancement Strategy, dated February 2023, prepared by Engain Ltd. The LEMP shall include:

- a) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal;
- b) Numbers and locations of bird boxes, including provision integral to the design of the new buildings;
- c) Aims and objectives of management, with particular regard to the relevant objectives within the AONB Management Plan;
- d) Appropriate management options to achieve aims and objectives, notably for Red Court Woods, in respect of invasive species removal;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule for securing biodiversity enhancements in perpetuity;
- g) Details of the body or organisation responsible for implementation of the LEMP;
- h) Ongoing monitoring and remedial measures;
- i) Details of legal / funding mechanisms.
- j) Full detail and specification for the Mammal Tunnel to facilitate the movement of wildlife.
- k) Hazel Dormouse Mitigation and Enhancement Strategy
- l) Reptile Mitigation and Enhancement Strategy
- m) Bat Mitigation and Enhancement Strategy
- n) If demonstrated to be required, a Badger Mitigation Strategy
- o) Sensitive Lighting Management Plan
- p) Full detail on the planting specification, to include species, location(s) and numbers, for the landscaping, habitat creation and enhancement across the application site.

Reason:

In order that the development should protect protected species and provide biodiversity enhancements, in accordance with Policy NE1 of the Local Plan (Part 1) 2018 and the National Planning Policy Framework, 2024. This is a pre-

commencement condition because it relates to the incorporation of ecological enhancements in the construction process.

- 36) 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 be 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 should 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.

Reason:

In order that the development should protect protected species in accordance with Policy NE1 of the Local Plan (Part 1) 2018.

- 37) Prior to the commencement of development, full details of the specification of advanced planting shall be agreed in writing with the Local Planning Authority, and then shall be installed on land around the main site access off Midhurst Road, as indicated by the Western Approach Detail Drawing (6046/PL10A) and Planting Plan Access Road Drawing (SL202\_L\_X\_GA\_0\_01 Rev A). The planting works shall also include measures to restore the World War II historic asset, Spigot gun emplacement.

Reason:

To ensure appropriate landscaping mitigation in accordance with Policy DM11 of the Local Plan (Part 2) 2023.

- 38) 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 must demonstrate how a minimum 10% net gain will be delivered across the scheme as a whole, and how it will 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, including habitats and species, and restoration measures for the Wildlife Corridors on the site;
- e) Details of how the minimum Biodiversity Net Gain will be delivered across the development as a whole, including details of any habitat banking arrangements necessary to secure achievement of the overall target having regard to the phased nature of the development;

- 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.

**Reason:**

This pre-commencement condition is required to ensure the development delivers a biodiversity net gain within the site in accordance with policy DM1 of Local Plan (Part 2) (2023).

39) The residential dwellings once completed shall:

- a) meet the National Minimum Space Standards;
- b) comprise a minimum of 10% of Building Regulations M4(2) 'acceptable and adaptable dwellings'; and

**Reason:**

To ensure that the housing delivery meets the Boroughs identified housing need and offers housing choice, in accordance with policy AHN3 of Local Plan (Part 1) (2018).

**Date: 1<sup>st</sup> April 2025 (DRAFT – Appellant and LPA Version)**