



Appeal Decision

Inquiry held on 2-5 February 2016

Inquiry closed in writing on 29 February 2016

Site visit made on 2 February 2016

by Ava Wood DipARCH MRTPI

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

Decision date: 31 March 2016

Appeal Ref: APP/R3650/W/15/3129019

Land to the east of Alford Road and west of Knowle Lane, Cranleigh, Surrey GU6 8RU

- 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 Berkeley Strategic Land Limited against the decision of Waverley Borough Council.
 - The application Ref: WA/2014/0912, dated 30 April 2014, was refused by notice dated 6 January 2015.
 - The development proposed is described as 'residential development of up to 425 dwellings including a mix of private market housing and affordable units. A community facility; formal and informal open space; landscaping and two new access points; one off Alford Road and one off Knowle Lane'.
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Decision

1. The appeal is allowed and planning permission is granted for residential development of up to 425 dwellings including a mix of private market housing and affordable units. A community facility; formal and informal open space; landscaping and two new access points; one off Alford Road and one off Knowle Lane at land to the east of Alford Road and west of Knowle Lane, Cranleigh, Surrey GU6 8RU, in accordance with the terms of the application Ref: WA/2014/0912, dated 30 April 2014, subject to the 29 conditions set out in Annex C to this decision.

Procedural and Preliminary Matters

2. As agreed in open session at the inquiry, closing submissions would be sent to the Planning Inspectorate by 16 February 2016 along with the completed s106 planning obligation. On receipt of the material requested, the inquiry was closed in writing on 29 February.
 3. Access to the site falls to be considered as part of this application. All other matters of detail are reserved for subsequent approval. That is the basis on which the Council determined the application, and I have considered the appeal in the same terms.
 4. The planning obligation offers a range of financial and other contributions, including affordable homes. I return to the matter later in the decision. At this stage it is sufficient to record that, in the light of the provisions of the planning
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obligation, the Council did not pursue Reasons for Refusal 3 and 4 at the inquiry.

Main Issues

5. The main issues are:
- i) The effect the proposed development would have on the character and appearance of the area.
 - ii) Its impact on the Knowle Wood Ancient Woodland.
 - iii) The flooding implications of the proposal.
 - iv) Whether in the light of the conclusions on the above, and on other matters identified in the representations made, any adverse impacts arising from the proposed development would be significantly and demonstrably outweighed by its benefits, and the proposal amounts to sustainable development.

Reasons

Character and Appearance

Policy Framework

6. Policy C2 of the Waverley Borough Local Plan 2002 (LP) establishes the approach to development in the countryside beyond the Green Belt, which is to be protected *"for its own sake"* and *"building in the open countryside away from existing settlements will be strictly controlled."*
7. The Council agrees with the appellant that a five-year supply of deliverable housing sites cannot be demonstrated. Paragraph 49 of the NPPF confirms that under such circumstances relevant policies for the supply of housing should not be considered up-to-date. The recent Court of Appeal judgement¹ has clarified that the concept of *"policies for the supply of housing"* extends to plan policies whose effect is to influence the supply of housing land by restricting the location where new housing may be developed, such as (inter alia) policies for the general protection of the countryside.
8. That interpretation of housing supply policies applies to Policy C2, because the containment of settlements by the policy is a product of the LP's meeting of historical housing needs and because of the likely release of some greenfield sites around Cranleigh to meet future needs². For the purposes of paragraph 14 of the NPPF, therefore, the policy is out-of-date.
9. The underlying aim of Policy C2 (expressed in supporting text) is to protect parts of the Borough that are not in the Green Belt from development, as they are regarded as an important part of the rural area of Waverley and integral to the whole area of countryside. That is not inconsistent with the NPPF principle of recognising the intrinsic character and beauty of the countryside. However, in the particular circumstances of this case (the site's location in relation to Cranleigh, the present housing land supply position and inevitable release of greenfield sites), the weight to be attached to Policy C2 is tempered by its development restraining functions.

¹ 17 March 2016 [2016] EWCA Civ 168

² CDB21 – Waverley Borough Local Plan – Emerging Spatial Strategy

10. Policies D1 and D4 cover general overarching environmental considerations and design of development. They resonate with the NPPF's desire to achieve high quality developments responding to local character and surroundings, and are relevant to determination of the appeal scheme as part of the development plan.

Effect on Character and Appearance

11. The appeal site, extending to approximately 20.83 Ha, comprises three agricultural fields lying on a relatively flat valley floor. The landscape around the site is undulating. To the north, beyond Cranleigh, the land rises into the Surrey Hills, and the elevated parkland landscape of Knowle Park lies to the south beyond the public right of way (PRoW 393). There are small areas of woodland towards the site's eastern and western boundaries plus two lines of trees and hedge lines crossing the site north to south. A number of trees are located along the Knowle Lane side of the site and along Littlemead Brook. The lie of the land and the site's features display the key characteristics of the Low Weald National Landscape Character: "*broad low lying...clay vale...intimate landscape enclosed by an intricate mix of small woodlands, a patchwork of fields and hedgerows.*"
12. The site falls within the Cranleigh sub-area CL1-B, as described in the Landscape Study of August 2014 commissioned by the Council. The Study aims to assess the ability of the landscape to accommodate future residential development; it forms part of the evidence base informing the emerging Local Plan. It goes on to recognise that there is potential capacity in this area, and also confirms what I observed on site that intervisibility is low with views to the north, east and west screened by intervening vegetation even during winter months.
13. In evidence to the inquiry, the Council's witness did not shy away from the Study's conclusions, but accepted the suitability of the site for development for a number of reasons: proximity to the village centre; distance from designated landscapes and relative visual containment. The objection however is to the scale of the development proposed which would bring about a major change to the landscape, with little opportunity to soften the development's impact. The deciding question therefore is whether a development of 425 new dwellings can be accommodated on the appeal site without causing undue harm to the area's character or appearance.
14. Looking first at character, replacement of green undeveloped fields with a development of over 400 dwellings and attendant roads and footways is bound to result in a notable change in the site's landscape character. The development would result in loss of an area of countryside marking the extent of the village and contributing to its setting. The magnitude of change could be described as 'major adverse'.
15. On the other hand, the effect would be largely confined to the appeal site. The landform and watercourse network would remain unchanged. Built development would be contained by the site's vegetated boundary features and by the industrial estate and built-up fringe of Cranleigh to the north. The landscape strategy proposes reinforcement of the site's boundary vegetation. Retention of an undeveloped strip of land alongside Littlemead Brook combined with the block of open countryside buffering the parkland setting of Knowle Park would further contain incursion by new built development into the

- countryside. The hills and undulating landscape character of the surrounding areas would remain intact.
16. As for appearance, I agree that topography and vegetation would screen the development from distant views. Its visual impact would be most apparent from PRoW 393 and the Downs Link passing to the south and north of the site respectively. No amount of new planting or sensitive positioning of buildings could disguise the substantial visual changes that would result.
 17. From the south, views of Cranleigh's buildings and rooftops currently visible through and above tree-lined edges and the fields in the foreground would be replaced by an extensive housing development, with all the attendant roadways and activities that a proposal of this size and scale would bring. Views from the Downs Link would also be dominated by the urbanising effects of the new development extending towards the floodplain of the Littlemead Brook.
 18. In its favour, the development would not alter long range views across to the Surrey Hills and the Knowle Parkland. The Ozier Beds and the Littlemead Brook flood plain would provide a countryside edge (albeit much truncated) when looking towards Cranleigh from PRoW 393. There is also scope in the layout to implement a landscaping strategy that would achieve a green infrastructure along much of the southern boundary of the appeal site.
 19. The Downs Link already passes by the urban edge of Cranleigh. It is bordered by buildings and car parks accessed from High Street, and the route runs close to built development including the industrial estate visible in the approach from the west. The new development would add to the amount of urban development alongside the Downs Link but only where it passes through the village and where the experience is already that of an urban edge. With a landscape strategy in place to soften the northern fringes of the proposed scheme, the visual impact of the proposal could be softened, but by no means would the urbanising effects be alleviated.
 20. Views from residential properties would change significantly, although the line of trees and other vegetation would provide some screening. More importantly the proposal would not be so close to the existing dwellings as to dominate the outlook. The separation distance between the new development and existing properties would ensure good standards of light, privacy and outlook for existing and new residents.
 21. The indicative Masterplan and the Design and Access Statement (DAS) illustrate the extent to which the layout is looking to capitalise on the site's existing features. Existing tree belts and hedgerows within the body of the site would be retained, and the layout shows a desire to create green corridors with a north-south visual and green connection between Cranleigh and the countryside. The Masterplan also shows how the developable areas of the site would provide a series of public spaces, with opportunities for good connectivity through the site.
 22. Design and layout are reserved for future consideration. Nevertheless, the material submitted provides sufficient evidence of the potential for accommodating 425 dwellings on the developable areas of the site. I am less convinced that, at a net density of just over 30 dwellings per hectare, the developed parcels of land could deliver the 'garden suburb' setting claimed in

the DAS. Furthermore, there would be little scope to replicate the pattern of development characterised by the mix of common land and widely spaced properties to the north of High Street.

23. On the other hand, the density proposed would not be dissimilar to other residential neighbourhoods in the village. Strong vegetation belts and areas of open spaces on the boundaries of the site have the potential to create a suitable landscaped setting to integrate the development with the countryside to the south. The opportunities for connections through the site and into Cranleigh centre would help to enmesh it into the fabric of the village. Criticisms of the formality of the landscape design are premature, given the outline status of the permission being sought, and could be overcome at the detailed design stage.
24. Concluding on this issue, the proposal would comply with Policy D4, insofar as a new housing development on the site has the potential to complement its surroundings and achieve high quality design. However, there would be harm to the land's rural character and therefore a breach of Policy D1. As a development in the countryside the proposal would also fall foul of Policy C2. The harm caused and the breach with Policy C2 and Policy D1 are matters to be weighed in the balance as part of the final issue, and having regard to the reduced weight to be accorded to Policy C2.

Ancient Woodland

Policy Framework

25. The supporting text to Policy C7 recognises the Borough's inheritance of tree cover as amongst its "*richest environmental assets....A high proportion of the woodland areas is ancient semi-natural woodlandThe woodlands are especially valuable habitats...*" It is in this context that the loss of woodlands is resisted under Policy C7.
26. Policy D7 seeks to preserve trees in the countryside and states that permission will not be granted for development that results in loss of important groups of trees. Ancient woodland is not specifically mentioned. Neither policy allows for balancing the loss of trees or woodland against needs or benefits, as required by the fifth bullet of NPPF paragraph 118. The inconsistency with the NPPF in that respect limits the weight to be attached to the policies.

Loss of ancient woodland

27. Knowle Wood, situated on the south western edge of the appeal site, is classified in the Ancient Woodland Inventory as ancient semi-natural woodland. It extends to some 0.69 Ha and comprises Hazel coppice with mature Oak standards. This area of ancient woodland lies to the west of a ditch separating it from an area of woodland (0.27 Ha) of more recent origin, which is not classified. Approximately 0.1 Ha of the 0.69 Ha of ancient woodland (or 14.5%) would be lost as a result of a new access road to be constructed to serve the new development. The proposed development would result in the loss of nine trees within the ancient woodland interior, a further six trees beyond the woodbank to the west, two stands of Holly and a number of Hazel coppice stools. The losses would be irreplaceable, given the ancient woodland status of the land. Also, loss of part of the last remnant of what was a much larger ancient woodland until the 1960s diminishes its historic value.

28. The impacts of the industrial estate affecting the northern section of Knowle Wood could spread to the areas alongside the new access road. Added to which, the woodland would be fragmented and the ecological significance and habitat value of the strip of woodland to the north of the new road would be compromised.
29. The first bullet of paragraph 118 of the NPPF introduces the principle of the 'mitigation hierarchy'. The Planning Practice Guidance (PPG) advises that the requirements of the mitigation hierarchy need to be satisfied otherwise permission should be refused. Harm should be shown to be avoidable before mitigation or compensation is considered. Similarly, loss or deterioration of irreplaceable habitats (such as ancient woodland) has to be shown to be clearly outweighed by the need for and benefits of development in that location. In other words, while seeking to protect ancient woodland, Paragraph 118 allows for circumstances where the loss can be outweighed by other considerations.
30. The appellant's evidence points to factors already compromising the ecological significance of Knowle Wood - its small size, relative isolation, limited diversity of species, presence of invasive species, proximity of the Hewitts Industrial Estate and lack of management, for instance. The evidence was not challenged by an ecology expert appearing on behalf of the Council. Natural England (NE), however, describes small blocks of woodland as 'stepping stones', with a role in connectivity and genetic exchange of mobile species. Size alone should not be used as an indicator of a woodland's quality.
31. Furthermore, there is no indication in either paragraph 118 of the NPPF, or corresponding advice in the PPG, that issues of need or unavoidability should have regard to the value or quality of ancient woodland. Inspectors' decisions referred to in support of the appellant's alternative approach do not assist on this matter, as none is directly comparable. The question of ecological quality was not part of the unavoidability, need or benefit discussions in the Hermitage Lane case³, and only 1.8% of the designated woodland was due to be lost. In the Hermitage Quarry case⁴, the Secretary of State agreed with the Inspector that "*...in order to properly balance the harm against benefits, the characteristics of the ancient woodland in question must be assessed.*" The evidence of actual ecological value therefore may well have a bearing on considerations of harm/benefits, but, from my reading of the NPPF, it has no place in an assessment establishing whether the loss or harm is unavoidable.
32. Similarly, under the approach promoted in the PPG, considerations of minimising harm through effective mitigation arise after it is demonstrated that significant harm cannot be wholly or partially avoided. Compensation is regarded as a last resort in the event of significant residual harm. NE's standing advice similarly describes compensation as a last resort and advises against it forming part of the assessment of the merits of the proposed scheme.
33. Turning then to the question of whether harm can be avoided. In this case, the issue turns on whether there is a need for the access road to cut through the ancient woodland. At the inquiry the Council pursued an objection to the proposal on the grounds that the appellant had failed to provide evidence that alternative access options would be unacceptable. The Statement of Common

³ APP/U2235/A/14/2226326 & APP/H2265/A/14/2226327

⁴ APP/W2275/V/11/2158341

Ground (SoCG), however, categorically states that to “*secure the necessary highway access to the development from Alfold Road, it is necessary for an access road to pass through the ancient woodland leading to the loss of some ancient woodland.*” The availability or appropriateness of alternative routes was not raised in the reason for refusal or in the Council’s Statement of Case. The Environmental Statement (ES) additionally shows that the matter had been considered and the Council had not requested further information concerning any of the sites assessed in the ES.

34. Additional information (ID19) was produced at the inquiry to supplement the ES evidence. The new material largely focussed on land ownership matters. Third party ownership of land is surmountable and not a convincing enough justification for discounting access through Hewitts Industrial Estate. However, having recently refused permission for redevelopment of the estate for residential purposes, for reasons of preserving employment opportunities, the Council cannot then seek to promote an access through the estate as part of some future (and unknown) redevelopment scheme.
35. A route crossing the Downs Link does not of itself preclude the option of an access from the north. The Downs Link is crossed by highways at various points along its route. Knowle Lane is a good example of that. However, a route through Stocklund car park and crossing the Link raises complex issues, given that there are some 29 leasehold interests over the car park. Loss of car parking in an area already under parking stress could count against such an option, although no evidence was provided to support that view presented by the appellant.
36. The reluctance to introduce an access from the south is understandable. It would involve development extending further into the countryside and into a sensitive area. The Knowle Lane option is only acceptable for a smaller development of 75 dwellings, due to highways capacity issues. In any event, flooding concerns on Knowle Lane brings into doubt the permissibility of an access to serve more than 75 dwellings from that option.
37. From what was said at the inquiry it does appear that the appellant had explored a number of options for the purposes of the ES before settling on the present access route from Alfold Road. In the light of the evidence before the inquiry (albeit limited), and having regard to the Council’s previous position accepting that access through the Knowle Wood is unavoidable, my judgement on this matter is very finely balanced in favour of the appellant’s position. From this conclusion it follows that there is a ‘need’ for the access road in the location proposed and that loss of a section of Knowle Wood would be unavoidable. That alone does not override the harm caused, but requires the need for the development in this location and its benefits to be additionally weighed into the balance. This is a matter for the final issue.
38. The next stage of the mitigation hierarchy requires me to assess the extent to which the scheme’s design and other measures would minimise the adverse effects identified.
39. The Knowle Wood Mitigation Strategy commits to confining the new access road as far north as possible in order to maintain the majority of the woodland as a single block to the south. The area of woodland isolated to the north would be retained as a buffer to the stream, to ensure its ecological function, although that strip of woodland would continue to be affected by the proximity

- of the industrial estate. The connectivity afforded by the block of woodland to the south would be maintained. No houses would back on to the woodland and only a small number would be sited in its vicinity.
40. Measures are proposed for protection of woodland habitats during construction. The ancient woodland would not form part of the public open space once the development is implemented. Access to the woodland would be restricted by fencing and scrub planting. With the exception of the access road, a buffer of a minimum width of 15m is to be maintained between the ancient woodland boundary and the proposed development.
 41. The development would also provide the opportunity for managing retained and newly created habitats, where currently management of the existing woodland is practically non-existent. The measures include restoration of the pond within the eastern area of Knowle Wood, control of non-native and invasive species, removal of debris, and thinning of canopy to encourage more diverse ground flora and woodland structure.
 42. All of the above design and management commitments could be secured by condition or in the planning obligation. The mitigation package would prevent further deterioration or erosion of the woodland's ecological significance. The adverse impacts would nevertheless remain. It is also likely that many of these measures would have been necessary even if an alternative route was proposed, given the scale of the development in proximity to ancient woodland.
 43. Looking at the compensation element of the mitigation hierarchy, on-site measures (soil translocation and new habitat creation) are proposed which would complement the retained woodland. In addition to that, the planning obligation offers off-site measures comprising restoration of degraded Wealden gill corridor of approximately 450m and creation of some 0.75 km of woodland ride habitat at Chiddingfold Forest. The package of measures was developed with the Forestry Commission and would restore and enhance ancient woodland associated with the Chiddingfold Forest SSSI.
 44. These are substantial proposals that would bring significant biodiversity benefits to Chiddingfold Forest which lies approximately 4km to the south west of the appeal site. There would be an overall net ecological gain in the Borough. But the measures would not offset the losses where they would occur, which reduces the weight that can be accorded to the off-site compensatory components in the overall balance
 45. To conclude on this issue, I have found that loss of part of ancient woodland would be unavoidable and is necessary to enable the proposed development to proceed. The proposal would however result in significant harm due to loss of ancient habitats and fragmentation of the woodland. The mitigation measures proposed would prevent further damage during construction and operation of the development. A compensation package would allow for the woodland's long term management and for off-site benefits of at least equivalent value, but neither the mitigation nor the compensation would fully cancel out the harm caused. There would be residual harm, which is carried forward to be considered against the need for the development and its benefits.

Flooding

Policy Framework

46. The LP does not have a policy on flood risk. The NPPF aims to avoid inappropriate development in areas at risk of flooding by directing development away from areas of highest risk. Where development is necessary, it is to be made safe without increasing flood risk elsewhere. The PPG sets out the main steps to be followed. In effect, if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted.

Flood Risk

47. The proposed Masterplan however shows that built development would lie wholly within an area of the appeal site falling within Flood Zone 1. The Nuthurst Stream flows in a southern direction and cuts through the western section of the site. The Littlemeads Brook runs along its southern boundary. The site therefore lies partly in Flood Zone 2 and Flood Zone 3 due to the two water courses flowing through parts of the site.
48. As parts of the site (in particular the access routes over the water courses) are at risk from fluvial and surface water flooding, a Sequential and Exception Tests report and an access appraisal were submitted. These were added to the Flood Risk Assessment (FRA) submitted with the application, and in response to the Environment Agency's (EA) objection to the application⁵.
49. The EA withdrew its objection in the light of all the information submitted to support the application, subject to a number of conditions. An independent report commissioned by the Council noted that the development would sit outside the floodplain and above the 1 in 1,000 year flood level. The report went on to state that the proposed mitigation measures would provide an acceptable solution to flood risk associated with safe access and egress to the development. In the light of the material submitted by the appellant, as well as responses from the EA and the independent consultant, the officer reporting to committee concluded that the development would be *"safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere, and would reduce flood risk overall."* (NPPF paragraph 102)
50. I understand that the matter was debated at some length when the application was considered at committee. The issue of flooding however was not a reason for refusal and the Council did not pursue the matter at inquiry. Nevertheless, third parties (including the Rt Hon Anne Milton MP) continue to question the validity of the Sequential Test undertaken as well as suitability of the site for development. Legal opinion on the subject was submitted on behalf of the Cranleigh Civic Society. Serious concerns are expressed about the safety and insurability of the new properties and the risk of flooding elsewhere as a result of the development. The empirical evidence of flooding events provided in the third party representations is no less valid than the technical evidence of consultants, as their concerns are based on experience and local knowledge. I therefore turn to examine whether the site passes the Sequential Test, and if so whether the development would be acceptable against the Exception Test.

⁵ EA's objection was triggered by representations from third parties

The Sequential Test

51. The Council determined that the Sequential Test should be applied to the 15 SHLAA sites in and on the edge of Cranleigh, on the basis that the settlement is a location for housing growth under each of the four housing delivery scenarios identified in the emerging LP. Cranleigh is also identified as one of four largest settlements in the Borough requiring new homes. This is a reasonable approach to establishing the area to which the Sequential Test should apply, and corresponds with advice in the PPG.
52. The appellant's assessment shows that of the 15 original sites included in the analysis only six are genuine contenders to be considered in the Sequential Test; the remainder being excluded for reasons of non-availability within five years, low yields or because permission has been granted on particular sites. Four of the sites left in the running lie wholly within Flood Zone 1. However, every one of the six sites is subject to surface water flood risk to one extent or another. In other words, each of the sites to which the Sequential Test applies is at risk of flooding from either pluvial or fluvial sources. Each of the sites is therefore subject to the Sequential Test.
53. The PPG confirms that it is for the local planning authorities (or by implication the decision maker) to consider the extent to which the Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case.
54. In this case, the proposed housing would be constructed entirely within Flood Zone 1. The bridge across the two brooks would lie within Flood Zones 2 and 3. However, as the bridges are intended as part of the access/egress routes in the event of a flood, this factor feeds into the 'safe for its lifetime' element of the Exception Test. Four of the comparable and available SHLAA sites are better placed because of the lesser risk from fluvial flooding, but the appeal site ranks better than all but one site in terms of surface water flood risk. The exercise shows that every one of the comparable sites considered is subject to flood risk to some extent.
55. In the context of the likely need for greenfield sites to meet the Borough's housing needs, identification of Cranleigh as a growth area and taking other factors into account, the Sequential Test demonstrates that the appeal site is no more or no less better placed than other identified SHLAA sites to fulfil the area's needs.

The Exception Test

56. The appellant prays in aid of the September 2014 Interim Sustainability Appraisal (ISA) report which gave the appeal site the highest score when tested against a range of criteria. This, it is said, points to the "*wider sustainability benefits to the community that outweigh the flood risk.*" I disagree.
57. The ISA report was produced with the intention of informing the consultation and subsequent preparation of the emerging LP. It provides a broad understanding of the comparative sustainability credentials of housing site options outside of settlement boundaries. When assessed against a wide range of sustainability related criteria, the appeal site was one of only 15 available sites (of the 144 assessed) to be assigned a 'green' score, or "*more likely to*

meet the criteria for allocation (either as a strategic site in Local Plan Part 1 or as an allocation 2 or a neighbourhood plan)."

58. However, the ranking of sites in this way is only one step in a three-stage process assisting the Council with selection of initial alternative housing scenarios. The 'green' score may say something about the sustainability credentials of the site in the context of a Borough-wide assessment produced for a specific purpose. That assessment though does not provide an analysis of the sustainability benefits of this development, or how the benefits to the community are sufficient to outweigh flood risk. In my view, this element of the Exception Test goes beyond the broad exercise carried out in the ISA. It requires a much more focussed consideration of the scheme's sustainability benefits, and the balancing of those benefits against the flood risk. I have carried out the exercise as part of the final issue and report on it in due course.
59. As for the second bullet point of paragraph 102 of the NPPF, safety of the development for its lifetime is dependent upon the safety of access routes out of the site in the event of a flood. The access appraisal describes the risks associated with the three proposed access routes from the site. Alfold Road and foot access to the village are shown as 'very low hazard' during the 1 in 100 year event (plus an allowance for climate change) whereas for the Knowle Lane access route the predicted level of hazard is categorised as 'danger to some'. The routes were assessed for fluvial and surface water flood risks.
60. The developed area of the site would be in a safe zone free from flood risk and the homes would provide a safe refuge. The EA accepts the appellant's findings that the Alfold Road route would remain safe for residents and emergency services. Similarly, there would be a safe walking route to the town centre for supplies if necessary. There is no objection to the proposal from the Lead Local Flood Authority (Surrey County Council).
61. Third parties have argued otherwise. I was provided with evidence of flooding on Alfold Road as recently as January 2016. Images of flooding events at Alfold Road, Elmbridge Road, Knowle Road and the Littlemead Industrial Estate were also submitted in evidence. There are understandably very serious concerns about the potential risks to property and lives, given the evidence of experience on the ground of local residents armed with local knowledge.
62. However, the images do not conclusively show that the flood waters from fluvial or pluvial sources extend to the area of the site that is to be developed with new houses. Furthermore, although Alfold Road has been shown to have a history of flooding, this was found to be due to poor maintenance of highway drainage. A mitigation scheme for alleviating the problem forms part of the Highways Works Package offered in the s106 planning obligation. The works would improve the flow of surface water run-off into the surrounding watercourse system. Surrey County Council as Lead Local Flood Authority finds the solution acceptable and has not raised any objections to the proposal, albeit that was not the position initially held by the authority.
63. Fluvial flood risk is to be managed by locating all new houses within Flood Zone 1, and those close to watercourses to have finished floor levels at least 300mm above the adjacent 1 in 100 year (plus climate change) levels. The soffit levels of bridges are proposed to be set at least 600mm above the 1 in 100 year plus 20% climate change flood level.

64. The NPPF also requires that flood risk to land is not increased as a result of development. Third parties articulate concerns regarding the risk of increased flooding elsewhere, pointing to recent catastrophic events to befall residents of a property in Cranleigh. The site specific FRA identifies the measures that would be incorporated into the design of the development to ensure that the volumes and peak discharge rates of surface water leaving a development site are no greater than the rates prior to the development.
65. The FRA acknowledges that the shallowness of the perched groundwater may restrict effectiveness of infiltration SuDs techniques. A hierarchy of surface water run-off control measures have been considered with source control measures connected to site control and finally regional control to ensure implementation of at least three treatment stages of the surface water run-off. Source control measures would consist of a combination of permeable paving, underground cellular storage and interconnecting swales. Detention basins at the lowest part of the development parcels, and within area designated as open space, are proposed to be designed to attenuate flow prior to discharge via hydraulic control structures. Surface water management measures and continued management and maintenance during the lifetime of the systems installed could be secured by conditions. With these measures in place, the development would not increase flood risk elsewhere. The improvements forthcoming from the Highways Works Package would additionally improve current conditions on Alfold Road.
66. Overall, the evidence demonstrates adequately that the development can be made safe for its lifetime. Residents would have safe access and egress routes. With a sustainable drainage system in place, flood risk elsewhere would not increase as a result of the proposed development.

Other Matters

67. A number of third parties mentioned the inadequacy of the infrastructure in and around Cranleigh to accommodate the additional dwellings. The planning obligation offers contributions towards a range of facilities, highways and transport improvements to mitigate the effects of the proposed development. Furthermore, it must be remembered that Cranleigh has been identified as one of four areas to which new development is to be directed in the future.
68. The inquiry was informed by the Cranleigh Society that allowing the development to proceed could be in contravention of the Water Framework Directive, as the sewage treatment capacity is unlikely to support the anticipated increase in demand. Again, the matter has to be considered in the context of expected growth and additional homes to be provided in Cranleigh. The EA has not objected to the proposal and it would be for the statutory authorities to take the necessary measures to satisfactorily accommodate the new development.
69. The capacity of the local highway network has also been questioned. The SoCG confirms that the Highway Authority has not objected to the scheme, subject to a package of highway improvements designed to mitigate the development's impacts. The Highway Authority's position comes from consideration of a traffic impact assessment which was found to be robust and realistic about the likely impact on the highway network. A package of walking, cycling and public transport improvements would improve the site's accessibility by non-car modes, in a location that is well placed to take advantage of local facilities and

services. There is very limited evidence to counter the findings of the traffic assessment or to refute the evidence given to the inquiry. There is no reason for me to take a different view to the Highway Authority or the Council on the matter of transport and highways.

70. Third parties agree that there is a need to provide more affordable home. The scheme was independently reviewed on behalf of the Council and found to result in a deficit when compared to the existing land use value. Nevertheless, 128 affordable homes (30%) are offered through the planning obligation, and would comply with the NPPF's policy of achieving mixed and balanced communities.
71. The issue of land ownership raised by Mr Iafrate is a private matter and has no bearing on the planning merits of this case.

The Planning Balance

72. I have found the proposal to be acceptable on the grounds of its highways and transport impacts, as well as acceptable on the basis that the contributions secured through the planning obligation would mitigate the infrastructure pressures brought about by a development of this scale. The absence of harm on these points does not add to the case for the development nor tell against it. The weight to be attached to these matters is neutral.
73. Development in the countryside and intrusion by the appeal scheme into the landscape character and appearance of the area would contravene LP Policies C2 and D1. There is potential for the design to mitigate some of the landscape and visual impacts of the development, and the weight attached to Policy C2 is reduced for reasons explained earlier.
74. Harm would be caused by loss of 14.5% of the ancient woodland. The condition and ecological quality of Knowle Wood (unchallenged by expert knowledge on the subject from the Council) has some bearing on the weight that should be accorded to the loss, alongside the opportunities that the proposal would bring for on-site and off-site enhancements. These matters form part of the overall assessments. Furthermore, the harm identified and the policy breach attached to that harm has to be balanced against a number of factors.
75. To start with I turn to the Council's housing land supply position. At the time the SoCG was drafted, it was agreed that the Council's latest monitoring report (dated 1 April 2015) showed a supply of nearly four years of deliverable housing sites. During the course of the appeal, the Council claimed an updated position showing a supply of 4.33 years, which in its view did not justify the scheme's urbanising impact or loss of the ancient woodland. The five-year supply position was not tested at the inquiry and did not form part of the parties' evidence in any great detail, largely because agreement had been reached as confirmed in the SoCG. While the extent of the shortfall may be a material consideration, the requirement for the local planning authority to demonstrate a five-year supply has to be seen in the context of the NPPF's exhortation to "*boost significantly the supply of housing*" and against a background of imperative of delivery.
76. The SoCG confirms that the Council's preference is for previously developed land to be developed prior to greenfield sites. But it also acknowledges that a deliverable supply of housing sites cannot be identified for the housing demand

for the next five years to be met. Indeed, each of the scenarios for accommodating growth and distribution of housing between 2013-2031 envisages homes to be delivered on greenfield sites at the four larger settlements (which includes Cranleigh). The numbers vary from 1,200 to 4,450 dwellings depending on the particular scenario.

77. The Council and third parties refer to the potential for the Dunsfold Aerodrome and Hewitts Industrial Estate to deliver large numbers of new homes on previously developed sites. A residential development on the latter was refused recently by the Council on the basis of loss of employment, and cannot be relied upon to contribute to the area's needs. The planning acceptability or otherwise of a large redevelopment proposal at the aerodrome has yet to be tested. The Council's planning witness conceded that there are accessibility issues with regard to that site that need to be resolved. None of the two brownfield sites identified brings any surety to the supply of housing over the next five years. Indeed, from all of the evidence submitted to the inquiry, there is little doubt that the release of some greenfield land at Cranleigh is inevitable.
78. The ISA confirms that 61% of the Borough falls within the Metropolitan Green Belt and 80% of the countryside is designated as an Area of Outstanding Natural Beauty and/or Area of Great Landscape Value. The appeal site is accorded none of these designations. There is good accessibility to a range of facilities, services and transport choices. The ISA ranked the appeal site highly against the sustainability criteria used to assess a number of site options across the Borough. In the circumstances of the significant landscape constraints facing the Borough, the appeal site represents an attractive option environmentally and in sustainability terms. In terms of flood risk too the appeal site is no more or less sequentially preferred when compared to other qualifying SHLAA sites.
79. As for benefits, the 425 dwellings would make a significant contribution to an acknowledged shortfall in deliverable sites for the five-year period, and would help boost the area's supply generally. The new homes can be delivered speedily, as confirmed by the appellant. The Council recognises the need for a large number of affordable homes in the Borough. Third parties too made an eloquent case for providing more affordable homes, given the difficulties faced by young people in accessing affordable accommodation. Delivery of affordable and market homes in the context of the constraints that apply to the Borough would therefore comprise the most significant social benefit to flow from the proposed development and would be consistent with the NPPF's basic imperative of delivery.
80. The proposal would deliver economic gains from a number of sources, including construction-based employment and increases in local spending. The financial contributions towards open space, education and improving the Downs Link arise largely from the need to mitigate the effects of the development. Such matters do not weigh in favour of it. There is no evidence for or against the need for land for a new community facility. In the absence of a tangible proposal for the land or guarantee of future funding for its development or management, the matter can be given only limited weight.
81. Turning then to the overall planning balance. The social and economic benefits of the scheme are considerable. The need for new housing in the area is undisputed and in Cranleigh greenfield sites are expected to make a

contribution to the overall supply. The homes would be delivered speedily on land that sits high in the sustainability ranking of sites. Having accepted the need for greenfield sites to help fulfil the Borough's housing obligations, the loss of an undesignated piece of countryside abutting the urban edge of Cranleigh, with limited harm to the wider landscape, would be outweighed by the social and economic gains identified. The Council's suggestion that only part of the site be developed would also involve loss of countryside but without meaningful contribution to the area's housing needs.

82. To enable the site to be developed to its full potential, loss of part of the ancient woodland is unavoidable. The harm would be contained by mitigation measures and offset by a compensation package that would enable the woodland to be managed for the future, and improve upon its current compromised condition. In my judgement, and having regard to the mitigation hierarchy, loss of part of the ancient woodland would also be clearly overcome by the social and economic benefits of delivering a large number of new homes to the area, where currently a shortfall prevails. The extent of the shortfall at 4.33 years does not lessen the obligation to boost significantly the supply of housing in the area.
83. In the light of all that is said above, the benefits of allowing this development would significantly and demonstrably outweigh its adverse impacts. It would amount to sustainable development, bringing wider sustainability benefits to the community. The Exception Test would thus be fulfilled.
84. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and, as Government policy, merits significant weight. The proposal would be in compliance with the NPPF when assessed against its policies as a whole, and merits the presumption accorded to sustainable developments. The breach with the development plan is justified on that basis, particularly in the face of the reduced weight accorded to Policies C2, C7 and D7.

Conditions and Planning Obligations

Conditions

85. A list of suggested conditions was circulated before and during the inquiry. The reasons for imposing conditions are recorded below and where necessary the wording has been modified for clarity or to accord with advice in the PPG⁶.
86. As an outline application, a condition to secure the submission of reserved matters is necessary (1). A condition specifying the relevant drawings is imposed, as it provides certainty (2). In the interest of achieving a development of high quality, as well as to ensure that the principles shown in the Masterplan and articulated in the DAS are delivered, it is necessary to secure approval for floor levels (3), samples of external materials (4), landscaping and management of the site (11, 12) and protection of existing trees and hedges (13). To limit the scope of the permission to that applied for, and considered in the evidence, the number of dwellings is not to exceed 425 (5).

⁶ Numbers in brackets refer to the condition numbers listed in Annex C

87. To ensure that the proposed development delivers new homes as soon as possible, the time limits for submission of reserved matters and implementation on site have been reduced as agreed at inquiry (6, 7). A phasing scheme is necessary for a properly planned and co-ordinated development (8).
88. To provide safe and workable vehicular access routes, it is necessary to impose a condition requiring the accesses to be constructed in accordance with agreed details (9). Mr McKay's (highways consultant for the appellant) evidence to the inquiry indicates that the access details have changed from the approved drawings, so a separate condition is imposed to address access. Pedestrian access from the development site to the Downs Link requires careful consideration, and a condition for such routes to be constructed in accordance with approved details has been included (10). External lighting requires careful control to avoid disturbance to wildlife in the area, particularly within Knowle Wood. Condition 14 would assist with securing a suitable lighting scheme.
89. In the interest of highway safety, and to avoid inconvenience to highway users within and outside the development site, a condition requiring car parking and bicycle spaces to be provided to agreed details has been imposed (15). Such a condition would accord with LP Policy M2. I hesitate to describe provision of trickle charging points as necessary to acceptability of the scheme. A condition along those lines is included (16), however, to comply with the Surrey County Council 'Vehicular and Cycle Parking Guidance' and to add to the scheme's sustainability credentials.
90. To protect the site from flood risk, it is necessary to secure the FRA mitigation measures and recommendations and to ensure that the crossings/bridges would be constructed in accordance with approved details (17, 18). Similarly, to ensure that flood risk is not increased on site or elsewhere, a condition is included to control land raising or to ensure it is undertaken in accordance with agreed details (19). A condition is necessary to establish and counter the possible presence of contamination in the ground (20).
91. For reasons explained earlier, implementation of a suitable surface water strategy is essential. A condition requiring the development to be undertaken in accordance with an approved scheme is imposed accordingly (21). The s106 provides for a company to be set up to manage water attenuation measures. There is also a need to secure details of future management arrangements to ensure that the surface water drainage system installed is managed and maintained for its lifetime. A condition is imposed to secure such measures (22). Another condition is included to investigate and provide, if necessary, a programme for works to be undertaken in relation to archaeological remains (23).
92. Given the ecological significance of Knowle Wood and possible presence of protected species on the site, Conditions 24, 25, 26 and 27 are necessary to preserve and protect the habitats and species. There is insufficient information on the need for land for community purposes. However, a condition is included to reserve the land for such purposes, in the event that future evidence points to a need for it (28). Finally, to ensure that neighbouring properties, residents and highways users are not unduly affected by construction of the development, a condition is included requiring the construction works to be

undertaken in accordance with an approved Construction Method Statement (29).

S106 Planning Obligation

93. Earlier I referred to the on-site management measures for Knowle Wood and the off-site contributions which would lead to net ecological gains in the Borough. These would come forward through the planning obligation. The 128 affordable homes proposed (64 each of rented and shared ownership units) are also offered through the s106. These are necessary to make the scheme acceptable and compliant with NPPF policy.
94. I am also satisfied that the range of financial contributions promised in the s106 are necessary and in accordance with the Community Infrastructure Levy Regulation 122 (CIL Regs) as they are required to mitigate the impacts of the development. The contributions are directed to identified relevant facilities or relate specifically to the needs arising from the proposed scheme. The Council confirms that none of the named facilities to which the contributions would be directed has been subject to previous s106 contributions.
95. The highways and transport packages include submission and implementation of a Travel Plan, contributions towards off-site highway works and bus contributions. Each of these elements of the s106 meets the CIL Reg 122 tests, for the relevance and necessity of the works in the interest of highway safety, flood prevention or to enhance the sustainability aspects of the development.
96. The provision and subsequent management of play and open space as part of the proposed development are intended to meet the LP Policy H10 requirements to provide such facilities in accordance with the national standards and the Council's strategies. These too would meet the requirements of the CIL tests. The justification for the community orchard is less clear cut, and I have not taken that element of the planning obligation into account when making my decision.

Conclusions

97. I have taken account of all the matters raised in the third party representations, including those referred to in the two letters from the Rt Hon Anne Milton MP. For the reasons explained, I am allowing the appeal subject to the 29 conditions, attached at Annex C, and find that other matters raised either individually or collectively do not alter the balance of my considerations or weigh against my decision.

Ava Wood

Inspector

ANNEX A - APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Trevor Ward of Counsel	Instructed by Johanna Ayres, Solicitor, Waverley Borough Council
He called:	
Sue Sutherland	Sue Sutherland Landscape Architects
BSc(Hons) BPhil, CMLI	
Brian Wood BA(TP)	Managing Director, WS Planning
MRTPI	

FOR THE APPELLANT:

Martin Kingston QC	Instructed by Steven Sensecall
He called:	
Andrew Smith	Fabric Limited
BSc(Hons) MSc CMLI	
Adrian Meurer BSc	Director of Ecology, Hankinson Duckett Associates
(Hons) MCIEEM	
Colin McKay BSc(Hons)	Technical Director, WSP Parsons Brinckerhoff
CEng MILT	
Dominic Chapman	Partner, JTP
BA(Hons) BArch RIBA	
AoU	
Simon Purcell BSc(Hons)	Director, WSP UK Ltd
MSc CEng MICE	
Steven Sensecall	Partner, Kemp and Kemp LLP
BA(Hons) DipTP MRTPI	

INTERESTED PERSONS:

Anthony Iafrate	Employer, Littlemead Industrial Estate
Liz Townsend	Chair, Cranleigh Civic Society
Adrian Clarke	Cranleigh Civic Society
Richard Bryant	Cranleigh Civic Society
Cllr Patrica Ellis	Cranleigh Parish and Waverley Borough Councillor
Cllr Mary Foryszewski	Waverley Cranleigh East and Cranleigh Parish North
Ken Reed	Local resident
Dominique Mcall	Cranleigh Civic Society
S Jeacock	Local resident

ANNEX B**Documents submitted during open inquiry session**

No	Title	Date	Submitted by
1	Inquiry Notification letter	2/2/16	WBC
2	Justification for Infrastructure Contributions	2/2/16	WBC
3	Mr Purcell's response to 3 rd party	2/2/16	App
4	Cranleigh SHLAA sites remaining to be considered in the sequential test	2/2/16	App
5	Written Statement by Mr Clarke	2/2/16	Mr Clarke
6	Mr Kingston's opening	2/2/16	App
7	Mr Ward's opening	2/2/16	App
8	Mr Iafrate's written statement	2/2/16	Mr Iafrate
9	Cranleigh Civic Society (CCS) counter response	3/2/16	CCS
10	Cllr Ellis' Statement	3/2/16	Cllr Ellis
11	Natural England Standing Advice April 2014	3/2/16	WBC
12	Email from Stephen Whale	3/2/16	CCS
13	Cllr Mary Foryszewski's written statement	3/2/16	Cllr Foryszewski
14	Mr Bryant's written statement	3/2/16	CCS
15	Mr Reed's written statement	3/2/16	Mr Reed
16	S106 (draft)	4/2/16	App
17	Mrs Smyth's (FoE) suggested condition from Surrey County Council on site at land west of Alfold Crossways	5/2/16	3 rd party
18	Statement of Common Ground	5/2/16	App/WBC
19	Note from appellant re: alternative accesses to site	5/2/16	App
20	Suggested landscape condition	5/2/16	WBC
21	Drawings referred to in condition 29	5/2/16	App
22	SCC Vehicular and Cycle Parking Guidance	5/2/16	WBC

Documents submitted during the adjournment and before the inquiry closed

No	Title	Date	Submitted by
23	Closing submissions on behalf of Waverley Borough Council	11/2/16	WBC
24	Closing submissions on behalf of appellant	16/2/16	App
25	Completed s106	16/2/16	App

ANNEX C – Conditions

Approval of Details

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
00734_M01 Rev P1, 00734_M02 Rev P1, 00734_M03 Rev P1, 00734_M04 Rev P1, 00734_M05 Rev P1, 00734_PP01 Rev P1, 00734_PP02 Rev P1, 00734_PP03 Rev P1, 00734_PP04 Rev P1, 00734_PP05 Rev P1, 00734_PP06 Rev P1, 0576-D-01 Rev F, 0576/SK/001 Rev G, 0576/SK/018 Rev D, 0576-SK-103 Rev A, 0576/SK/104 Rev A, 0576-SK-106 Rev C, 0576-SK-016 Rev B, D2149L.100 Rev B.
3. Details of the finished floor levels shall be submitted to and approved in writing by the local planning authority before any phase of the development commences and the development shall be carried out as approved.
4. No development shall take place in any phase of the development until samples of the materials to be used in the construction of the external surfaces of the dwellings to be constructed in that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
5. The development hereby permitted shall comprise no more than 425 dwellings.

Timing of Implementation

6. Application for approval of the reserved matters of the first phase of the development shall be made to the local planning authority not later than 12 months from the date of this permission
7. The development hereby permitted shall begin either before the expiration of:
 - a) 2 years from the date of this permission; or
 - b) 12 months from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Phasing

8. Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority of a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programme. The Phasing Programme shall indicate the timing of construction of the scheme phases, including the provision of associated external works, commensurate with the phases and associated areas/uses being brought into use.

Access

9. Notwithstanding the plans listed in Condition 2, access to the site from Alfold Road and Knowle Lane shall be constructed in accordance with schemes submitted to and approved in writing by the local planning authority. The schemes shall be based on drawing nos: 0576/SK/001 Rev G and 0576/SK/018 Rev D. No dwelling shall be occupied until the Alfold Road access to and from the site has been implemented.
10. Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority of the treatment of the pedestrian access to the Downs Link. No dwelling completed in the phase relevant to the pedestrian access shall be occupied until the works are completed in accordance with the approved details.

Landscaping

11. Within any reserved matters application pursuant to this approval, the landscape details required by Condition 1 shall include a detailed landscaping scheme (including detailed designs and specifications) The landscape designs and specifications shall include the following:
 - i. Full details of planting plans and written specifications,
 - ii. Full details of all proposed methods of boundary treatment including details of all gates, fences, walls and other means of enclosure both within and around the edge of the site.
 - iii. Details of all hard surfacing materials (size, type and colour)

The landscaping shall be implemented prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed in writing by the local planning authority.

12. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas in each phase of the development, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or the phase of the development to which the submitted plan relates. The landscape management plan shall be carried out as approved.
13. No development shall take place until a scheme for the protection of existing trees and hedges which are to be retained within the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Lighting

14. No floodlighting or other form or external lighting scheme shall be installed unless it is in accordance with the details which have previously been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. The lighting shall thereafter be retained in the form approved.

Parking and Travel

15. Within any reserved matters application pursuant to this approval, the layout details required by Condition 1 shall include a scheme for car and bicycle parking for the residential units proposed in each phase of the development, and for parking of cars and bicycles in communal areas. No dwelling in the relevant phase shall be occupied until the parking arrangements approved in writing by the local planning authority for that phase has been implemented. Thereafter the parking areas shall be retained and maintained for their designated purpose.
16. No dwellings shall be occupied in any phase of the development until one trickle charging point is provided per communal parking area and one charging point provided for each house with a garage

Flooding

17. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. The recommendations and mitigation measures relevant to each phase of the development shall be implemented prior to the occupation of any dwelling in that phase of the development.
18. Prior to the approval of reserved matters, design details for the Littlemead Brook and the Nuthurst Stream river crossings/bridges shall be submitted to and approved in writing by the local planning authority. These details shall be based upon the concepts and information presented in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014 and Drawing number 0576-SK-103, 'Indicative Bridge Elevations', Revision A, prepared by WSP, dated April 2014. The works shall then be implemented as approved, prior to first occupation of any dwelling on the site.
19. No land raising will take place in the 1% (1 in 100) plus a 20% allowance for climate change flood extent except that which has been agreed for access through outline planning application WA/2014/0912. Where land raising in the 1% plus a 20% allowance for climate change flood extent is proposed, full details including satisfactory level for level floodplain compensation mitigation measures should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details, and thereafter retained.

Contamination

20. No dwelling shall be occupied until the approved remediation scheme is carried out in accordance with a Remedial Method Statement (based on the GESL Report GE9749 Knowle Lane) submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out is to be submitted to and approved in writing by the local planning authority.

Surface Water Drainage

21. Prior to submission of reserved matters, a sustainable surface water drainage scheme for the site is to be submitted to and approved in writing by the local planning authority. The scheme is to be based on the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.
22. No development shall take place until details of future continued maintenance and management of the surface water drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - a) timetable for its implementation, and
 - b) management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Archaeology

23. No development shall commence 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 in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the Written Scheme of Investigation.

Ecology

24. The development shall be carried out in accordance with the recommendations set out in the submitted Ecological Appraisal, Dormouse Survey Report, Water Vole Survey Report, Badger Survey (Confidential), Bat Survey and Addendum, Reptile Survey Report and Knowle Wood Mitigation Strategy. If there is not adequate habitat remaining on site to support the reptile population present, prior to the commencement of development, the applicant shall submit details of a suitable receptor site to be approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.
25. No development shall take place until a scheme for the provision and management of a minimum 8 metre wide buffer zone alongside the Littlemead Brook and the Nuthurst Stream has been submitted to and agreed in writing by the local planning authority. This distance is measured from the top of the bank and applies to each side of the watercourse but only on land within the control of the applicant. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall remain free from built development including lighting, domestic gardens and formal landscaping.

The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details of any proposed planting scheme;

- details demonstrating how the buffer zone will be protected during construction/development of the scheme;
 - details demonstrating how the buffer zone will be managed and maintained over the lifetime of the development including a detailed management plan, information relating to adequate financial provision and named body/parties responsible for management of the buffer zone; and
 - details of any proposed footpaths, fencing and lighting.
26. Prior to the commencement of the development hereby approved or site preparation works, further survey works, as detailed in Section 5.2.10 of the HDA Bat Survey Report, dated August 2015, shall be carried out and submitted for approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.
27. Prior to the commencement of development or site preparation works, further survey works, as detailed in Section 4.9 of the submitted HDA Badger Survey Report dated November 2015, shall be carried out and submitted for the approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.

Community Land

28. The land identified on indicative plan no. 00734_S106_01 Rev 01 shall only be used for the purposes of community use within the meaning of Class D1 of the Town and Country Planning (Use Classes) Order (1987). This land shall be shown on any subsequently submitted reserved matters layout plan for the phase in which the land is located. Use of the land for community purposes shall only proceed in accordance with details of the management and operation of the use submitted to and agreed in writing by the local planning authority.

Construction

29. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) vehicle routing
 - b) the hours of work
 - c) the parking of vehicles of site operatives and visitors
 - d) loading and unloading of plant and materials
 - e) storage of plant and materials used in constructing the development
 - f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - g) wheel washing facilities
 - h) measures to control the emission of dust and dirt during construction
 - i) a scheme for recycling/disposing of waste resulting from demolition and construction works

- j) means of protection of trees and hedgerows during site preparation and construction; and
- k) access arrangements for emergency vehicles during the construction phase.

End of Conditions

Richborough Estates