



Woolf Bond Planning

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16th June 2014

Planning Policy,
Christchurch Borough Council,
Civic Offices,
Bridge Street,
Christchurch,
Dorset,
BH23 1AZ

BY EMAIL

Dear Sirs,

Community Infrastructure Levy (CIL) Draft Charging Schedules for Christchurch and East Dorset (June 2014)

We refer to the above consultation exercise and enclose representations submitted on behalf of our clients Messrs Taylor Wimpey UK Ltd. These further representations follow and amplify those which we previously submitted in March 2013 and it is disappointing to note that several significant issues appear to remain unresolved.

Our clients have the controlling interest in the proposed Christchurch urban extension comprising land north of Roeshot Hill and wish to ensure that the planning policy framework aimed at securing release of the land is satisfactory, sufficiently flexible and viable.

Joint response to Questions 2-4:

i. The National Planning Policy Framework (NPPF) (CLG, 2012)

The NPPF provides for a presumption in favour of sustainable development that is to become the basis for every plan and sets out the Government's requirements for the planning system. The NPPF at para 175 is clear that CIL should provide a pro development focus in terms of its implementation:

'Community Infrastructure Levy should support and incentivise new development, particularly by placing control over a meaningful proportion of the funds raised with the neighbourhoods where development takes place'.

In regard specifically to the issue of viability the NPPF states:

'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable' (para 173).

Further in regard to overall infrastructure planning, the NPPF states:

'To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan' (para 177).

ii. CLG Written Statement: Housing and Growth (6th September 2012)

The Secretary of State's Written Statement on 'Housing and Growth' (dated 6th September 2012) provides a further relevant update to the Government's latest position regarding viability. This statement sets out that the Government's main priority is to get the economy growing and that there is a need to get Britain building again, acknowledging the present need for housing set against supply constraints:

'The need for new homes is acute, and supply remains constrained. There are many large housing schemes in areas of high housing demand that could provide real benefit to local communities once delivered. But, large schemes are complicated and raise a wide range of complex issues that can be difficult to resolve' (page 2).

(Our underlining)

The Christchurch Borough Council Annual Monitoring Report 2011/12 (published March 2013) states that over the six year period 2006 to 2012, a total 182 affordable dwellings have been delivered (an average of 30.3 units per annum).

Further in regard to the overall need for affordable housing in the Borough, the '2011 Strategic Housing Market Assessment Update: Summary report for Christchurch Borough Council' states as follows:

'Bringing together information from a range of sources about need and supply it is estimated that there is an annual need to provide 332 additional units of affordable housing per annum if all needs are to be met (in the five year period from 2011 to 2016)' (para 5.2).

It is evident from the above that the Borough has significantly under delivered against overall affordable housing needs over the past six recorded years and in the interim the overall affordability of housing within the Borough continues to decline. It is of note that in the last two recorded years (2010/11 and 2011/12) no affordable dwellings at all were delivered.

The above is clear in setting out that affordable housing provision provides a substantive constraint to housing delivery and in turn measures such as the right to appeal defined requirements with immediate effect have been introduced. The Borough have now adopted their Core Strategy requirement for up to 35% of new dwellings to be affordable on the Roeshot Hill site (Policy CN1). It is therefore vital that the proposed CIL rate reflects this undeniable constraint to scheme viability.

iii. *Community Infrastructure Levy regulations*

As required by Regulation 14 of the Act it is essential that charging authorities in setting CIL rates strike an appropriate balance between the desirability of funding infrastructure from CIL and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

The spatial strategy in Christchurch Borough is now set and alternative development sites do not exist within the Borough. This is evident from the Borough's respective constraints (including Green Belt, areas subject to flood risk and Special Protection Area designations) and the pressing need for affordable housing. Accordingly and with the Governments objectives in mind, the delivery of housing and associated economic growth benefits is the paramount consideration in determining a suitable CIL charging schedule.

We have previously submitted representations regarding the supporting viability assessment being predicated upon a 30% affordable housing provision. We note that an appendix assessing a 35% level has now been produced in the June 2013 report (as per the requirement in Policy CN1 of the adopted Core Strategy). However this should form the main body of the Council's viability report. We also note that the appraisal does not model a scheme above 100 dwellings at this rate and this could be a further piece of work that is necessary. It therefore follows that in order to be found sound and in accordance with the requirements of para 175 of the NPPF, the proposed CIL charges should be worked up and directly tested against the proposed Core Strategy affordable housing requirements.

We note that the Inspector will need to hear expert evidence concerning the proposed CIL rate and we wish to reserve the right to submit further evidence at the Examination in Public stage in this respect.

Question 5: Do you agree or disagree with the Councils' approach to discretionary relief?

We disagree with the Council's approach, when it should surely be the case that the Council should only consider the application of such relief as and when potentially qualifying proposals may come before them.

Question 6 - Do you have any comments on the draft Regulation 123 list which sets out the infrastructure to be funded by CIL and where the Councils will continue to seek S106/S278 contributions?

The draft Regulation 123 list sets out a list of those projects or types of infrastructure that are intended to be funded through the levy.

This includes heathland mitigation schemes including Suitable Alternative Natural Greenspaces (SANG), which provide an alternative to heathlands for recreation use.

If it remains the expectation that the Roeshot Hill development will itself provide sufficient physical SANG mitigation in its own right, then as it stands, our client would effectively be charged with the burden of this provision and still be liable for the proposed blanket CIL. This is a situation which would be wholly unacceptable and must surely be unintentional. This matter was discussed at length in our earlier representations but does not yet appear to have been satisfactorily addressed at all.

There is an apparent and clear threat of double charging on the Roeshot Hill site at the application stage. This is relevant to all larger schemes where on-site provision would be expected by Natural England as is considered best practice.

We therefore propose that a tiered approach is applied in Christchurch similar to that submitted by Surrey Heath Borough Council (SHBC), where the cost of Heathland mitigation is removed from developments that provide their own on-site SANG and consequently the tariff for such schemes is reduced.

The SHBC submission charging schedule is provided in Annex A and illustrated in the figure below. As of March 2014, SHBC's approach has been found sound (the full Inspector's Report is attached as Annex C), with the Inspector concluding as follows:

'The Council's CIL proposal to apply two different rates dependent upon whether a development makes provision for SANG is well evidenced and, in my view, eminently sensible. The difference between the two rates is £125 psm in each zone and that simply reflects the assessed cost of SANG provision spread across the anticipated numbers of market housing. The approach ensures that all housing developments contribute fairly to SANG infrastructure provision. In practice, and in line with the Council's policy approach, only larger developments (100+ units) will provide on-site SANG' (paragraph 30).

Table of CIL Charges: Residential (C3 Only)

Area	Development Type	CIL Tariff (£ per sqm)
Western Charging Zone	Residential (C3) which does not provide its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£180
	Residential (C3) which provides its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£55
Eastern Charging Zone	Residential (C3) which does not provide its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as	£220

	avoidance for European Sites.	
	Residential (C3) which provides its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£95
Princess Royal Barracks Charging Zone	Residential (C3) only	£0

For these reasons we propose that the charging schedule is re-assessed to account for the above considerations.

The second option is to follow an approach akin to that used by SHBC at Princes Royal Barracks whereby due to its onerous on-site infrastructural requirements and viability constraints the site was specifically excluded from the CIL charging schedule and subject to nil charge.

Infrastructure requirements were then negotiated via the usual Section 106 procedure, informed by the respective policies in the development plan.

Similarly, a number of other strategic infrastructure requirements are sought within the Regulation 123 list and it will only become more clear through the application process and associated impacts assessment as to which of physical measures may need to be advanced and by when.

It is a real concern to my Clients to ensure that any CIL payments that they and other applicants within the Borough may be required to deposit, translate into actual works procured by the Council that meet the requirements of the impacts of such aggregated applications to the necessary timetable.

We consider one of these two in-principle approaches identified to the SHBC example are necessary if the CIL is to be found sound.

Question 7 - Do you agree or disagree with the draft CIL instalments policy?

It is essential that any CIL charge that may become applicable is realistically and commercially phased throughout any proposed development.

It is a simple matter of effective cashflow control, that any charges are made to reflect the necessary infrastructure investment and the pace of residential build and occupation, which in turn creates the commercial return upon a speculative investment.

This position is notwithstanding the fact that collected funds should be aligned to the timetable of actual investment into and to the completed delivery of the infrastructure assets for which they are designed.

We object to the assumptions of the draft CIL instalments policy insofar as it is inherently simplistic and bear no relationship with the wider and potentially significant onerous additional infrastructure and abnormal costs that a scheme such as Roeshot Hill will be required to address.

Question 8 – Do you agree or disagree with the draft ‘payment in kind’ policy?

This opportunity appears subject to a number of conditions including very significantly, being at the Council’s discretion.

We acknowledge however that this draft policy presents some potential of addressing the issues raised in our response to question 6.

Whether in connection with SANG or otherwise it is noted that provided land (where applicable) is acquired by the Council.

This matter was discussed at the Core Strategy EIP session held on 24th September 2013 where developers mentioned that there was an inconsistency between a section 106 that would provide the land for SANG and CIL that would implement the SANG. At this session Natural England (NE) confirmed that they simply had to be satisfied that appropriate SANG can be delivered and secured in perpetuity when assessing an application’s SANG offer. NE confirmed this was the ultimate regulation test. It is not therefore essential that the land is transferred to the Council at the same time.

The above point is further evidenced in the approach taken regarding a hybrid planning application for major residential-led development totalling 1,200 new dwellings at Princess Royal Barracks, Deepcut in Surrey Heath Borough. The officer’s report is attached as Annex B to these representations and confirms this does not need to be the case:

‘All of the land which would form the SANGs is within the ownership of the applicant and it is expected that this land would be set up as SANGs by the developer and transferred to the Council for its management and maintenance in perpetuity. The developer would also need to provide a financial contribution of £5,085,622 to cover the Councils costs in the undertaking function. The applicant has confirmed that they have no objection to this provision in the Legal Agreement but have also requested an option that would enable the developer to set up a private land trust or body to manage and maintain the SANGs. While this is a less preferable option it is considered that the Local Planning Authority cannot reasonably object to this option provided that it can be demonstrated that the SANGs could be managed and maintained in acceptable fashion in perpetuity and it is noted that the Thames Basin Heaths SPA SPD makes provision for privately owned SANGs’.

(Paragraph

9.10.7)

A very similar approach in respect of private management of SANG was taken in respect of the planning decision to the University of Reading application at Shinfield West, Wokingham.

We therefore object to the proposed conditions as drafted. These represent an inflexible approach to the delivery of SPA mitigation and threaten to stifle much needed strategic sized development even where a robust SPA mitigation solution exists and is agreed with Natural England. We therefore consider the solution set out in our response to question 6 is progressed.

Summary

For the above reasons we do not consider that the proposed rates meet the legal requirements of Regulation 14 discussed above and threaten to accentuate present under delivery against set housing requirements. This approach is supported by para 177 of the NPPF and is necessary in order to ensure that the costs of infrastructure are appropriately accounted for throughout the Borough and do not stifle development.

Further there remains a clear risk of double charging on the Roeshot Hill site. It is therefore recommended that the rate for the Roeshot Hill site is set in due course at a negotiated and substantiated discounted rate that reflects its on-site SANG provision and potential part provision in kind as might be agreed of other infrastructure elements through S106 provisions.

We trust the enclosures are of assistance in the preparation of the final CIL Charging Schedule.

We look forward to confirmation of receipt of the comments in due course. No doubt you will contact us in the event that you wish to discuss any matter(s) arising.

Yours faithfully

A large, dark, rectangular redaction box covers the signature area of the letter.

Jeremy C. Woolf MA DipTP MRTPI

Enc.



Christchurch and East Dorset Councils
delivering services together

Christchurch and East Dorset Community Infrastructure Levy Draft Charging Schedules for Christchurch and East Dorset RESPONSE FORM

Your Details		Agent's Details <i>(please only complete if you are using an agent)</i>
Title		Mr
Full Name		J Woolf
Job Title		Principal
Organisation	Taylor Wimpey UK Ltd.	Woolf Bond Planning
Address	c/o Agent	The Mitfords, Three Mile Cross, Reading
Postcode		RG7 1AT
Email		j.woolf@woolfbond.co.uk
Telephone		0118 988 4923

Question 1: Do you wish to be heard in support of your representations at the Public Examination of the Draft Charging Schedule?

Please note that the Inspector will decide if a public hearing session is required as part of the examination process. You may choose to request to appear at a public hearing to clarify your comments, but you must communicate this to the Council before the close of the consultation. If you do not wish to be heard at the examination, your written representations will carry the same weight as those made by respondents who appear and are heard in support of their representations.

No, I do not wish to participate at the oral examination:

Yes, I wish to participate at the oral examination:

Question 2: Do you agree or disagree with the proposed rates contained in the Draft Charging Schedule?

Agree:

Disagree:

Further comments on Question 2:

See supporting letter.

Question 3: Do you think that the proposed CIL rates strike an appropriate balance between the desirability of funding infrastructure through CIL and the potential effects of imposing a CIL on the Borough and District?

See supporting letter.

Question 4: Do you believe the evidence on viability is correct? If not, please set out alternative evidence to support your view?

See supporting letter.

Question 5: Do you agree or disagree with the Councils' approach to discretionary relief?

Agree:

Disagree:

Further comments on Question 5:

See supporting letter.

Question 6: Do you have any comments on the draft Regulation 123 list which sets out the infrastructure to be funded by CIL and where the Councils will continue to seek S106/S278 contributions?

See supporting letter.

Question 7: Do you agree or disagree with the draft CIL instalments policy?

Agree:

Disagree:

Further comments on Question 7:

See supporting letter.

Question 8: Do you agree or disagree with the draft 'payment in kind' policy?

Agree:

Disagree:

Further comments on Question 8:

See supporting letter.

Question 9: Any other comments

Please indicate if you wish to be notified of any of the following:

- That the Draft Charging Schedules have been submitted to the examiner in accordance with Section 212 of the Planning Act 2008
- The publication of the recommendations of the examiner and the reasons for those recommendations
- The approval of the Charging Schedules by the charging authorities

Please sign and date:

Signature:  Date:

Please send completed forms by **Wednesday 18th June 2014** to:
East Dorset District Council, Council Offices, Furzehill, BH21 4HN

Or, alternatively email them to planningpolicy@christchurchandeastdorset.gov.uk

Please note: Comments cannot be treated as confidential and therefore by responding, you are agreeing to your information being disclosed to third parties.

All comments made must be supported by your full name and address. Comments will be published on the Council's website along with your full name.

Data Protection (Please tick the relevant boxes)

I/we understand that Christchurch Borough Council / East Dorset District Council will use the information that I/we have provided for the purpose of the Community Infrastructure Levy. I/we consent to Christchurch Borough Council / East Dorset District Council disclosing my/our information to third parties for this purpose.

I understand that I/we have the right to ask for a copy of the information held about me/us and which is subject of Data Protection Act 1998 (for which Christchurch Borough Council / East Dorset District Council may make a charge) and to correct any inaccuracies in my/our information.

Data Protection Act 1998: Any information provided will be treated in strict confidence and will be held on and processed by computer.

CORE DOCUMENT – CIL/CD/001

SURREY HEATH LOCAL PLAN 2011-2028

COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE



Charging Authority

The charging authority is Surrey Heath Borough Council

Date of Approval

This charging schedule was approved by the Borough Council on [Date TBC]

Date of Implementation

This charging schedule will come into effect on [Date TBC]

Rate of CIL (£ per square metre) Chargeable

CIL will be charged at differential rates according to the type of development as shown in the tables of CIL charges within this schedule.

Table of CIL Charges: Residential (C3 Only)

Area	Development Type	CIL Tariff (£ per sqm)
Western Charging Zone	Residential (C3) which does not provide its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£180
	Residential (C3) which provides its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£55
Eastern Charging Zone	Residential (C3) which does not provide its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as	£220

	avoidance for European Sites.	
	Residential (C3) which provides its own open space in the form of Suitable Accessible Natural Greenspace (SANG) as avoidance for European Sites.	£95
Princess Royal Barracks Charging Zone	Residential (C3) only	£0

Table of CIL Charges: Other Retail (A1-A5)

Area	Development Type	CIL Tariff (£ per sqm)
Zone A (Camberley Town Centre)	All Other Retail (A1-A5)	£0
Zone B (Rest of Borough Zone)	All Other Retail (A1-A5)	£100

Table of CIL Charges: Supermarkets/Superstores, Retail Warehousing and 'All Other' Development

Area	Development Type	CIL Tariff (£ per sqm)
Borough Wide Zone	Retail Warehousing ¹	£200
Borough Wide Zone	Supermarkets/Superstores ²	£200
Borough Wide Zone	All Other Development	£0

¹ Retail Warehousing is defined as 'Stores specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers'

² Supermarkets/Superstores are defined as 'Self-service stores selling mainly food which provides either weekly or top-up shopping needs and which can also include non-food floorspace as part of the mix'

Charging Zones

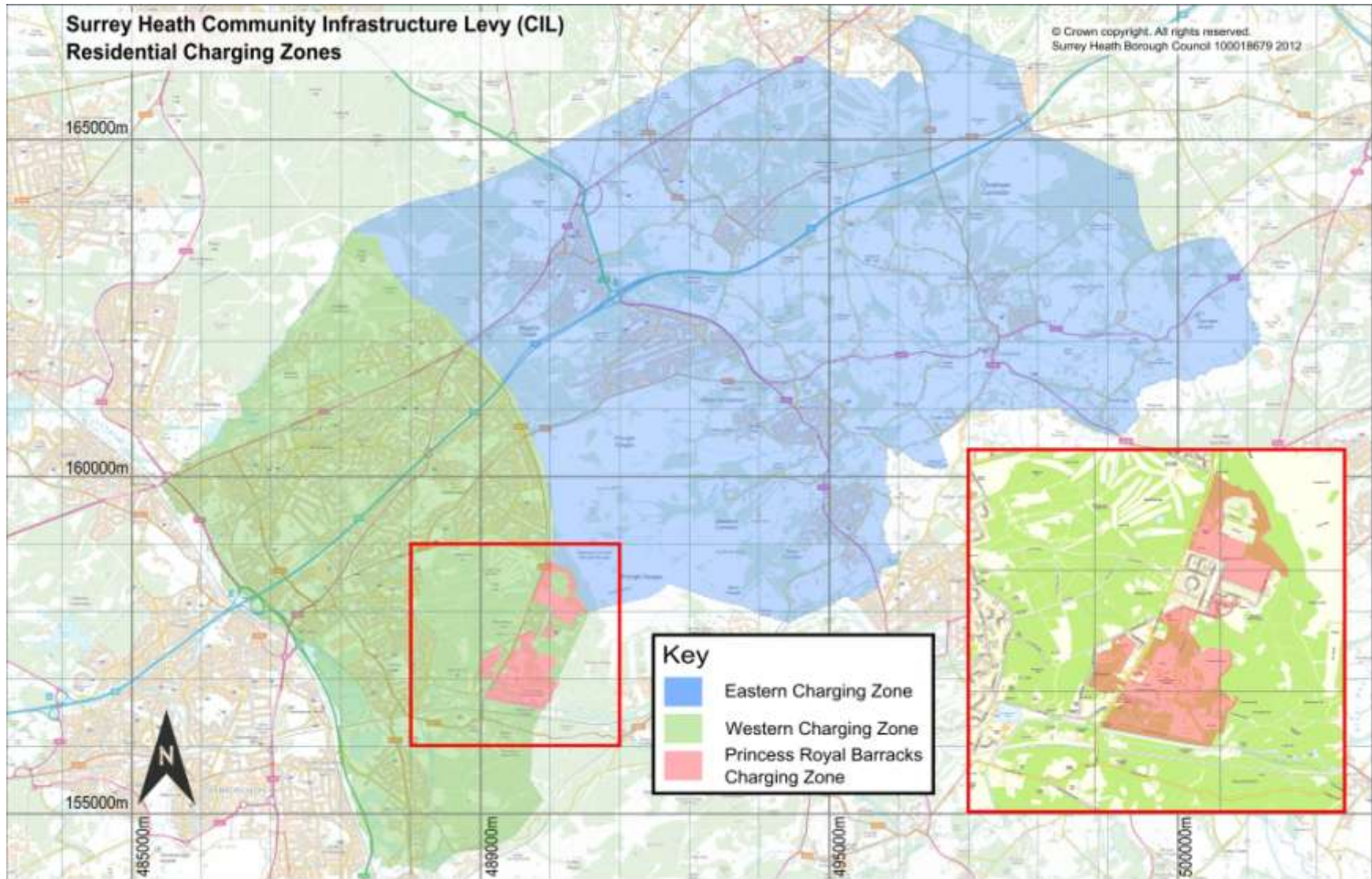
Residential

Eastern, Western and Princess Royal Barracks Residential Zones are as defined by Plan 1 as set out in this Charging Schedule.

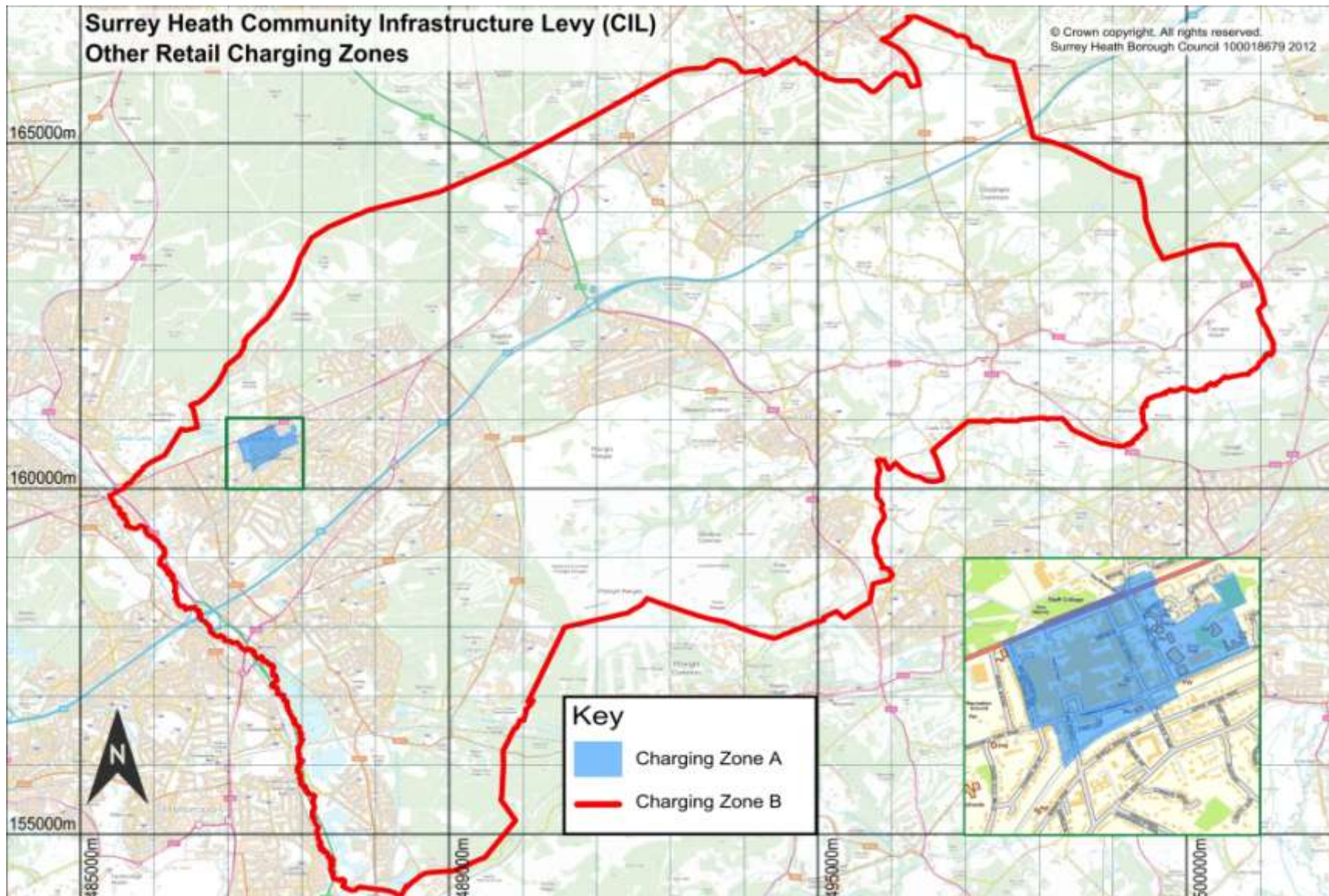
'Other Retail' Zones A and B are defined by Plan 2 as set out in this Charging Schedule.

The Borough Wide Zone relating to Supermarkets/Superstores, Retail Warehousing and 'All Other Development' is defined by Plan 3 as set out in this Charging Schedule.

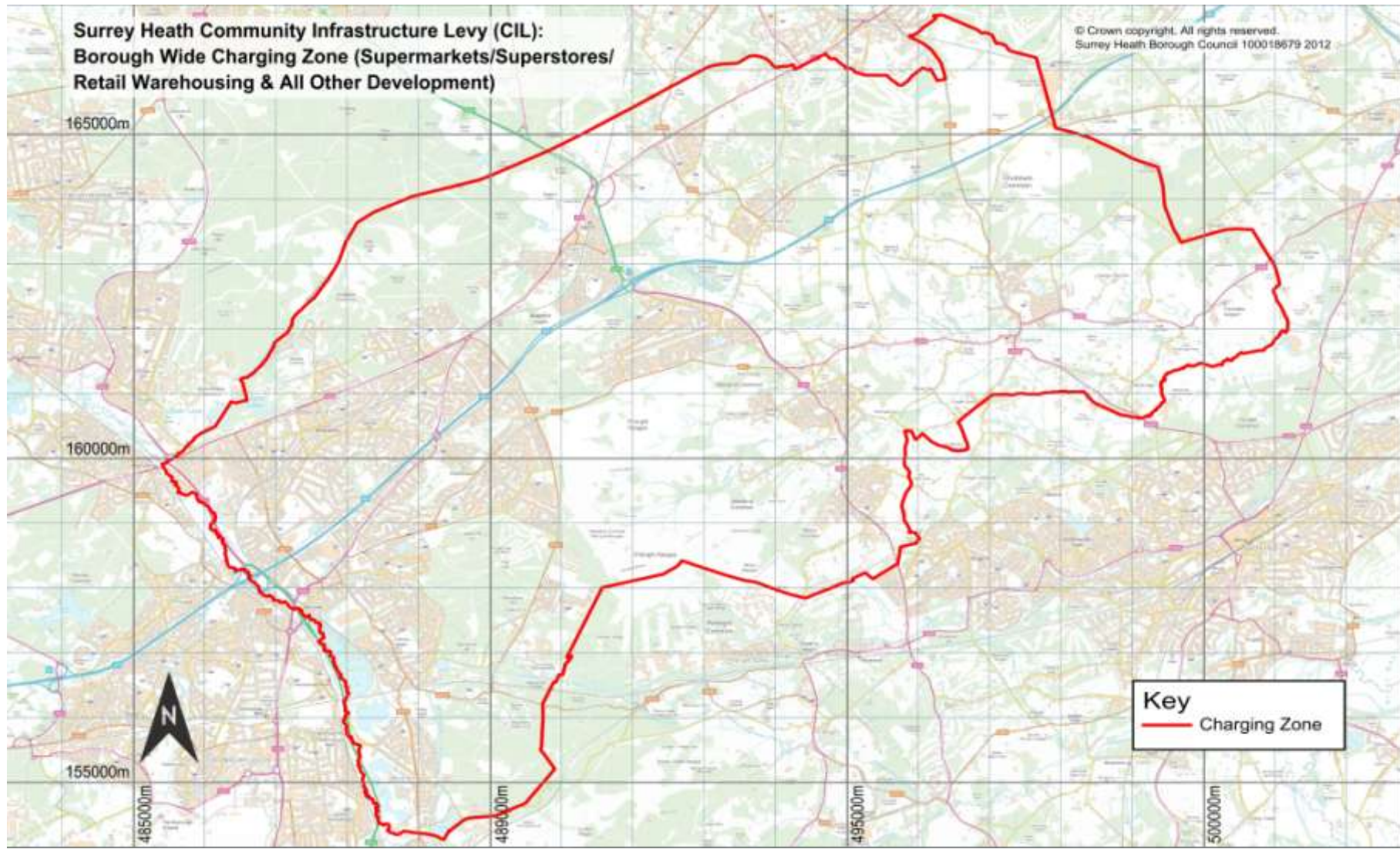
Plan 1 – Residential Charging Zones



Plan 2 – ‘Other Retail’ Charging Zones



Plan 3 – ‘Supermarkets/Superstores, Retail Warehousing and ‘All Other Development’ Charging Zone



The amount of CIL arising from development liable for CIL will be calculated in accordance with Regulation 40 of the CIL Regulations 2010 (as amended). The formula is as follows: -

$$\frac{R \times A \times I_p}{I_c}$$

Where:

R = rate of CIL set by the Borough Council

A = the deemed net area chargeable at rate R

I_p = the index figure for the year in which planning permission was granted

I_c = the index figure for the year in which the charging schedule containing rate R took effect

The value of A is calculated as follows: -

$$G_R - K_R - \frac{(G_R \times E)}{G}$$

Where:

G_R = The gross internal area of the part of the development chargeable at rate R

G = the gross internal area of the chargeable development

E = an amount equal to the aggregate of the gross internal areas of all buildings which

- (i) On the day planning permission first permits the chargeable development are situated on the relevant land and in lawful use; and
- (ii) Are to be demolished before completion of the chargeable development

K_R = An amount equal to the aggregate of the gross internal area of all buildings (excluding any new build) on completion of the chargeable development which: -

- (i) On the day planning permission first permits the chargeable development, are situated on the relevant land and in lawful use
- (ii) Will be part of the chargeable development upon completion
- (iii) Will be chargeable at rate R

This charging schedule has been issued, approved and published in accordance with Part 11 of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended).

APPLICATIONS FOR PLANNING PERMISSION & RELATED APPLICATIONS FOR CONSIDERATION BY COUNCIL

NOTES

Officers Report

Officers have prepared a report for the planning application on the Index which details:-

- Site Description
- Relevant Planning History
- The Proposal
- Consultation Responses/Representations
- Planning Considerations
- Conclusion

Council makes a decision:

The Council's decision on the application can be based only on planning issues. These include:

- Legislation, including national planning policy guidance and statements.
- Policies in the adopted Surrey Heath Local Plan and emerging Local Development Framework, including Supplementary Planning Documents.
- Sustainability issues.
- Layout and design issues, including the effect on the street or area (but not loss of private views).
- Impacts on countryside openness.
- Effect on residential amenities, through loss of light, overlooking or noise disturbance.
- Road safety and traffic issues.
- Impacts on historic buildings.
- Public opinion, where it raises relevant planning issues.

Council cannot base decisions on:

- Matters controlled through other legislation, such as Building Regulations e.g. structural stability, fire precautions.
- Loss of property value.
- Loss of views across adjoining land.
- Disturbance from construction work.
- Competition e.g. from a similar retailer or business.
- Moral issues.
- Need for development or perceived lack of a need (unless specified in the report).
- Private issues between neighbours i.e. boundary disputes, private rights of way. The issue of covenants has no role in the decision to be made on planning applications.
- **Reports will often refer to specific use classes. The Town & Country Planning (Use Classes) Order 1995 (as amended) is summarised for information below:**

A1. Shops

Shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices, pet shops, sandwich bars, showrooms, domestic hire shops and funeral directors.

A2.	Financial & professional Services	Banks, building societies, estate and employment agencies, professional and financial services and betting offices.
A3.	Restaurants and Cafes	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes.
A4.	Drinking Establishments	Public houses, wine bars or other drinking establishments (but not nightclubs).
A5.	Hot Food Takeaways	For the sale of hot food consumption off the premises.
B1.	Business	Offices, research and development, light industry appropriate to a residential area.
B2.	General Industrial	Use for the carrying on of an industrial process other than one falling within class B1 above.
B8.	Storage or Distribution	Use for the storage or as a distribution centre including open air storage.
C1.	Hotels	Hotels, board and guest houses where, in each case no significant element of care is provided.
C2.	Residential Institutions	Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres.
C2A.	Secure Residential Institutions	Use for a provision of secure residential accommodation, including use as a prison, young offenders institution, detention centre, secure training centre, custody centre, short term holding centre, secure hospital, secure local authority accommodation or use as a military barracks.
C3.	Dwelling houses	Family houses or houses occupied by up to six residents living together as a single household, including a household where care is provided for residents.
C4.	Houses in Multiple Occupation	Small shared dwelling houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.
D1.	Non-residential Institutions	Clinics, health centres, crèches, day nurseries, day centres, school, art galleries, museums, libraries, halls, places of worship, church halls, law courts. Non-residential education and training areas.
D2.	Assembly & Leisure	Cinemas, music and concert halls, bingo and dance halls (but not nightclubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used).
	Sui Generis	Theatres, houses in multiple paying occupation, hostels providing no significant element of care, scrap yards, garden centres, petrol filling stations and shops selling and/or displaying motor vehicles, retail warehouse clubs, nightclubs, laundrettes, dry cleaners, taxi businesses, amusement centres and casinos.

LOCATION: PRINCESS ROYAL BARRACKS, BRUNSWICK ROAD,
DEEPCUT, CAMBERLEY, GU16 6RN

PROPOSAL: Hybrid planning application for major residential-led
development totalling 1,200 new dwellings.

TYPE: Full Planning Application

APPLICANT: Mr J Taylor
Defence Infrastructure Organisation, on behalf of the Secretary
of State for Defence

OFFICER: Paul Sherman

1.0 SUMMARY

- 1.1 The application site is located within the village of Deepcut; it extends to approximately 114ha and currently comprises the Princess Royal Barracks. The MoD will be vacating the site this Hybrid Planning Application seeks permission for a major residential-led development totalling 1,200 new dwellings with associated public open space, community facilities, primary retail and commercial uses, and access and highways works.
- 1.2 The PRB Site is an allocated development site and the principle of the development and the number of the units has been established through the adoption of the Core Strategy and Development Management Policies 2012 (CSDMP). The Council has also adopted a Deepcut Supplementary Planning Document (SPD) which is intended to guide the determination of planning applications for the PRB site.
- 1.3 The development proposed will deliver a high quality residential led development which will deliver valuable new community services to the village of Deepcut and the associated infrastructure and mitigation will ensure that the development is accommodated without significant impact on the environment or existing Deepcut residents. The report therefore concludes that the development proposed closely accords with the requirements of the Deepcut SPD and complies with the relevant policies of the CSDMP.

2.0 RECOMMENDATION

Subject to the completions of a suitable Legal Agreement to secure the appropriate delivery of the matters set out in the Outline Heads of Terms, the Executive Head – Regulatory be authorised to GRANT planning permission subject to the conditions listed in the Schedule of Planning Conditions.

3.0 ATTACHMENTS

- 3.1 Skeleton Head of Terms for Legal Agreement.
- 3.2 Schedule of Planning Conditions.
- 3.3 SCC Transportation Development Control consultation response.

4.0 SITE DESCRIPTION

- 4.1 The application site (the PRB Site) is located within the village of Deepcut; it extends to approximately 114ha and currently comprises the Princess Royal Barracks and associated lands which is currently the headquarters of the Royal Logistic Corps of the British Army and the Defence School of Logistics. The application site is split into three linked areas, The Main Barracks Area, The Northern Area and the Western Area.
- 4.2 The Main Barracks Area is located east of Deepcut Bridge Road and is bounded by Newfoundland Road to the north and the Basingstoke Canal to the south. This part of the site comprises most of the buildings within the application site and includes the Headquarters of the Director of Logistics Building, the Officers Mess, the Royal Logistics Corps Museum and the Church of St Barbara. The area is heavily wooded with the buildings located in clearings in the woodland however there are also large areas of green space including the sports ground on the Minden Plateau and a large open grassed area close to the main access on Brunswick Road. This part of the site includes significant changes in level with the Minden Plateau being some 31m higher than Deepcut Bridge Road which also falls towards the lowest part of the site at the point when meets the canal.
- 4.3 The Northern Area is also east of Deepcut Bridge but is separated from the Main Barracks site by the modern housing development known as Dettingen Park and military housing located at Alma Gardens and Dettingen Road. To the north this area adjoins more military housing at Minorca Avenue and the site also directly adjoins military training land which forms part of the Thames Basin Heaths Special Protection Areas. The Northern Area currently comprises large areas of open spaces some of which has been used for military sports pitches and the site retains a cricket pitch and a pavilion close to Deepcut Bridge Road. The site also includes a large detached building known as the Officers Club which has a dedicated access from Deepcut Bridge Road.
- 4.4 The Western Area is located within a section of land formed by Deepcut Bridge Road, Blackdown Road and Bellew Road. This part of the site is mostly formed of mature woodland but also includes the Sergeants Mess Building, which architecturally mirrors the Officers Mess within the Main Barracks Site, and also includes publicly accessible playing pitches and a children's play area located on Blackdown Road.

5.0 RELEVANT PLANNING HISTORY

- 5.1 There is no planning history specifically relevant to the consideration of the current application.

6.0 THE PROPOSAL

- 6.1 The application is a Hybrid Planning Application for a major residential-led development totalling 1,200 new dwellings with associated public open space, community facilities, primary retail and commercial uses, and access and highways works. As the application is a Hybrid application, part of the application seeks Full Planning Permission and part of the application seeks Outline Planning Permission.
- 6.2 Full planning permission is sought for the conversion of the Officers' Mess building, the Sergeants' Mess building and the Head Quarters of the Director of Logistics building to provide a total 81 flats (falling within Use Class C3) and the full application includes the all the associated details associated with this part of the development. Full planning permission is also sought for the proposed means of access to the wider development

site and this includes the creation of a roundabout in place of the existing junction at Deepcut Bridge Road, Blackdown Road and Newfoundland Road.

6.3 The remainder of the proposed development, and the majority of the development proposed, is sought at Outline only. The application for Outline planning permission includes:

- 1,119 new build dwellings (Class C3) of which 35% would be affordable
- A 2 form entry Primary School, together with a nursery facility (Class D1)
- a foodstore (Class A1)
- local shops (Class A1 / A2 / A3 / A5)
- space for medical facilities to accommodate GPs/dentists (Class D1)
- a library building with co-located police desk and village visitor centre (Class D1)
- a public house (Class A4)
- retention of the Church of St Barbara as a religious facility with a replacement Church Hall (Class D1)
- provision of 69.12ha of public open space comprising:
 - 35ha of SANGs and a 1.07ha SANGs link
 - 19.85ha semi natural open space (ANGSt)
 - 2ha Village Green
 - 1.16ha of Allotments
 - 2.54ha of formal Parkland
 - areas of amenity green space with the residential area
 - dedicated play spaces within the residential area
- a care home (Class C2)
- improved footpaths, cycleways, public transport linkages and highway improvements
- a Sustainable Urban Drainage system

6.4 For those elements which are to be considered at outline, only the means of access to the wider site are to be considered by this application. The applicant has provided indicative plans which show how the site could be developed to accommodate the level of development proposed. However matters of layout, scale, appearance and landscaping of these elements will be subject of later reserved matters applications and are not considered by this application.

7.0 CONSULTATION RESPONSES

7.1	SCC Transportation Development Control	No objection subject to the completion of a legal agreement and imposition of planning condition (full response attached).
7.2	SCC Archaeological Officer	No objection subject to recording of buildings and archaeological monitoring.
7.3	SHBC Planning Policy	No objection subject to planning conditions and completion of a legal agreement.
7.4	SHBC Drainage Engineer	No objection subject to planning conditions to secure detailed surface water drainage scheme.
7.5	SHBC Housing Services Manager	No objection.
7.6	Environment Agency	No objections subject to planning conditions to secure detailed drainage scheme.
7.7	Thames Water	No objection subject to planning condition to secure foul water drainage scheme.
7.8	Highway Agency	No objection.
7.9	Sport England	No objection subject to completion of a legal agreement and imposition of planning conditions to secure a 7ha Sports Hub and a financial contribution to an off-site Artificial Grass Pitch.
7.10	Basingstoke Canal Society	Objects to the development due to impact on Canal and development not making provision for additional water supply to Canal.
7.11	Surrey and Hampshire Canal Society	Concern regarding potential impact of the development on the Basingstoke Canal.
7.12	Surrey Wildlife Trust	No objection subject to the development securing suitable biodiversity mitigation and enhancements.
7.13	Guildford Borough Council	No objection however considers that impact on highway network, Basingstoke Canal and biodiversity should be carefully addressed.
7.14	Woking Borough Council	No objection.
7.15	Rushmoor Borough Council	No objection subject to mitigation for the impacts of the development on the highway network, hospitals, the Basingstoke Canal and railway stations.
7.16	West End Parish Council	Objects due to impact of additional traffic, lack of availability of secondary school places and lack of sufficient water supply for new dwellings.
7.17	Windlesham Borough Council	Objects due to impact of additional traffic on outlying villages.

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| 7.18 | Deepcut Liaison Group | Objects due to impact of additional traffic and lack of mitigation, lack of public transport options, size and location of the supermarket, removal of trees and development south of Brunswick Road. |
| 7.19 | Mytchett, Frimley Green and Deepcut Society | Objects due to the impact on traffic, lack of new public transport services and lack of security of delivery of the proposed health centre. |

8.0 REPRESENTATION

8.1 At the time of preparation of this report a total of 177 representations had been received; of these 172 raise objections to the development while 5 are in support of the application. The main issues raised can be summarised as follows:

8.2 Reasons given for objection:

- Number of proposed units is too high.
- Insufficient secondary school provision.
- Outline application means there is little information to consider.
- Lack of Green Space within development.
- Too many trees to be removed.
- Loss of trees south of Brunswick Road.
- Loss of currently open areas.
- Impact on wildlife.
- Lack of deliverability of Medical Centre.
- Insufficient public transport to be provided.
- Need for railway station within Deepcut.
- Concern over end users of retail units.
- Lack of deliverability of the Public House.
- Overprovision of affordable housing.
- Supermarket is too large to cater for local needs.
- Supermarket will attract traffic from surrounding areas.
- Location of Supermarket is inappropriate.
- Supermarket will detrimentally impact surrounding retail areas
- Density of new housing is too high
- Inappropriate range of density / location of high density areas.

- Too many flatted units / inappropriate location of flats.
- Height of the proposed houses is not appropriate to the area.
- Development will worsen existing traffic problems.
- Existing roads / junctions incapable of supporting additional traffic.
- Adverse impact on highway safety / increase in road accidents.
- Development should include new relief road / bypass.
- Lack of parking provision for proposed dwellings / buildings / uses.
- Proposed road improvements are insufficient to mitigate impact.
- Junction improvements are to be delivered to late in the development.
- Impact of construction traffic on existing roads / residents.
- Failure to assess traffic impact on surrounding villages.

Reasons given for support:

- Provision of new houses.
- Greater range of uses in village.

8.3 Members are reminded that the number of representations received, either for or against a proposal, is not a material consideration and should not be used as an indication of the planning merits of the proposal. The relevant planning considerations are set out below.

9.0 PLANNING CONSIDERATION

9.1 The application site located within the rural village of Deepcut and application site largely accords with the Princess Royal Barracks Site allocated for development by the Surrey Heath Core Strategy and Development Management Policies 2012 (CSDMP). Policy CP4: Deepcut sets the framework for the consideration of applications for this strategic site. However Policy CP2: Sustainable Development and Design, Policy CP5: Affordable Housing, Policy CP6: Dwelling Size and Type, Policy CP7: Gypsies and Travellers and Travelling Show people, Policy CP11: Movement, Policy CP12: Infrastructure Delivery and Implementation, Policy CP13: Green Infrastructure, Policy CP14: Biodiversity and Nature Conservation, Policy DM9: Design Principles, Policy DM10: Development and Flood Risk, Policy DM11: Traffic Management and Highway Safety, Policy DM14: Community and Cultural Facilities, Policy DM16: Provision of Open Space and Recreational Facilities, and Policy DM17: Heritage are also relevant to the consideration of this application.

9.2 The National Planning Policy Framework (NPPF) comprises an overarching set of planning policies for England and details how the Government expects them to be applied; it provides guidance for drawing up Local Plans but is also relevant to the consideration of individual planning applications. The fundamental aim of the NPPF is to deliver sustainable development and document sets a strong presumption in favour of development which is economically, socially environmentally and sustainable.

9.3 Following the publication of the NPPF the Secretary of State The South East Plan 2009 (SEP) was revoked by the Secretary of State however Policy NRM6: Thames Basin Heaths Special Protection Area (TBH SPA) was retained and therefore this policy remains part of the Development Plan. This retained policy is also relevant to the consideration of this application as is the Thames Basin Heaths Special Protection Area Avoidance Strategy Supplementary Planning Document (SPD) which builds on Policy NRM6 and provides further guidance on mitigating the impact of development on the TBH SPA.

9.4 The Council has also adopted the Deepcut SPD which is intended to guide developers and in order to guide the future development of the Deepcut Area. The Deepcut SPD was subject to extensive community consultation and is a material consideration which should be afforded significant weight in the determination of this application. The SPD identifies 'The Deepcut Vision' which is:

"The Deepcut area will accommodate a sustainable expanded settlement formed out of the former PRB site and the existing Deepcut village. This will be distinct and separate from the urban areas to the west and north but linked to them in a sustainable manner.

The expanded Deepcut will be characterised by the rural heathland landscape within which it sits. Open space will thread through the built up area, as well as providing much of the setting of the village. The Basingstoke Canal will play a more significant role providing a recreational and landscape resource and a major walking and cycling link to nearby centres and rail facilities.

The expanded settlement will be a socially vibrant community supporting a sustainable lifestyle, where occupants can live, work and play whilst allowing for organic change and flexibility. The quality of design and the general environment will be high, reflecting a contemporary interpretation of Surrey village patterns, incorporating local features of character, especially those having a military or canal association, as well as reflecting the heathland setting."

9.5 Principal Considerations

9.5.1 The site has been allocated for development and quantum of development has largely been determined through the adoption of the CSDMP and the Deepcut SPD. This has determined that the site is suitable to deliver 1,200 dwellings and therefore no objection can reasonably be raised to the number of units to be delivered. It is also important to note that much of the application has been submitted at Outline with most of the details to the subject of later Reserved Matters applications.

9.5.2 Councillors should however be aware that the following matters are not for consideration at this stage:

- The detailed layout of the site
- The location of key buildings and land uses
- The design of individual buildings
- End users of the buildings to be delivered
- The landscaping of the site and the retention or removal of specific landscape features

Below is an assessment of the material considerations which have informed the recommendation to Full Council set out in Section 2.

9.6 Layout of the development and street hierarchy

9.6.1 While the majority of the development is proposed at outline only, with layout reserved, it is reasonable to consider whether the level of built form and other land uses could be accommodated on the site in an appropriate manner. In particular, that the requirements of Policy CP4 can be met and that the development would be in compliance with the more detailed design guidance set out in the Deepcut SPD.

9.6.2 The Deepcut SPD advises that the development should deliver clear character areas and should include a consistent system of streets with a clear hierarchy. The Design and Access Statement submitted reflects these areas and details how each of these would be provided an individual yet complementing character and also included details of the hierarchy of streets. Together with the other parameters set out in the Design and Access Statement the applicant has produced an indicative Masterplan for the site. While this is to not be considered as a definitive solution for the layout of the site it is considered that it demonstrates that the quantum of development could be delivered in an appropriate way and this is sufficient for the consideration of this application.

9.6.3 In order to ensure that the development is delivered in an acceptable form the, planning conditions are recommended to require Design Codes are submitted for each character area prior to the submission of any Reserved Matters applications. The Design Codes would be agreed with the Local Planning Authority and then inform the preparation of the layout and design of each of the character areas. Subject to these conditions it is considered that this aspect of the development would be in accordance with Policy CP4 and would meet the objectives of the Deepcut SPD.

9.7 Density, plot ratios and height

9.7.1 The Deepcut SPD advises that the development should deliver a range of housing densities across the site with an average density across the site of no more than 30dph. It also advises that plot ratios (ratio between garden space and building floor space) should generally be 1:1 with building heights generally being 1.5 and 2 storeys with feature buildings of 2.5 to 3 storey's in appropriate locations.

9.7.2 While the majority of the application is at outline, the density of the residential development is largely determined by the range and quantum of land uses. Accordingly while it is not possible to know the density of specific areas of the site the overall density is largely fixed due by the extent of the site to be given over to residential development as opposed to other land uses. The applications provides for approximately 40ha of land for the residential units (including the associated roads and open spaces) which equates to an average density of 30dph and the density parameter plan shows how the density of development could be varied across the site with higher density areas (35-45+dph) around the village centre and lower density (>15dph) development around the edges and in more secluded areas. It is therefore considered that the application complies with the density requirements in the Deepcut SPD and no objection should be raised to the proposals on these grounds.

9.7.3 The Design and Access Statement also includes parameters for building heights and shows that all the residential development, with the exception of the retained buildings, would be limited to a height of 8.5m with variation in buildings between different areas of the site. The Deepcut SPD advises that buildings should predominantly be 1.5 or 2 storeys with some instances of 2.5 storey buildings. It is considered that the maximum heights set out in the application would meet the requirements of the Deepcut SPD. However, it will be important for future reserved matters applications to ensure that there

is variation in heights and that not all buildings are built toward the upper end of the limits to be established. This is however a matter for future applications.

9.7.4 Details of the plot ratios for the residential units are not known at this time. However, the Design and Access Statement confirms that all houses would be provided with rear gardens and the front gardens would vary in depth from 2.5m to 10m depending on the location of the units. It is considered, from the information provided, that the development would be capable of meeting the plot ratio criteria included in the Deepcut SPD and as such no objection should be raised on this point. This issue will need to be further addressed in later reserved matters applications.

9.7.5 It is therefore considered that, subject to conditions to secure the submission of Design Codes for each of the character areas this aspect of the application is in accordance with Policy CP4 and meets the objectives of the Deepcut SPD.

9.8 Transport, highways mitigation measures and parking

9.8.1 Both Policy CP4 and the Deepcut SPD identify a requirement for improvements in the local highway infrastructure and the creation of sustainable travel options in any application for the development of the PRB site. The applicant has provided a detailed Transport Assessment (TA) which assesses the potential traffic generation from the proposed development and identifies mitigation which is required to ensure the safe and efficient operation of the highway.

9.8.2 Surrey County Council, as Highway Authority, has considered the Transport Assessment provided by the applicant and has concluded that the following transport mitigation is required:

Highway Works:

- Deepcut Bridge Road / Blackdown Road access roundabout
- New internal Spine Road with new highway infrastructure
- Red Road / The Maultway / Upper Chobham Road roundabout improvements
- Frimley Green Road / Stuart Road / Wharf Road junction improvements
- Red Road / A322 junction improvements
- Gole Road / Dawney Hill traffic signal works
- Junction 3 M3 / A322 Guildford Road junction improvements
- The Bridge, Deepcut Bridge Road traffic signalling
- Environmental improvements to Deepcut Bridge Road

Cycling Infrastructure

- Cycling routes and infrastructure with the development area
- Brookwood Cycle Parking
- Frith Hill to Tomlinscote School Cycle Path
- Improvements to the Basingstoke Canal Tow Path
-

Bus Services

- New bus stops on the spine road
- Improvements to bus infrastructure in the area
- A contribution of up to £4.8m towards supporting additional bus routes

The full response from the Transportation Development Control Department at Surrey County Council is appended to this report and this includes further detail on the mitigation required.

- 9.8.3 All of the above requirements of Country Highway Authority are to be included in the legal agreement and they advises that, subject to the completion of these works, the development will not adversely impact on the safe and efficient operation of the highway.
- 9.8.4 Parking for residential units and each of the non-residential land uses will be considered at the reserved matters stage however the Design and Access Statement shows that the development would use a mixture of on plot and on street parking and would could also use parking in housing squares and to the rear of the apartments. It is considered that sufficient information has been provided to demonstrate that parking could be accommodated in an acceptable way and no objection should be raised on these grounds. Future reserved matters applications will also be expect to include details of cycle parking for the residential properties and other land uses.
- 9.8.5 Having regard to the above and subject to securing the required transportation infrastructure and junction improvement as required by the County Highway Authority, it is considered that the development would deliver an appropriate package of highway mitigation and would ensure that the development would give rise to an unacceptable highway impacts. As such the development is considered to comply with the requirements of Policy CP4 and DM11 of the CSDMP and the requirements of the Deepcut SPD.

9.9 Affordable housing requirements and specialist housing provision

- 9.9.1 The application includes the provision of 1,200 new residential units and Policy CP4 of the CSDMP requires that 35% of the proposed residential units shall be affordable. This equates to a requirement for 420 affordable units.
- 9.9.2 The applicant is proposing the following affordable housing mix:

	1-bed	2-bed	3-bed	4-bed	Total
Social Rented	63	63	52	32	210
Intermediate	22	104	84	-	210
Total	85	167	136	32	420

- 9.9.3 The Councils Housing Services Manager has considered the tenure and the mix of units proposed by the application and advises that the development would be appropriate to meet the housing needs in the area. According it is considered that the number and range of affordable housing to be delivered meets the requirements of Policy CP4 of the CSDMP and the Deepcut SPD.
- 9.9.4 The Deepcut SPD also includes guidance on the design and distribution of affordable housing. It seeks to ensure that this accommodation is indistinguishable from the market housing and that it is provided in an even way across the site. With this in mind the

applicant has agreed to ensure that 35% of each phase of development is affordable and this will be included in the requirements of the Legal Agreement. The precise siting and design of the units and the “pepper-potting” of the affordable units will be addressed through affordable housing schemes to be submitted for each phase of development and this is to be secured by condition.

- 9.9.5 The application does not make any provision for gypsy and traveller sites and the Deepcut SPD does state that the development should make some provision for this section of the community. The Council currently has a significant under supply of sites for gypsy and travellers; the 2008 Gypsy and Traveller Accommodation Assessment (GTAA) identified a need for 19 pitches in the period up to the period to 2011 and Policy CP7 of the CSDMP requires a further 19 pitches to be provided up to the period to 2027. The Council has not delivered any of these pitches and currently has not allocated sites to meet or contribute to this provision.
- 9.9.6 In light of the need for sites and given that the requirement of the Policy CP7 of the CSDMP and the Deepcut SPD it is considered that the development of the PRB Site should ensure adequate consideration is given to the provision of gypsy and traveller plots with the new development. The applicant advises that they have considered the option to provide plots for gypsies and travellers however they advise that these have not been included in the application due to strong public opposition. They now consider that these sites should be allocated though the forthcoming Site Allocations DPD. Accordingly the application includes no provision and it is unlikely that any provision on this site could be secured in the future.
- 9.9.7 The application therefore fails to fully comply with the specialist housing requirements of the Deepcut SPD in that it does not include any provision for gypsy and traveller accommodation and this lack of provision does weigh against the application. It is however noted that there is no specific requirement in the Development Plan policies that the PRB Site must provide gypsy and traveller accommodation, therefore while this is a material consideration it is not fatal to the acceptability of the scheme and should be weighed against the other benefits and accommodation which is to be provided. In particular the Council does not currently have an identified 5 year housing land supply and the delivery of 1,200 new residential units should be given significant weight.

9.10 SANGs provision and the impact on the Thames Basin Heaths Special Protection Area

- 9.10.1 The Thames Basin Heaths Special Protection Area (TBH SPA) was designated in 2005 as a Special Protection Area for its interest features of European importance which include three species of ground nesting birds. The TBH SPA comprises a network of heathland sites which many of which lay wholly or partly within the Bough of Surrey Heath.
- 9.10.2 It is now generally accepted that increased urbanisation and, in particular the introduction of additional housing has the potential to adversely impact of the TBH SPA through increased recreational use of the protected sites. Natural England, the Government’s advisory body on ecological matters, advise that new residential development within 5km of the TBH SPA has the potential to adversely impact on the protected site, either alone or in combination with other development, and that the impact of such development must be mitigated. Natural England also advises that development within 400m of the TBH SPA cannot normally be mitigated.
- 9.10.3 Policy NRM6 of the South East Plan provides a framework for mitigation measures which are required to prevent negative impacts from additional residential development on the TBH SPA. This includes creating or contributing to Suitable Alternative Natural Green Space (SANGs) and measures to manage access to the TBH SPA. Surrey Heath Borough Council also adopted the TBH SPA Avoidance Strategy SPD in January 2012

which provides additional guidance on mitigating the potential impact on developments. This includes a requirement that large developments (over 100 dwellings) shall deliver their own on site SANGS and sets out criteria for the delivery of SANGs. In addition to SANGs the SPD requires that developments contribute to Natural England's Strategic Access Management and Monitoring (SAMM) project.

- 9.10.4 The application site is wholly within the 5km zone of influence of the TBH SPA and part of the site is also within the 400m zone. The development therefore clearly has the potential to adversely impact on the TBH SPA and prior to granting planning permission it must be demonstrated that the potential impact of the development will be mitigated.
- 9.10.5 The application includes the provision of 35ha of SANGs to be located in two areas of the site, known as the Southern SANGs and the Central SANGs. These two areas would be joined by a SANGs link which although does not form part of the SANGs provision would have much the same character and would serve to link the two areas and provided extended walking routes. Much of the land to be used as SANGs is currently woodland and grassland however a significant area of the southern SANGs is currently developed and includes buildings and large areas of hard surfacing which are required to be removed with this area being reinstated to woodland and grassland. Vehicle access to the SANGs and small car parking areas would be available from Deepcut Bridge Road for the Southern SANGs and from Royal Way for the Central SANGs however there would be extensive linkages from the proposed residential development to the SANGs and the Southern SANGs would also give access from the development to the Basingstoke Canal located to the south of the site. The applicant has also provided a SANGs management plan (Appendix 12c of the Environmental Statement) which outlines the set up and management of the SANGs.
- 9.10.6 Natural England has considered the details of the SANGs and has advised that subject to completion of the SANGs in accordance with the submitted details and to the future management and maintenance of the SANGs in perpetuity, then the development would not be likely to have a significant adverse effect on the interest features for which the TBH SPA is designated.
- 9.10.7 All of the land which would form the SANGs is within the ownership of the applicant and it is expected that this land would be set up as SANGs by the developer and transferred to the Council for its management and maintenance in perpetuity. The developer would also need to provide a financial contribution of £5,085,622 to cover the Council's costs in the undertaking function. The applicant has confirmed that they have no objection to this provision in the Legal Agreement but have also requested an option that would enable the developer to set up a private land trust or body to manage and maintain the SANGs. While this is a less preferable option it is considered that the Local Planning Authority cannot reasonably object to this option provided that it can be demonstrated that the SANGs could be managed and maintained in acceptable fashion in perpetuity and it is noted that the Thames Basin Heaths SPA SPD makes provision for privately owned SANGs.
- 9.10.8 In order to demonstrate that the SANGs could be secured in perpetuity by a private body the applicant has proposed that any land trust or other body set up by a developer to manage the SANGs would be agreed in writing with the Local Planning Authority prior to the commencement of any development and that once established that body would undertake the management in accordance with an agreed management strategy. In addition the developer would be required to provide a bond equal to the cost to the Council of managing the SANGs and to grant step in rights to the Council to take over management at any point that management fell below the required standard or the trust failed. At this point the Council would receive the funds required to manage the SANGs and would take over ownership of the land. It is considered that provided that a bond to

the total value of the Councils costs is provided and the provisions for step-in rights are included in the legal agreement it can be determined that the SANGs would be available in perpetuity and therefore meets the requirements of the Habitat Regulations. The detailed mechanism for the future ownership and transfer of the SANGs is to be included in the Legal Agreement.

- 9.10.9 In addition to SANGs the applicant has agreed to provide SAMP contributions for all of the residential units, however given that the final unit mix of the development is not currently known this is included to be included in the Legal Agreement in the form of a formula with contributions to be determined and paid prior to the commencement of each phase of development.
- 9.10.10 It is therefore considered that subject to planning conditions and the completion of a legal agreement to secure the SANGs, its management and maintenance in perpetuity, and the SAMP contributions, the development would meet the requirements of the Habitat Regulations and accords with Policy NRM6 of the SEP, Policy CP4 and CP14 of the CSDMP, the Deepcut SPD and the Thames Basin Heaths SPA SPD.

9.11 Biodiversity

- 9.11.1 In addition to the TBH SPA adjoining the site, a large part of the application site is designated as a Site of Nature Conservation Importance (SNCI) and the Basingstoke Canal is also designated as a Site of Special Scientific Interest (SSSI). Both of these elements are included within the SANGs areas of the development and the SANGs management plan recognises the need to retain the biodiversity value of these designate sites. There are other habitats and records of protected species in wider site and the detailed designs will need to account for the protection or mitigation of these biodiversity features.
- 9.11.2 It is therefore recommended that any planning permission be conditional on the submission of an Ecological Management Strategy for the entire site be submitted before the first reserved matters application. Each phase of development shall then delivery a detailed Mitigation Strategy and Management Plan in order that protected species and habitats are protected and enhanced and where impacts arise that these are suitably mitigated. Subject to these conditions it can be concluded that the development would not have an adverse impact on protected species within the site and that suitable biodiversity enhancements can be delivered the proposed development.

9.12 Public open space and sports provision

- 9.12.1 In addition to the SANGs and ANGST to be provided there is a requirement to provide formal areas of public open space as well as outdoor sports facilities. The application site currently includes large areas of sports pitches which have been used in connection with the military uses the site although some of these areas have not been used in the recent past. Very few of the existing facilities have any public access and most have been used exclusively for training or recreation by the military community at Deepcut.
- 9.12.2 In order to deliver a suitable level of outdoor sports provision to serve the expanded village and to mitigate the loss of the existing sports pitches, the application includes the provision of a 7ha Sports Hub indicatively shown to be located in the northern area of the site. The Sports Hub is shown to include football pitches, a cricket pitch, tennis courts, a multi-use games area, a combined Neighbourhood Equipped Play (NEAP) and Local Equipped Area of Play (LEAP), an outdoor gym and a pavilion containing changing rooms and associated facilities. It is considered that the Sports Hub to be provided would be a high quality and flexible use outdoor sports facility which would meet the

needs of the development and would be a valuable feature to the existing residents of Deepcut.

- 9.12.3 One element of the existing sports provision on the PRB site which is not to be replaced on the site is the artificial grass pitch (AGP) which is located on the existing military sports ground. The borough has a limited supply of AGP pitches, however given the objective of the Sports Hub is to be a local resource rather than a borough resource it is considered inappropriate to locate an AGP within the sports hub as this would have a wide catchment area. It is considered to be more appropriate to secure a financial contribution to an off-site facility which would be accessible for the occupants of the new development but would not draw increased movements into the village. Accordingly the applicant has offered a financial contribution of £300,000 towards the cost of providing or upgrading an AGP at either Frimley Lodge Park or Watchetts Recreation Ground and this is considered sufficient to meet the needs of the development and to offset the loss of the existing AGP on the site.
- 9.12.4 Sport England has been consulted on this application and is satisfied that the level of sports provision is appropriate to serve the needs of the development and the existing village and has raised no objection to the loss of the existing sports pitches. This is, however, conditional on the delivery of the Sports Hub and its sports pitches and that the contribution towards the AGP is used only for delivery of additional pitch capacity. This will be secured through the legal agreement and planning conditions.
- 9.12.5 In addition to the formal sports area to be provided the development would include areas of amenity green space. The Design and Access Statement indicates that these would be predominantly in the form of linear spaces radiating out from a Village Green which would be the primary amenity Green Space in the development. The Village Green would be 2ha and in addition to serving a visual feature would have a quasi-recreational use and include a co-located NEAP and LEAP which would give the area vibrancy. The development also includes the retention of the Blackdown Road equipped play area and playing fields, a new formal park shown indicatively to be provided adjacent to the church, and an area for allotments indicatively shown adjacent to the sports hub.
- 9.12.6 The main children's and younger peoples equipped play areas would be the two co-located NEAP's and LEAP's located at the Sports Hub and the Village Green. Additional LEAP's and smaller Local Areas of Play (LAP's) would be dispersed throughout the residential areas. The location and specification of these are to be determined by future applications and through the planning conditions.
- 9.12.7 All of the sports provision and public open space would be transferred to the Council to maintain and the developer would also be providing financial contributions totalling some £3.5m to cover the cost to the Council in managing maintaining these facilities. This is to be secured through the Legal Agreement.
- 9.12.8 Having regard to the above it is considered that the public open space and sports provision to be delivered by the application is consistent with the requirements of Policy CP4 and the Deepcut SPD. The level of public open space and sports provision is considered to be sufficient to meet the needs of the expanded village of Deepcut and to ensure that the development does not adversely impact on existing sports provision and public open space in the wider area.

9.13 Impact on Heritage Assets, buildings of merit and archaeology

- 9.13.1 The application site includes The Garrison Church of St Barbara which is a Grade II Listed building and therefore is a designated Heritage Asset as is the Basingstoke Canal Conservation Area which adjoins the site to the south. In addition to the designated Heritage Assets the site also includes other buildings of merit. These include the

Officers Mess located on Brunswick Road, the Sergeants Mess located on Bellow Road and the Headquarters of Director of Logistics located on Newfoundland Road. All of these buildings are visually attractive and provided historical links to the military history of the area.

- 9.13.2 St Barbara's Church is located on the main barracks adjacent to Deepcut Bridge Road and is probably the most recognisable building in Deepcut. The Church was built in c.1901 and was constructed to serve the military community. It is one of a few remaining churches designed to be demountable and its national significance is reflected by its Grade II Listing.
- 9.13.3 The application includes the retention of St Barbara's Church in its current use, which is an objective of the Deepcut SPD and there are no physical alterations to the church building proposed as part of this application. The application does include the replacement of the Church Hall, the creation of a new car park and a formal public open space both of all of which are indicatively shown to the north of the Church. The Graveyard to the south will remain associated with the Church and there are no proposals to alter this area of the site. It is however considered that the development proposed could be delivered without harm to the setting or significance of this building and the Council's Historic Buildings Advisor has raised no objection to the application on these grounds.
- 9.13.4 The application includes full details of the conversion of the Officers Mess, Sergeants Mess, and the Headquarters of Director of Logistics buildings. The proposed conversions will deliver a total of 81 one and two bedroom units and the conversions would include very few external alterations to the main facades. Parking and areas of amenity space would be provided in the external areas around each building. The special character and impressive appearance of these buildings would be retained and these buildings would provide an important link to the military history of the site when or if the remainder of the PRB is developed. While there would inevitably be some alteration to the appearance and setting of these buildings this would not be such that their significance would be lost and accordingly no objection should be raised to the conversion on heritage grounds. It is however considered that these buildings should be recorded prior to conversion and a suitable condition is included.
- 9.13.5 While the Officers Mess would be located within the proposed SANGs area and would be isolated from the new development both the Sergeants Mess and the Director of Logistics building are shown to have new development around them. The siting and design of this development will need to have regard to the special interest of the retained buildings. However, this would be addressed through the reserved matters applications. The Council's Historic Buildings Advisor has advised that subject to a suitable design the development could be accommodated without detriment to the setting of these buildings.
- 9.13.6 The Basingstoke Canal runs along the southern boundary of the site and passes through the proposed SANGs area. This area of the site is to be subject to little alteration and includes the removal of the depot area, with this area returning to a semi-natural state. This will further remove development from the vicinity of the Canal. The indicative layout provided shows significant separation between the proposed residential units and the Canal. It is therefore considered that the development can be accommodated without harm to the setting of this designated Heritage Asset.
- 9.13.7 Another set of buildings of historic interest within the site is the 41 Squadron Lines buildings which date from the 1930's or 1940's. These are of interest for their utilitarian appearance and because they reflect the military development of the site. While these have been extensively remodelled and are therefore not suitable or worthy of retention, they should be recorded prior to demolition and this is to be secured by condition.

9.13.8 The applicant has undertaken a desk based assessment of the archaeological potential of this site which concludes that the chance of finding archaeological artefacts is low. While this is accepted by the County Archaeological Officer, they recommend that a program of archaeological monitoring is implemented during the development and this can be secured by a planning condition.

9.13.9 Having regard to all of the above it is considered that the development would safeguard the buildings of significant historic interest and would not harm the setting or the special interest of the designated heritage assets within the site. Accordingly the development complies with Policy CP4 and Policy DM17 of the CSDMP and meets the objectives of the Deepcut SPD.

9.14 Provision of retail and commercial facilities

9.14.1 The existing village contains some retail provision which includes a parade of shops which include a newsagent, a hairdresser and various hot food outlets. There is also a small SPAR convenience store located on Newfoundland Road. In terms of commercial facilities the village currently includes a vehicle repair centre and various small office units located on Deepcut Bridge Road.

9.14.2 The existing retail and commercial offer in the village is extremely limited and both the CSDMP and the Deepcut SPD identify the need to deliver appropriate facilities in order to create a sustainable community. In particular there is a need to ensure that the convenience retail offer in the village is sufficient to ensure that local residents are able to undertake reasonable day-to-day shopping within the village. There is also, however, a competing objective which is to ensure that the size of any convenience store provided does not serve to attract excessive visits to the store from outside the local area.

9.14.3 The application proposes a food store of 2,000sqm with a retail sales area of 1,400sqm, this is indicatively shown close to the junction of Blackdown Road and Deepcut Bridge Road. However, the exact location and design is not to be determined by this application. The applicant's retail impact assessment has concluded that a store of this size would not result in an adverse impact of other retail centres in the wider area and would be appropriate to serve the needs of the expanded Deepcut community. It is also noted that the size of the food store has been reduced during the pre-application consultation process to reflect local concerns.

9.14.4 Neither Policy CP4 of the CSDMP nor the Deepcut SPD define the size for the food store. However, the Council retail assessment prepared for the CSDMP suggested that a food store of some 2,800sqm would not be inappropriate. While that study drew data from a larger area than just Deepcut, the store now proposed is significantly smaller and it is considered that the size now proposed is appropriate to meet the needs of the expanded village of Deepcut. The Council Planning Policy Manager has raised no objection to the size of the food store or its retail impact.

9.14.5 There is no evidence to suggest that the food store would draw significant trade from areas outside of Deepcut and it is essential to the creation of a sustainable village that the food store is of sufficient size so that it may be used by residents for their day today shopping needs. Any significant reduction in the size of the food store is likely to result in more vehicle movements from residents leaving the village for food shopping and result unsustainable shopping patterns. It is therefore considered that no objection should be raised to the size of the food store proposed subject to conditions to control the class of goods, opening hours and noise from the unit.

9.14.6 In addition to the food store the application includes the provision of a local parade of shops of up to 180sqm combined floorspace which is likely to equate to 3 local shops. These could be occupied by A1, A2, A3 or A5 uses and would further add to the variety of

the shopping in the village and should be supported. In order to ensure a range of uses is delivered a condition should be included so that no more than 60sqm (1 unit) may be used as hot food takeaway.

- 9.14.7 While no office or other commercial units are to be provided by the development it is accepted that at this time demand for such uses in this area is likely to be extremely limited. As such it would not be reasonable to require the applicant or the future developer to include these uses within the development. It is however considered that the delivery of a successful development which includes residential, retail and community uses is likely to draw in further investment in the existing area and at that time offices or other commercial uses may be delivered by the market.
- 9.14.8 Having regard to the above it is considered that the development would deliver an appropriate level of retail provision and would foster sustainable travel patterns to contribute to the objective of delivering a sustainable rural community. Accordingly it is considered that the development complies with this section of Policy CP4 and the Deepcut SPD.

9.15 Provision of community and cultural facilities

- 9.15.1 The provision of new community facilities within the extended village is essential to ensure that the vision of a sustainable village is realised and community facilities also helps foster community cohesion. These include facilities for Education, Health, Places of Worship, Library Services, and a Public House.
- 9.15.2 The application includes a site of 2ha for a 2 form entry primary school which would also include a nursery facility for pre-school aged children. The school site is indicatively shown to be located to the rear of the church, however the detail siting and design of the school and nursery is to be determined reserved matters applications. The delivery and specification of the school is to be secure by the Legal Agreement and subject to the delivery of a suitable primary school the impact of the development on local primary school places would be mitigated. The development will also increase pressure on local secondary schools. It is noted that Tomlinscote, which is the closest school to the site, is currently operating at capacity. The application therefore seeks to ensure that appropriate mitigation is provided for secondary school places and this is to take the form of a financial contribution towards increasing capacity at existing secondary schools. The figure required is to be calculated from the child yield of the development. Given that the final mix of units is not known this will be included in the Legal Agreement in the form of a calculation. This is, however, likely to be in the region of £2.8m.
- 9.15.3 The application includes the allocation of a site for a medical facility of some 380sqm and the applicant has agreed to build a facility to a suitable specification to be occupied by as General Practitioner's (GP) Surgery. At this time however the Primary Care Trust has advised that they are not able to confirm that they would be willing to take on this building and have advised that this can only be considered along with a business case from a GP at the time that the services are to be delivered. Without commitment to the facility from the PCT or other commission body it would not be reasonable to require the future developer to deliver a building for which there is potentially no end user. Accordingly it has been agreed that the Legal Agreement shall require the developer to serve a notice on the appropriate healthcare body at the time of the development offering the construction of the building to a specification as may be agreed at that time. In the event that the building is required by the commissioning body this will be delivered by the developer. However, if the building is not required or a response is not received then the building will not be built. In the event that no building is provided on site then the developer will provide a contribution of £331,866 to the Local Planning Authority to allocate to off-site healthcare provision that benefits the local area.

- 9.15.4 The existing village of Deepcut contains no library facility and the new development will add to the pressure on library facilities in the local area. In order to meet the needs of the new development for library services it is considered that a library building should be provided in the new village. Surrey County Council Library Services have advised that a building of 137sqm is required. The application includes a Library Building of 150sqm and it is proposed that the over provision in floor space be used to co-located other community uses such as a local police desk and a village visitor centre. The précises design and location of the Library Building is to be agreed at the reserved matters stage, however the delivery of the building is to be secured in the Legal Agreement. When built this will be transferred to Surrey County Council for future management.
- 9.15.5 The only religious use building in the village is the Church of St Barbara which although currently closely associated with the military community is also used and attended by the wider community. In addition to the church building there is a small prefabricated building which functions as a church hall located north of the main church; this is in a somewhat poor state of repair. The application proposes the retention of the Church for faith uses and also includes the replacement of the existing church hall. The end user of the Church is not known at this time, and this is not a material planning consideration. However, given that the application includes the retention of the Church in its current use it is considered that this would fulfil the requirement for a place of worship within the village. The church hall is a desirable addition however it is not essential to the success of the scheme and accordingly the developer will not be compelled to deliver this part of the development. It will be for the future owner or occupier of the church to decide if they wish to implement the new church hall, planning permission would be secured by this and future reserved matters applications.
- 9.15.6 An increasingly recognised feature of successful communities are local Public Houses and the application also includes the provision of a site for a public house, shown indicatively to be located next to the village green in the south of the site. A public house is, however, a private facility and delivery of this element of the scheme will be reliant on a user committing to the development of the site. It would be unreasonable to require the developer to provide this facility for an end user to operate commercially and it would be unreasonable to require the construction of the building if there was no demand for the building at the time of delivery. It would however be reasonable to require the development to make the site available and to market the site to potential operators at an appropriate price. Accordingly, this has been included in the requirements of the Legal Agreement. In the event that it is not possible to deliver a Public House any alternative land uses would require planning permission and accordingly this would be considered on its merits at such time.
- 9.15.7 Having regard to all of the above, it is considered that the community facilities to be delivered by the development would contribute to the creation of a sustainable and harmonious community and would not overburden the existing community facilities in the wider area. Accordingly it is considered that the development complies with the relevant sections of Policy CP4 and DM14 of the CSDMP and the Deepcut SPD.

9.16 Drainage and the risk of flooding

- 9.16.1 The application site is not located in an area which is at high risk of flooding however the development proposed would result in a significant increase in the coverage of the site with impermeable areas and as such the additional surface water run-off from the site will need to be managed.
- 9.16.2 The applicant has submitted Flood Risk Assessment and an indicative Sustainable Urban Drainage Strategy (SUDS) which details how the surface water could be managed; this utilises a mixture of new and existing drainage channels which generally flow in the

direction of the Basingstoke Canal. Neither the Environment Agency nor the Councils Drainage Engineer has raised an objection to the principle of the drainage strategy. However, the detailed design of the scheme including the design of wetland features, such as streams and ponds, will be controlled by planning condition and will need to reflect the detailed design of the development to emerge through the Reserved Matters applications.

- 9.16.3 The Basingstoke Canal currently suffers from a shortage of water and it is an aspiration of the Deepcut SPD and of the relevant canal groups that the development of the PRB site should supplement water supply to the Basingstoke Canal. The Basingstoke Canal would be a significant visual amenity feature and recreational resource for the future development and it is reasonable that the development should seek to contribute to improving the water supply to the canal which would be of benefit to the development. The applicant has considered options to increase water supply and while the development would deliver some increase in water to the canal, the volumes of water to be discharged from the development are not sufficient as to overcome the water supply problems at the canal.
- 9.16.4 In addition to the small volumes of additional water to be provided to the canal through the surface water drainage strategy, the applicant is also offering a financial contribution of £50,000 towards the cost of providing a borehole, or other capital drainage project, to further supplement the water supply to the Basingstoke Canal. It is considered that the application delivers all that can reasonably be expected to supplement water supply to the canal and it is expected that the increased surface water combined with a new capital project would significantly improve water supply in the longer term.
- 9.16.5 With regard to foul drainage, the applicant has identified a lack of capacity in the existing public sewer system to cope with the additional demand from the development and this has been confirmed by Thames Water and the Environment Agency. As such conditions are also required to secure details of the foul drainage system and infrastructure improvements for each phase prior to commencement of development within each phase.
- 9.16.6 Subject to the imposition of suitable planning conditions it is considered that the development would not result in an increased risk of flooding to people and that surface and foul water could be managed in an acceptable way. As such the development is considered to comply with Policy CP4 and Policy DM10 of the CSDMP and the Deepcut SPD and therefore no objection is raised to the proposal on these grounds.

9.17 Trees and landscaping

- 9.17.1 The application site contains extensive areas of trees and the trees and other areas of landscaping within the application site help to define the character of the existing village. The retention of existing mature landscaping in appropriate locations and the provision of new landscaping within the new developed areas will be essential to ensure that the desired character of a heathland village is delivered by the development.
- 9.17.2 Those areas of the application which are to be considered in full, namely the conversion of the buildings and the highway works, can largely be accommodated without significant tree removal. Within the area of the site to be considered at outline many of the trees and landscape features are located on slopes within the development area or form part of the SANGs which is to be delivered as part of the development and are therefore likely to be retained. The area of the SANGs will also include significant additional planting when an area currently used as a depot is to be returned to a natural appearance.
- 9.17.3 The indicative Masterplan does however show the removal of an area of trees south of Brunswick Road and that this area would be developed for housing. While individually significant trees could be retained in the new development, if this was the design chosen,

there would be a significant change in the character of this part of the site. It is however considered that a development of this scale is bound to change the character of an area and it is not likely to be possible to produce an acceptable scheme without requiring some level of tree removal. The indicative Masterplan, although requiring some level of tree removal, would result in a development which would have an acceptable balance between the retention of the existing trees and landscaped areas and facilitating a much needed development.

- 9.17.4 The detailed design of the development and the landscaping of the site, including those features to be retained or removed, is to be determined by future reserved applications. It is however considered that based on the information provided a scheme could be delivered which meets the landscaping requirements of Policy CP4 of the CSDMP and the Deepcut SPD.

9.18 The impact on the residential amenities enjoyed by existing local residents

- 9.18.1 The application site covers a large area and most of the existing residents of Deepcut would be close to one part or another of the proposed development. The redevelopment of the PRB will significantly alter Deepcut as a place to live, however, these planned changes to the character of an area are not reasons to withhold planning permission even if some existing residents do not wish the character of their village to be altered.
- 9.18.2 The only elements of the application which are to be considered in detail at this time are the conversions of the retained buildings and the creation of the access points to the site and the internal spine road. It is considered that the buildings to be converted are a sufficient distance away from surrounding properties for the development not to materially impact on the amenities these residents currently enjoy. Likewise it is considered that while the highway alterations to give access to the site, and those which are located off site, will result in visual and outlook changes to those properties in close proximity to the highway works, the development will not give rise to such an impact on the residential amenities of the occupants of these properties such as to warrant the refusal of the planning permission on these grounds.
- 9.18.3 The remainder of the development is proposed at outline and therefore the siting and scale of the proposed buildings are not known at this time. The applicant has provided an indicative layout plan which shows how the site could be developed and this plan shows a number of locations where new development adjoins existing residential properties. It is however noted that where this is the case, significant gaps can be achieved between the new development and the existing development and accordingly it demonstrates that the proposed development could be accommodated without causing significant harm to the amenities enjoyed by existing residential properties.
- 9.18.4 Planning conditions are to be included to ensure that a scheme for mitigating the noise from the food store to existing properties is submitted to the Local Planning Authority before first occupation of the building. Conditions are also included to ensure that any fixed plant in the new development does not increase noise to existing residential properties and to ensure that the new properties are suitable insulated against road and other background noise.
- 9.18.5 Having regard to the above it is considered that the development could be designed so as not to impact on the residential amenities enjoyed by the existing residents and as such it is considered that the application complies with Policy CP4 and DM9 of the CSDMP and the Deepcut SPD.

9.19 Sustainable design and construction

- 9.19.1 A key objective of the CSDMP and the Deepcut SPD is to ensure that the expanded village to be delivered is sustainable and this includes ensuring that the design and construction of the buildings are to a high level of environmental sustainability. Policy CP4 of the CSDMP requires that new residential development shall achieve CO2 reduction and water reduction in line with Code Level 6 [since updated to now be Code Level 5] of the Code for Sustainable Homes and that other buildings should be achieve zero carbon and efficient use and recycling of materials in line with national requirements. This would be secured by conditions of the planning permission.
- 9.19.2 The Design and Access Statement advises that the proposed residential units would be constructed to Code Level 4. However, this falls below the requirements of Policy CP4 and no evidence has been provided to demonstrate that it would not be possible to meet the requirements of the policy. In the absence of any justification to depart from the policy requirement it is considered that a condition should be included to secure the CO2 and water efficiency measure required by the policy. It is however accepted that such a requirement may have an impact on viability or could potentially be undeliverable due to some currently unforeseen circumstance. Therefore it is considered that the condition should include a mechanism whereby the future developer could agree and alternative level of sustainability with the Local Planning Authority which could be considered on its merits at the time.
- 9.19.3 With regard to the non-residential buildings it is considered that the buildings should be constructed to achieve BREEAM 'very good' certification however it is again considered that this should include some element of flexibility so that the Local Planning Authority may agree to a lower level should circumstances dictate at the time the development is to be undertaken.
- 9.19.4 The design of the scheme and building units as well as the use of any micro-generation or other power solutions will be the subject of later applications. Therefore subject to the imposition of suitable planning conditions it is considered that the development meets the objectives of Policy CP4 of the CSDMP and the Deepcut SPD.

9.20 Public art

- 9.20.1 The inclusion of Public Art within a development helps to create a sense of place and can provide reference points within a development to improve the legibility of an area. Public Art can take the form of sculptures, relief work, mosaics, murals, metal work or could be in the form of bespoke seating, signage or lighting.
- 9.20.2 The applicant has undertaken to provide a Public Art Strategy for the site which would inform the design and delivery of a number of pieces of public art across the site in a manner which would be agreed in writing with the Local Planning Authority. This would be secure by the Legal Agreement and therefore subject to the completion of this agreement the development would comply with this requirement of the Deepcut SPD.

10.0 ENVIRONMENT IMPACT ASSESSMENT

- 10.1 The application is for 'EIA Development' falling within paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

10.2 The application is supported by an Environment Statement (ES) which assesses the potential impacts of the development and identifies those areas where mitigation is to be required. These are summarised in Table 3.3 in Chapter 3 of Volume 2 of the ES and can be summarised as follows:

- Traffic;
- Air Quality;
- Noise and Vibration;
- Community and Socio-Economic;
- Landscape and Visual;
- Historic Environment;
- Biodiversity;
- Water Resources;
- Land Quality.

10.3 The recommendations of the ES have been incorporated in proposed conditions the legal agreement which will accompany any grant of planning permission.

11.0 ARTICLE 2(3) DEVELOPMENT MANAGEMENT PROCEDURE (AMENDMENT) ORDER 2012 - WORKING IN A POSITIVE/PROACTIVE MANNER

11.1 In assessing this application officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the National Planning Policy Framework; this included;

- a) Providing pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- b) Providing feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered.
- c) Suggested and negotiating amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- d) Proactively communicating with the applicant through the process to advise of progress, timescales and recommendation.

12.0 CONCLUSION

12.1 The development proposed will deliver a high quality residential led development which will deliver valuable new community services to the village of Deepcut. The associated infrastructure and mitigation will ensure that the development is accommodated without significant impact on the environment or existing Deepcut residents. The development proposed closely accords with the requirements of the Deepcut SPD and complies with the relevant policies of the CSDMP.

Report to Surrey Heath Borough Council

by Mr Philip Staddon BSc, Dip, MBA, MRTPI

an Examiner appointed by the Council

Date: 25 March 2014

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

**REPORT ON THE EXAMINATION OF THE DRAFT SURREY HEATH
BOROUGH COUNCIL COMMUNITY INFRASTRUCTURE LEVY
CHARGING SCHEDULE**

Charging Schedule submitted for examination on 27 November 2013

Examination Hearings held on 19 February 2014

File Ref: PINS/D3640/429/6

Non Technical Summary

This report concludes that the Surrey Heath Borough Council Draft Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area.

The Council is able to demonstrate that it has sufficient evidence to support the schedule and can show that the levy rates would be set at levels that will not put the overall development of the area, as set out in its Core Strategy, at risk.

Introduction

1. This report contains my assessment of the Surrey Heath Borough Council Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (Community Infrastructure Levy Guidance – DCLG – February 2014).
2. To comply with the relevant legislation the local charging authority has to submit what it considers to be a charging schedule that sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the district.
3. The basis for the examination, on which Hearing sessions were held on 19 February 2014, is the submitted Draft Charging Schedule (DCS), which was published for public consultation on two occasions in 2013. The first was between 22 July - 16 September and the second, following a modification to correct a typographical error, took place between 7 October – 4 November. The DCS was submitted for examination on 27 November 2013.
4. The Council's CIL proposals include charges for residential development and for specified types of commercial development.
5. The residential CIL proposals relate to three defined geographical charging zones within which different CIL rates would apply. The smallest zone is defined around the boundaries of the Princess Royal Barracks at Deepcut; here the proposed CIL charge for new residential development would be zero rated i.e. £0 per square metre (psm). The remainder of the borough would be split

into two charging zones: the "Western Charging Zone" would cover about a third of the borough, and is dominated by the Camberley town settlement. The "Eastern Charging Zone" covers the rest of the borough and includes a number of smaller settlements and extensive areas of land designated as Special Protection Area and Metropolitan Green Belt.

6. The special qualities and statutory protections of habitats on the heathlands that cover a significant part of the borough have major implications for development plan strategy (see paragraphs 8 -12) and this is reflected in the Council's CIL proposals. The CIL charges are differentiated not only geographically (Eastern / Western zones) but also by applying different CIL rates dependent on whether or not developments provide on site 'avoidance' mitigation through the provision of Suitable Accessible Natural Greenspace (SANG). In the Western Charging Zone the CIL charge would be £180 psm for developments not providing SANG on site, and £55 psm for developments providing SANG on site. In the Eastern Charging Zone, the respective charges would be £220 psm and £95 psm.
7. The proposed commercial CIL charges essentially relate to retail development types. The charges are differentiated in two ways. First, by development type whereby retail uses are differentiated into 'retail warehousing', 'supermarkets / superstores' and 'all other retail (A1 – A5)'. The second differentiation is by geographical area: 'retail warehousing' and 'supermarkets / superstores' would be subject to a borough wide £200 psm CIL charge; 'all other retail (A1 – A5)' would be subject to a £0 psm charge in Camberley Town Centre, but would incur a £100 psm CIL charge throughout the rest of the borough. The DCS includes a further category of 'all other development' which is £0 rated in its borough wide charging proposals.

Main Issue 1 - Is the charging schedule supported by background documents containing appropriate available evidence?

The Development Plan Documents

8. The Surrey Heath Core Strategy and Development Management Policies (CSDMP) document was adopted in February 2012. It sets out the Council's strategy for sustainable growth in the period 2011 – 2028. The borough lies within an area of significant nature conservation interest and this, along with the associated statutory protections, has a profound effect upon its development strategy.
9. About 22% of the borough's area forms part of the wider Thames Basin Heaths Special Protection Area (SPA). The SPA is a statutory designation made in 2005, recognising the international importance of the habitat, most notably in terms of its role in supporting breeding populations of protected birds – Dartford Warbler, Nightjar and Woodlark. Given the SPA designation within the

borough, and the fact that all of the borough lies within its accepted 5 kilometre 'zone of influence', all new residential development is deemed likely to have a significant effect on the integrity of the protected habitat. The principal negative impacts arise from additional human activity (walking and dog walking) and predation by domestic cats. The policy approach that has evolved, and been found sound on examination, is based upon housing development exclusion in and around the SPA (within 400 metres) and development mitigation through SANG provision for development within 5 kilometres of the SPA. In essence, SANG is intended to divert additional human activity to less sensitive locations, to avoid habitat deterioration in the SPA.

10. The scale of housing proposed in the plan period is 3,240 (net) additional units, a figure informed by the availability of suitable SANG. The spatial allocation of this development follows sustainable development principles, with the majority (71%) being in the more urban western third of the borough, with the remainder in the east. The CSDMP has a stated emphasis on promoting previously developed land within existing settlement areas to deliver new housing. The two locations where the most significant housing delivery is expected are Camberley (860 units in the period to 2025) and the strategic allocation at the former Princess Royal Barracks in Deepcut (where circa 1200 units are planned). The overall affordable housing target is 35%, although the requirement is tiered dependent on development size, from 20% for smaller schemes (5 – 9 units) to 40% for schemes of 15 units or more.
11. At present the Council's housing land supply is still weak (2.8 years supply) but this is very much a product of the SPA designation and it is expected to improve as the CSDMP matures. A 'Sites Allocation' development plan document is currently under preparation, and will provide the more detailed definition of the housing sites that will deliver the spatial strategy.
12. The CSDMP approach to employment development is focused on existing settlements and employment areas, seeking to intensify use and regenerate areas of older and / or vacant stock. The plan identifies specific 'core employment areas' and Camberley Town Centre as the main focus for new commercial development. Camberley Town Centre Area Action Plan, which includes plans for major retail led regeneration, was subject to an Examination in Public in December 2013.

Infrastructure planning evidence

13. The Council's Infrastructure Delivery Plan (IDP) sets out an assessment of infrastructure needs required to support the growth set out in the CSDMP. It is a living document and, in its earlier version, formed part of the CSDMP evidence base. It identifies the borough's infrastructure needs in two five year periods: 2013 – 2018 and 2019 -2023, along with a ten year (2016-2026) infrastructure needs assessment of the strategic growth allocation at Princess

Royal Barracks, Deepcut. The IDP was supplemented, for the CIL examination, by a Technical Background Document (July 2013) which refreshed and refined some of the figures with the latest known information.

14. Setting aside the specific needs associated with the Deepcut strategic site, the IDP identifies that the borough's principal infrastructure needs relate to green infrastructure (SANG) and transport projects. For the 2013 – 2018 period the Council identifies a total funding gap which ranges from £9.26 - £18.8 million, the range arising from the uncertainty over transport bid funding streams. For the initial five year period, the unfunded critical SANG projects amount to £3.35 million. The IDP undertakes a similar exercise for the 2019 – 2023 period but with, understandably, less certainty, and the Council confirmed that it would be reviewing its CIL regime well before that period.
15. The IDP includes a specific chapter on the Princess Royal Barracks strategic site's infrastructure needs and identifies a comprehensive package including transport, schools, green infrastructure (including SANG), community facilities, utilities upgrades and health facilities.
16. The Council has used its IDP to distil a clear list of eight sets of infrastructure project types, which it has included in its Draft Regulation 123 list. Although they are not set out in any priority order, the Council made clear, at the Hearing, that funding SANG and critical transport projects would take precedence in the allocation of CIL funding. The Council has produced an Infrastructure Delivery Supplementary Planning Document (July 2013) which gives some guidance on the residual role for S.106 planning agreements once its CIL regime is in place.
17. In assessing its infrastructure funding gap, the Council has looked at a range of funding sources. Some types of infrastructure, where the burden often falls, at least partly, on developers, have been fully funded from other (non CIL) sources. Education is a notable example where, other than at the strategic site in Deepcut, there will be no developer funding requirements. Some criticism was levelled at the Council for not including anticipated New Homes Bonus receipts in its calculations, but I share the Council's view that this is part of a much more complex set of issues concerning local government finance, in an era of reducing resources, which has been factored into its medium term financial plan.
18. The Council estimates that in the first five-year infrastructure planning period (to 2018) its CIL proposals could generate circa £4.5 million of funds, although this would reduce to £3.82 million, once the Parish Councils' element was removed. Taking that lower figure, it is clear that CIL receipts would make a significant contribution to funding assessed infrastructure needs, amounting to over a third of the funding gap at the lower end of the range. Importantly, the anticipated CIL receipts would surpass the costs of funding the critical SANG, without which no new housing development can occur under the established policy regime.

Economic viability evidence

19. The Council's Viability Assessment (VA) tested a wide range of notional residential and commercial developments in the borough. It used a residual land valuation methodology. In essence, this involves taking the end value of a development and deducting a range of costs (build costs, land, overheads, fees, profit etc.). This is then compared with a benchmark, or threshold, land value, which was assumed to be existing use value plus a 20% premium to the landowner (to trigger the sale for development). If the residual value exceeds this threshold value the development is assumed to be viable and any 'excess' (above the threshold) has the potential to fund a CIL charge. In theory, the bigger the surplus the higher the CIL charge that can be sustained. Similarly, if the residual value does not achieve the threshold value the development is deemed not viable, and therefore unable to support a CIL charge.
20. Clearly, such modelling involves making a wide range of assumptions about appraisal inputs. For residential development scenarios, this includes making assumptions about factors such as land costs, build costs, fees, densities, housing mix, affordable housing content, contingencies, sales values, profit levels etc. For the commercial development types, similar assumptions were made but with assumed rents and yields being the key value determinant (rather than sales values).
21. I examined the assumptions and methodology used in the residential modelling and found them to be robust, reasonable and, for the most part, uncontested. Build costs were drawn from the Building Cost Information Service (BCIS) and adjusted to reflect the higher sustainability standards set out in the CSDMP. Tested schemes were CSDMP policy compliant in terms of open space provision and affordable housing, which rises in proportion, from smaller to larger sites. Profit levels were assumed at 20% Gross Development Value (GDV) which, in my view, is a healthy allowance given the local market characteristics. A notional £1000 per unit was included for residual site specific S.106 / S.278 costs along with contributions for Strategic Access Management and Monitoring, which cover the activities that support SANG provision.
22. In terms of the key viability variables of land values and sales revenues, the Council's evidence base was similarly robust. The Council commissioned the Valuation Office Agency (VOA) to provide a report on land values at different locations across the borough. These were based on transactional evidence supplemented by the VOA's local market intelligence. Sales values had been drawn from agreed prices (rather than asking prices) of 769 properties transacted on the resales market, supplemented by sales data from 114 new build properties. Whilst there was some criticism from the house building industry about the reliance on resales data, I find no flaw with the Council's approach – it has used a significant amount of appropriate available evidence, which is helpful in defining the tone of residential sales values across the borough.

23. A wide range of notional residential schemes were tested at different locations, ranging from small 3 unit schemes up to large 500 unit schemes. The housing mix was tailored accordingly and included the development of flats in certain modelling scenarios.
24. The commercial development modelling used similar assumptions and methodology. Notional schemes for employment uses (Use Classes B1, B2 and B8), commercial leisure, nursing / care home development, retail warehousing, supermarkets, comparison retail and a major retail led regeneration scheme were all tested. A range of yields was employed to provide a sensitivity analysis. I found the assumptions made and the modelling to be well grounded and appropriate. The only area of contention was whether it was realistic to apply a land value based on existing use value plus a 20% landowner premium for supermarket developments. A supermarket representative argued that, in practice, a landowner would expect a much higher premium, particularly from one of the larger operators. I return to this later (paragraph 50).

Conclusions on background evidence

25. The CSDMP was adopted in 2012 and sets out the Council's delicately balanced sustainable growth strategy. That strategy recognises the significant nature conservation interests in the borough and the need to mitigate the effects of all new housing development, through the provision of SANG, without which housing development would not be possible.
26. The Council's supporting infrastructure evidence is clear and well founded. It has identified 'critical' CSDMP infrastructure needs focusing on SANG and transport projects, which are reflected in its Draft Regulation 123 list. There is an identified infrastructure funding shortfall which the Council assesses to be at least £11.58 million for the period to 2018. The Council anticipates that its CIL proposals may generate £3.82 million in the period to 2018 which will make a significant contribution to the funding gap.
27. Together, the CSDMP and IDP evidence provide a solid foundation for the introduction of a CIL charging regime. The background economic viability evidence that has been used, for both residential and commercial development, is reasonable, robust, proportionate and appropriate. Overall, I conclude that the Council has used appropriate available background evidence.

Main Issue 2 - Are the Residential CIL charging zones and charging rates informed by and consistent with the evidence?

The Principle of Charging Zones

28. The extensive sales data was sifted and sorted by the Council to identify five 'value points' (VP 1- 5) which represent areas where there was a consistency of median sales values. The general trend was of lower sales values in the west (£3,000 psm at VP1) rising to higher sales values in the east (£4,000 psm at VP5). However, the value point areas were irregular in shape, and some localised areas bucked the west / east sales value trend e.g. part of Camberley (in the west) fell into VP 4.
29. The range of sales values does provide a solid basis for geographical differentiation of CIL charges. However, the Council's approach does not precisely mirror the value point analysis that it undertook. The Council's approach is more broad brush, differentiating between the western more urbanised third of the borough (where property values are, generally, lower) and the eastern, more rural, two thirds of the borough (where values are higher). There is nothing inherently wrong with that, and indeed to apply zones based strictly on the VPs could be very complicated and contrived, but it does raise some issues, which are discussed more fully below under the specific charging zones. However, it is first necessary to deal with the added differentiation, based on whether or not developments provide SANG.

SANG Differentiation

30. The Council's CIL proposal to apply two different rates dependent upon whether a development makes provision for SANG is well evidenced and, in my view, eminently sensible. The difference between the two rates is £125 psm in each zone and that simply reflects the assessed cost of SANG provision spread across the anticipated numbers of market housing. The approach ensures that all housing developments contribute fairly to SANG infrastructure provision. In practice, and in line with the Council's policy approach, only larger developments (100+ units) will provide on-site SANG.

The Princess Royal Barrack Residential CIL Charging Zone - £0 psm

31. A significant amount of the CSDMP's planned growth will be delivered through this one strategic site. A planning application has been submitted, considered and approved by the Council, subject to the legal formalities concerning the entering of a S.106 planning agreement, to deliver the required infrastructure. The Council's evidence suggests that the infrastructure burden on this site is considerably greater than on developments elsewhere in the borough that will be subject to its CIL regime. In my view, the Council's approach to define a £0 psm residential charging zone around this important strategic site is reasonable and supported by the evidence and the prevailing circumstances.

The Eastern Charging Zone -£220 psm (no SANG) / £95 psm (SANG)

32. Although only a limited amount of the new housing is planned in the eastern charging zone, the evidence demonstrates that development viability is very strong, no doubt a direct product of the attractive environment and the proximity to London. This zone is comprised of the three highest VPs – all of VP5 and most of VP4 and VP3.
33. The viability testing showed significant scope for CIL charging across all housing schemes. Setting aside flatted schemes and very large sites (500 units) which were unlikely products and scenarios, the theoretical maximum CIL rates ranged from £430 psm (a 3 unit scheme in VP3) up to £913 psm (a 10 unit scheme in VP5). Although the setting of the CIL rate at £220 psm does amount to a quite significant percentage of GDV on the tested schemes (7.1% at VP3, 6.6% at VP4 and 6.1% at VP5) the evidence indicates considerable viability headroom. Overall, the Council computes that its CIL rate for the eastern charging zone (VP3/4/5 combined) would be set at 40% of the theoretical maximum (i.e. there would be a 60% buffer).
34. Similar positive viability results were found with the testing of larger schemes (100 and 500 units), which were providing on site SANG. The range of theoretical maximum CIL of £260 psm (500 units in VP3) to £714 psm (100 units in VP5) is comfortably above the 'with SANG' CIL rate of £95 psm and leaves considerable headroom.
35. The evidence indicates that the Council's proposed CIL charges in this zone will not threaten the viability of residential development schemes.

The Western Charging Zone -£180 psm (no SANG) / £55 psm (SANG)

36. The Western Charging Zone, where the majority of new housing development is anticipated, is more complex because of the multiple VPs that make up the zone. All of the two lowest VPs (VP1 and VP2) lie within this zone, but there are also elements of VP3 and VP4 lying within the zone (in Camberley either side of the M3).
37. There is clearly no viability issue associated with the parts of this zone that fall under VP3 and VP4, as the results reflect those in the Eastern Charging Zone but with even greater headroom, due to the lower CIL charge (£180 / £55 psm as opposed to £220 / £95 psm).
38. Most of the tested schemes in VP2 also produced very healthy viability results, the exceptions being flatted schemes (10 and 50 units) and a large (500 unit) scheme which included a significant element of flats within the housing mix. Setting these (unlikely) scenarios aside, the theoretical maximum CIL across the other schemes ranged from £294 psm up to £437 psm. Averaged together the Council calculates that its £180 psm CIL charge would be set at 60% of the maximum for the combined VP2 schemes. Although the headroom is not

as great as in the eastern charging zone, it is still significant. The on-site SANG larger schemes in VP2 generated theoretical CIL rates well above the £55 psm CIL rates proposed (£127 psm for a 500 unit scheme, and £267 for a 100 unit scheme). Although the CIL would represent 6.3% of GDV in VP2 the evidence does demonstrate that this is affordable and that acceptable viability headroom would be maintained.

39. However, the lower sales values in VP1 do increase the pressure on development viability. The testing here demonstrated that some housing schemes would not achieve sufficient margins to pay the CIL charge. There appeared to be no issues with 3, 5 and 10 unit schemes which generated theoretical CIL rates of £268 psm, £277 psm and £268 psm respectively, all comfortably above the CIL charge of £180 psm. Larger schemes, however, struggled, reflecting the lower sales values, higher affordable housing and inclusion of flats in the housing mix. The results were £144 psm for a 15 unit scheme and £167 psm for a 50 unit scheme, each notably below the £180 psm proposed CIL rate. The testing of a 100 unit 'on site SANG' scheme in VP1 did produce a result (£117 psm) comfortably above the lower £55 psm proposed CIL rate although a larger 500 unit scheme was not viable (-£6 psm).
40. The mixed results from the VP1 testing led to closer examination of the extent to which scheme viability might be threatened by the proposed CIL charges. The Council has undertaken a detailed analysis based on known sites, drawn from its Strategic Housing Land Availability Assessment (SHLAA). It accepts that, in VP1, the viability of schemes totalling 33 units may be compromised.
41. Section 2:2 of the 2014 CIL Guidance states that "charging authorities should set a rate which does not threaten the ability to develop the sites and scale of development identified in the relevant Plan." The 33 units that may not come forward in VP1 would clearly not threaten the scale of CSDMP development as a whole, as they would constitute a very small proportion of the anticipated housing delivery over the plan period. However, there is certainly an argument that a Local Planning Authority, currently operating with less than three years housing land supply, should not put any housing schemes at risk through its CIL charges.
42. On balance, I consider that the argument is outweighed by the inescapable need to fund SANG, without which no housing development could happen, and setting CIL at a lower level could compromise that imperative. However, the Council did recognise, at the Hearing, the importance of very close monitoring of its CIL regime alongside its CSDMP monitoring, undertaking timely reviews and modifications wherever and whenever the gathered evidence signals the need. The Council clearly needs to improve its housing land supply and it needs to ensure that CIL plays an ongoing positive role in that process.

Other Residential CIL Matters

43. I did examine the case for treating specialist Class C3 retirement housing differently. However, evidence presented to me at the Hearing suggested very strong values and viability associated with this type of development. Accordingly, I see no case for differentiating such development from mainstream housing development based on the current available evidence in the borough.
44. I also listened to representor views that the CIL system ought be replaced by an evolved Council Tax system, but such radical legislative change is clearly outside the scope of my examination.

Main Issue 3 - Are the Commercial CIL charging zones and rates informed by and consistent with the evidence?

45. The Commercial CIL proposals relate primarily to retail development although I will deal first with 'All Other Development', which is included in the DCS at £0 psm. I will then explore the differentiated retail charges in turn.

All Other Development

46. The VA testing of a range of employment uses demonstrated clearly that, currently, such schemes are not viable. Similarly, residential care / nursing home development, and commercial leisure developments, were not viable. The VA evidence supports the £0 psm rate for 'all other development'.

Retail Warehousing – Borough Wide - £200 psm

47. The Council advised that there is little retail warehousing development envisaged and the borough is largely served by existing facilities beyond the administrative boundary. However, in viability terms any such development would, based on the testing, be very profitable. Taking the locally informed middle ground on rents and yields (£225 / 7%), a smaller retail warehouse (2000 sq metre) generated a £660 potential CIL and a larger (10,000 sq metre) retail warehouse generated a £482 psm potential CIL. Although it seems that these types of development will be rare (if at all) the evidence does indicate that the proposed £200 psm CIL charge falls comfortably within the wide viability margins.

Supermarkets – Borough Wide - £200 psm

48. The Council's VA evidence suggested that the development of very small convenience stores (up to 200 square metres) was not viable and it was likely that any demand at this end of the spectrum would be met through re-use of existing stock. However, once the scale was increased to cover the 'express' scale of outlet (circa 500 square metres) and larger formats (2,000 and

10,000 square metres) viability results were strong and positive. Potential CIL, in the same order (and using a conservative 5.25% yield), would be £463 psm, £268 psm and £627 psm.

49. These results are all comfortably above the proposed £200 psm CIL rate. However, there was criticism from the supermarket sector that land values assumptions were unduly low; that full costs of such development had not been factored in, and that the modelling results were highly sensitive to small changes on rents and yields.
50. In response to the land value criticism the Council drew attention to its testing of two notional (500 square metre and 2000 square metre) supermarkets in Camberley town centre, which employed a much higher VOA derived town centre land value. Both generated positive results well above the proposed CIL level (£272 psm and £288 psm respectively at a yield of 5.25%). I do note the view expressed that landowners may have higher expectations when supermarkets are interested in sites but I do not think the VOA derived data is unreasonable for CIL testing purposes. It must also be acknowledged that CIL charges will work through to influence underlying land values.
51. With regard to criticism about broader development costs, I do accept that some costs, such as those associated with S.106 planning agreements, may be higher than those modelled, but the Council has, in my view, applied conservative yield assumptions, allowed 12% for fees and included a 5% contingency. On top of that, the modelling suggests a good degree of headroom (even in the higher land cost model runs).

Other Retail (A1 – A5) – Zone A – Camberley Town Centre - £0 psm

52. The differentiation of 'other retail' in Camberley Town centre relates to the major regeneration proposals set out in the CSDMP (policy CP10). This envisages a retail led regeneration scheme with a wide range of comparison shopping. The testing of various permutations of primary / secondary floorspace and applying different rents and yields, demonstrated the viability challenge facing such a scheme. There is no potential to apply a CIL charge based on the current evidence.

Other Retail (A1 – A5) – Zone B – Rest of the Borough Zone - £100 psm

53. Outside of the town centre, the VA generated some interesting results for 'other retail' development. It demonstrated that district and local centres could support viable small scale development for comparison retailing. Whilst assumed yields were higher, the acquisition and site assembly costs were much lower (than in the town centre). Even at the highest yield tested (8%) the two notional developments (100 and 200 square metre shops) generated potential CIL rates of £138 and £231 psm respectively, each comfortably above the £100 psm rate proposed. Although the evidence supports the charge proposed, little such development is envisaged.

Overall Conclusions

54. The evidence demonstrates that the overall development of the area, as set out in the CSDMP, will not be put at risk if the proposed CIL charges are applied. In setting the CIL charges the Council has used appropriate and available evidence which has informed assumptions about land and development values and likely costs. The CIL proposals will achieve a reasonable level of income to help address a well evidenced infrastructure funding gap and, in particular, help deliver essential SANG which is a prerequisite of housing development in the borough.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended 2011)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Surrey Heath Core Strategy and Development Management Policies and is supported by an adequate financial appraisal.

55. I conclude that the Surrey Heath Borough Council Draft Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

P.J. Staddon

Examiner