

Planning Committee

11 November 2020



Application Nos.	20/00123/OUT
Site Address	Bugle Nurseries, Upper Halliford Road, Shepperton, TW17 8SN
Proposal	Outline application with all matters reserved other than 'access' for the retention of existing dwelling and demolition of all other existing buildings and structures and the redevelopment of the site for up to 31 dwellings along with the provision of public open space and other associated works for landscaping, parking areas, pedestrian, cycle and vehicular routes.
Applicant	Angle Property (RLP Shepperton) LLP
Ward	Halliford and Sunbury West
Planning Officer	Paul Tomson/Kelly Walker
Purpose of Report	To provide supplementary advice to the Planning Committee following the deferral of this application at the meeting on the 16 th September 2020.

1.0 **Background**

- 1.1 At the Planning Committee meeting on 16th September 2020, planning application 20/00123/OUT was deferred by the Committee to give committee members appropriate time to draft a suitable motion in support of the application. The Planning Officer's recommendation was to refuse planning permission on the following Green Belt grounds:-

The development represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purposes of including land within it. In particular, it would not comply with the Green Belt purposes: to check the unrestricted sprawl of large built-up areas, and to prevent neighbouring towns merging together. It is therefore contrary to Saved Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2019.

A copy of the report to the 16th September Planning Committee is attached to this report.

1.2 The purpose of this report is to provide:

- The reasons for the referral of the application to the Planning Committee
- A summary of the officer's recommendation to refuse
- A summary of what occurred at the Planning Committee meeting on 16th September 2020
- An explanation of the deferral process for this application
- The process for considering the application at this Committee meeting, and
- Consideration of what factors the Planning Committee might weigh in the balance with a view to providing a basis for approval of this application, including the implications for the emerging local plan.

2.0 Consideration of the application by the Planning Committee

2.1 As with the previous three planning applications at the site, given the contentious nature of the application, the Green Belt designation and the public interest, it was considered by the Planning Development Manager that a cautious approach should be taken and this application should also be referred to Planning Committee for determination, rather than it being dealt with under delegated powers, and in accordance with Part 3 Section (b) on Page 64 of the Spelthorne Borough Constitution.

3.0 The officer's recommendation to refuse

3.1 The recommendation by the planning officer to refuse planning permission was based on Green Belt grounds. The officer considered that the proposal is inappropriate development in the Green Belt, for which no very special circumstances exist to outweigh the harm caused by the development.

3.2 Paragraph 144 of the NPPF states:

'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations

3.3 The Report of the 16th September set out details of the balancing exercise, by weighing the harm resulting from the proposals within the Green Belt against the eight "material considerations" put forward by the applicant to justify development on this site.

A summary of the report's conclusions was as follows:

Material considerations / Benefits put forward by applicant

- The proposals could be regarded as an appropriate form of development in principle – **No weight**
- Housing delivery – **Significant weight**
- Removal of bad neighbours – **Moderate weight**
- Remediation of the contaminated land – **Little weight**
- Regeneration of the site – **Little weight**
- Provision of public open space – **Limited weight**

- Local community view – **No weight**
- The proposal does not conflict with the purposes of the Green Belt – **No weight**

Harm identified in the officer report

- Inappropriate Development – **Substantial weight**
- Loss of Openness – **Substantial weight**
- Harm to the visual amenities of the Green Belt – **Substantial weight**
- Conflict with 2 of the 5 Purposes of the Green Belt in the NPPF – **Substantial weight**

4.0 Proceedings at the Planning Committee meeting on 16th September 2020

4.1 The Officer Report recommended refusal of the application and proposed a Reason for Refusal (Paragraph 8) which is set out in paragraph 1.1 above. The motion before the Planning Committee was therefore to refuse the application as recommended. Before the vote was taken by the Planning Committee, the committee were advised that they needed to be clear on their reasons to not follow the officer's recommendation. Following a debate by the Planning Committee on the application, the vote to refuse was split 7:7. The vice chair (acting as the chair on the night) gave the casting vote to not support the officer recommendation to refuse. This meant that the motion to refuse the application was defeated.

4.2 No motion was tabled to grant permission, and further consideration of the planning application was therefore deferred.

5.0 Deferral process for this application

5.1 The Probity in Planning Guidance, issued by the Local Government Association (LGA), contains a section relating to decisions which differ from an officer recommendation. It suggests that where there is concern about the validity of reasons, the committee may consider deferring to another meeting to have the reasons tested and discussed. The Spelthorne Planning Code also very much emphasises the need for clear reasoning for decisions. The context for the deferral of this planning application was as follows:

- advice was given by officers that the reasons for granting permission would not be straight forward;
- planning officers gave some advice as to how a grant might be addressed by reference to the PowerPoint presentation;
- advice was given that officers should not be asked to change their recommendation; and
- it was clarified that there would be another vote on the application at the next Planning Committee, and that if the Chairman attended, he could vote.

Given the time constraints before the next Planning Committee (to be held on 14 October), it was necessary to add this application to the November Planning Committee agenda, in order to take and consider legal advice, given the need for particular care in progressing this application.

6.0 The process for considering the application at this committee meeting

- 6.1 The Planning Committee as a decision-making body declined to refuse the application and decided to defer its consideration on 16 September 2020. Therefore, providing a properly quorate Planning Committee considers the application on the next occasion, there is no requirement for it to be made up of the same Councillors who considered the application previously. This has been confirmed by legal advice.
- 6.2 It is expected that a new motion to grant will be put before councillors at the meeting which will be debated and a vote will be made by those present at that time, including reasons clearly stated and minuted.

7.0 Application of the NPPF and reasoning

- 7.1 The reasoning for the officer's recommendation is fully set out in the attached report.

In essence, the first question is whether this development represents inappropriate development in the Green Belt. It may not be inappropriate development if it comes within one of the exceptions contained within the NPPF, as considered in the officer report. If it is inappropriate development, substantial weight will attach to the in principle harm, in addition to any other actual harm arising (see officer report). The question then will be whether the factors set out above together clearly outweigh the harm such that they can be considered very special circumstances.

7.2 Green Belt status

If Members are minded to approve the application, it is important that they are made aware of the implications of that decision on the emerging Local Plan. The original committee report refers to the Council's Green Belt Assessment (Stages 1 and 2), which is the evidence base supporting the new Local Plan. Stage 1 was published in February 2018 and Stage 2 was published in December 2018. This is a matter for the Local Plan Task Group and not the Planning Committee. By way of explanation, the application site is located within a large area of 'strongly performing' Green Belt. Indeed, Sub-Area 39-b which covers the application site and the immediate area to the north is assessed as playing a fundamental role with respect to the wider Green Belt Local Area. As mentioned in paragraph 7.1 of the original committee report, the applicant has sought to have the site removed from the Green Belt and designated for housing in the Council's 'Call for Site' process. However, the site was rejected because of its location within 'strongly performing' Green Belt, and that its release would harm the performance and integrity of the wider strategic Green Belt.

- 7.3 It is acknowledged that this current planning application focuses the new development wholly within the existing 'previously developed land' of the industrial estate, and that this is a different (and better) proposal from the applicant's request at the Call for Sites stage, which was for a large site area to be taken out of the Green Belt. However, it is important to note that Sub-Area 39-b of the Stage 2 Green Belt Assessment performed very highly on the grounds that it prevents neighbouring towns merging together (NPPF Green Belt purpose 2) (scored 5 out of 5). It also scored highly (3 out of 5) in checking the unrestricted sprawl of large built up areas (Green Belt purpose 1). It scored 2 out of 5 for assisting in safeguarding the countryside from encroachment (Green Belt purpose 3). If

planning permission were to be granted for the current proposal, it is considered that this would weaken the existing Green Belt policy protection in this area most significantly by joining up the existing built up areas and creating on continuous form of ribbon development along Upper Halliford Road. Whilst the proposed housing is limited to the existing industrial estate, it is still likely to weaken this area of the Green Belt on a strategic level.

- 7.4 As mentioned above, the site is allocated as Green Belt and this is the basis upon which the application should be assessed. Members need to consider whether or not the proposal constitutes 'inappropriate development' such that there would be in principle harm to the Green Belt carrying substantial weight. The considerations put forward by the applicant in favour of the development should be weighed against the harm and consequently whether there are 'very special circumstances' to justify the development by clearly outweighing the harm. A summary of the harm and benefits set out in paragraph 3.3 above together with the level of weight officers give to each point are repeated as follows:

Material considerations / Benefits put forward by the applicant

- The proposals could be regarded as an appropriate form of development in principle – **No weight**
- Housing delivery – **Significant weight**
- Removal of bad neighbours – **Moderate weight**
- Remediation of the contaminated land – **Little weight**
- Regeneration of the site – **Little weight**
- Provision of public open space – **Limited weight**
- Local community view – **No weight**
- The proposal does not conflict with the purposes of the Green Belt – **No weight**

Harm identified in the officer report

- Inappropriate Development – **Substantial weight**
- Loss of Openness – **Substantial weight**
- Harm to the visual amenities of the Green Belt – **Substantial weight**
- Conflict with 2 of the 5 Purposes of the Green Belt in the NPPF – **Substantial weight**

- 7.5 If Members are minded to grant planning permission, consideration must be given to the reasons why permission should be granted. The proposal seeks residential development in the Green Belt and the site has been the subject of several applications, causing some controversy. Granting planning permission would represent a departure from the development plan and its Green Belt policies and would overturn the recommendation of officers. In those circumstances, in the interests of transparency, openness, and fairness to all, the reasons for granting planning permission should be addressed.

- 7.6 The starting point is that the weight to be afforded to material considerations in the planning balance is a matter for the Planning Committee (so long as it is rational). Whilst officers' views are set out in the officer report and summarised above, in order to assist the Planning Committee on the approach to this issue, it would be open to the Planning Committee to find that the development would be inappropriate development and to agree with the harms identified by officers as carrying substantial weight (though see below on visual amenities / character harm). However, the Planning Committee could assign a different amount of

weight to certain of the benefits which are specific to this proposal at this site. It would be open to the Planning Committee to consider that those site specific benefits cumulatively clearly outweigh the harm as a matter of planning judgment, such that they amount to very special circumstances.

- 7.7 With that in mind, officers' view is that moderate weight attaches to the removal of the industrial estate and existing waste transfer station with associated impacts. Given the inappropriate location of these existing uses adjacent to residential uses, the noise and disturbance which is currently caused by those uses, and the activities associated with such uses (including lorry movements), it would be open to the Planning Committee to consider that more than moderate weight should be applied to this as a benefit, especially when compared to the more limited area of built development proposed and the residential character of the use which will arise.
- 7.8 In addition, only limited weight applies to the provision of open space in officers' view when regard is had to the Open Space Assessment. However, that is principally based on a quantitative assessment of the need for public open space. It would be open to the Planning Committee to consider the particular location of the open space proposed and its relative accessibility compared to other public open space in the area, such that more than limited weight applies.
- 7.9 Finally, the weight to be given to the regeneration of the site (given limited weight by officers) should also be considered.
- 7.10 If different weight is assigned to these benefits (e.g. significant / substantial weight) then it would be prudent for the Planning Committee to say so, together with any conclusion that these site specific factors, cumulatively with the need for housing (see below), clearly outweigh the acknowledged harm such that they amount to very special circumstances.
- 7.11 With regard to the benefit of housing, officers have already recommended that this be given significant weight in its favour. It is important to note that the level of affordable housing provided on the site is only just policy compliant. It is not in excess of the requirement of Policy HO3 (50%) of the Core Strategy and Policies DPD and consequently it would not be considered rational to give greater weight to this particular benefit. Housing need itself is very unlikely to outweigh the harm.
- 7.12 As for the weight given to the harm to the Green Belt, as set out above, it would not be considered rational to change the substantial weight given to 'inappropriate development', loss of openness and conflict with the purposes of the Green Belt. However, Members could potentially decide to give less than substantial weight to 'harm to the visual amenities/character of the Green Belt', thereby further changing the overall weighing up of the benefits and harm.
- 7.13 To conclude, the weight to be given to material considerations is a matter for the decision maker, subject to it being rational. The Planning Committee may wish to consider different weighting to some of the benefits whilst giving less weight to the harm (i.e. the harm to the visual amenities/character) such that this could affect the overall weighing up of the proposal with the benefits clearly outweighing the harm and amounting to 'very special circumstances'. The weighting applied here would be based on a number of site-specific factors.

8.0 Conclusion

8.1 The Officer recommendation remains to refuse for the reason given above. However, if the Planning Committee resolves to approve the application on the grounds that the committee considers very special circumstances exist to clearly outweigh the substantial harm to the Green Belt, the application will need to be referred to the Secretary of State as a Departure from the Local Plan in accordance with The Town and Country Planning (Consultation) (England) Direction 2009. If the Secretary of State decides not to call the application in to determine himself, the application should be subject to the following conditions:

(A) To GRANT outline planning permission subject to the applicant first entering into an appropriate legal agreement in respect of the following:

1. To provide at least 15 affordable housing units on-site built in accordance with current Home England Standards, the details of which shall be agreed with the Council's Planning Development Manager.
 - The split of the type of affordable housing shall be at least 10 for affordable rent and at least 5 dwellings for shared ownership. The rent levels for the affordable rent should not exceed 80% of the market rent, and in any event the relevant Local Housing Allowance rate in use at the time of handover to a Registered Provider. The shared ownership units shall be delivered in accordance with the relevant Help to Buy scheme in use at the time of handover to a Registered Provider. The mandatory minimum share for initial purchases should not exceed 25%.
 - Prior to implementation the Registered Provider shall enter into a Nominations Agreement in respect of the affordable housing (in order that the social housing meets local needs).
 - Build and complete the affordable units and hand over to the Registered Provider for occupation before no more than 50% of the open market units are sold or substantially completed, whichever is the sooner.
2. To secure public access and maintenance of the public open space in perpetuity, details to be agreed with the Local Planning Authority. The applicant will be required to remove any contaminated material from the open space area and carry out necessary remediation works in accordance with a scheme to be agreed in writing with the Local Planning Authority prior to any works taking place in respect of the residential development.

In the event that the Section 106 Agreement is not completed

In the event that the Section 106 agreement is not completed to the satisfaction of the Local Planning Authority and/or the applicant does not agree an extension of time for the determination of the planning application, delegate to the Planning Development Manager in consultation with the Chairman of the Planning Committee the following: REFUSE the planning application for the following reasons:

1. The development represents inappropriate development in the Green Belt for which no very special circumstances have been demonstrated. It will result in the site having a more urban character, will diminish the openness of the Green Belt and conflict with the purposes of including land within it. In particular, it would not comply with the Green Belt purposes: to check the unrestricted sprawl of large built-up areas, and to prevent neighbouring towns merging together. It is therefore contrary to Saved Policy GB1 of the Spelthorne Borough Local Plan 2001 and Section 13 (Protecting Green Belt Land) of the Government's National Planning Policy Framework 2019.
2. The development fails to provide a satisfactory provision of affordable housing to meet the Borough's housing needs, contrary to Policy HO3 of the Core Strategy and Policies DPD 2009.

8.2 (B) In the event that the Section 106 agreement is completed to the satisfaction of the Local Planning Authority; GRANT subject to the following conditions:-

1. That in the case of those matters in respect of which details have not been given in the application and which concern the: -
 - (a) the Appearance, Landscaping, Layout and Scale; hereinafter called "the reserved matters", and which are hereby reserved for subsequent approval by the Local Planning Authority, application for such approval shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
 - (b) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:- This condition is required by Section 92 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before any work on the development hereby permitted is first commenced detailed drawings be submitted to and approved by the Local Planning Authority to show: -
 - (i) Appearance
 - (ii) Landscaping
 - (iii) Layout
 - (iv) Scale

Reason: -

- (a) This is an outline application permitted in accordance with the provision of Article 5(1) of the Town and County Planning (Development Management Procedure) Order, 2015.

(b) To ensure the proposed development does not prejudice the appearance of the locality.

3. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

F0001 Rev. P1; F0100 Rev. P1; F0300 Rev. P1; F0500 Rev. P1; F1001 Rev. P1; D0100 Rev. P1; D0103 Rev. P1; D0120 Rev. P1; D0300 Rev. P1; D0500 Rev. P1; D1002 Rev. P1; D1100 Rev. P1; C0100 Rev. P1 received 03 February 2020.

Reason:- For the avoidance of doubt and in the interest of proper planning

4. No development shall take place until:-

(a) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site, has been submitted to and approved in writing by the Local Planning Authority.

(b) Where any such potential sources and impacts have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the Local Planning Authority.

(c) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to the commencement of remediation. The method statement shall include an implementation timetable and monitoring proposals, and a remediation verification methodology.

The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without the express written agreement of the Local Planning Authority.

Reason:-

To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

NOTE

The requirements of the above Condition must be carried out in accordance with current best practice. The applicant is therefore advised to contact Spelthorne's Pollution Control team on 01784 446251 for further advice and information before any work commences. An information sheet entitled "Land Affected By Contamination: Guidance to Help Developers Meet Planning Requirements" proving guidance can also be downloaded from Spelthorne's website at www.spelthorne.gov.uk.

In accordance with policies SP6 and EN15 of the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009.

5. Prior to the first use or occupation of the development, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:- To protect the amenities of future residents and the environment from the effects of potentially harmful substances.

6. No development shall commence until a report has been submitted to and agreed by the Local Planning Authority which includes details and drawings demonstrating how 10% of the energy requirements generated by the development as a whole will be achieved utilising renewable energy methods and showing in detail the estimated sizing of each of the contributing technologies to the overall percentage. The detailed report shall identify how renewable energy, passive energy and efficiency measures will be generated and utilised for each of the proposed buildings to meet collectively the requirement for the scheme. The agreed measures shall be implemented with the construction of each building and thereafter retained and maintained to the satisfaction of the Local Planning Authority unless otherwise agreed in writing.

Reason:- To ensure that the development is sustainable and complies with Policy SP7 and CC1 of the Spelthorne Development Plan Core Strategy and Policies DPD.

7. Before the first occupation of any part of the development, a landscape management plan including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

Reason:- To minimise the loss of visual amenity occasioned by the development and to enhance the proposed development.

8. The development hereby approved shall not be commenced unless and until the proposed vehicular access to Upper Halliford Road has been provided with visibility zones in accordance with Drawing Number MBSK200108-04 P1 and thereafter the visibility zones shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

9. During and after the construction of the development hereby approved, there shall be no means of vehicular access from the site to Upper Halliford Road over the existing access at the northern boundary of the site.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

10. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

11. No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) measures to prevent the deposit of materials on the highway
 - (g) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

12. The development hereby approved shall not be first occupied unless and until a pedestrian crossing facility to improve the safety of pedestrians crossing Upper Halliford Road has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason:- The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

13. The development hereby approved shall not be occupied unless and until at least 25 of the proposed parking spaces have been provided with a fast charge socket (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) for the charging of electric vehicles in accordance

with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason:- The above condition is required in recognition of Section 4 (Promoting Sustainable Transport) of the NPPF

14. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:
- a) The results of infiltration testing completed in accordance with BRE Digest: 365 in the location of proposed soakaways and confirmation of groundwater levels.
 - b) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development.
 - c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
 - d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
 - e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
 - f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

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

15. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the

details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Reason:- To ensure the Drainage System is constructed to the National Non-Statutory Technical Standards for SuDS.

16. The precautionary measures to safeguard bats during demolition shall be carried out strictly in accordance with the recommended safeguarding measures in the Aspect Ecology Technical Briefing Note June 2020.

Reason:- In the interest of safeguarding bats on the site.

17. Prior to the construction of the buildings, a biodiversity enhancement scheme to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason:- To encourage wildlife on the site.

18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order), no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior planning permission of the Local Planning Authority.

Reason:- To safeguard the amenity of neighbouring properties and in the interest of safeguarding the openness of the Green Belt.

19. No properties shall be occupied until confirmation has been provided that either:- 1. Capacity exists off site to serve the development, or 2. A housing and infrastructure phasing plan has been agreed with Thames Water. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

Reason:- Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://www.thameswater.co.uk/preplanning).

20. The residential dwellings and their gardens hereby approved shall be confined entirely to within the Development Zone shown on approved Parameter Plan D1002 Rev. P1.

Reason:- In the interest of safeguarding the openness of the Green Belt.

21. The public open space hereby approved shall be made permanently available and accessible to members of the public 364 days per calendar year from 08:00 to 20:00 hours, unless otherwise agreed in writing by the Local Planning Authority:

Reason:- To ensure that the public open space is made permanently available to the public.