

**REQUEST TO ADOPT A NEW ROAD****PROPOSED SECTION 38 AGREEMENT (HIGHWAYS ACT 1980)****WESTLEES CLOSE, DORKING**

<b>Planning Application Reference:</b>	MO/03/0157
<b>Developer</b>	KINGSOAK
<b>Site Address:</b>	WESTLEES CLOSE, NORTH HOLMWOOD, DORKING
<b>Brief Description of Works (including the number of units which are to be served):</b>	ERECTION OF 14 NO. DWELLINGS, ACCESS ROAD, ASSOCIATED PARKING AND LANDSCAPING
<b>Total Length of Road to be adopted:</b>	60 METRES
<b>List of Attached Documents:</b>	- Decision Notice - Section 38 Layout - Site Location Plan

**Other Comments:**

This development was granted planning permission in 2003. The site was built but not adopted as highway maintainable at public expense. The road was built to adoptable standards however the developer, Kingsoak did not pursue adoption of the road. Now Kingsoak is part of Barratt Homes, and Barratts have asked that Surrey County Council as highway authority adopt the road.

Based on the information provided, as Cabinet Member, I *give consent/ I do not give consent* for the highway layout to be adopted in line with Surrey County Council's current Road Adoption Policy. Transportation Development Control *may/ may not* instruct Legal Services to prepare a Section 38 Agreement on behalf of Surrey County Council and the Developer.

Signed :

Date:

**COUNTY OF SURREY**

**MOLE VALLEY DISTRICT COUNCIL**  
Pippbrook, Dorking, Surrey RH4 1SJ

DHA Architecture Ltd  
The Old School  
Old School Road  
Hook  
Hampshire  
RG27 9NJ

Ref No: MO/2003/0157/PLA  
Detailed  
5 February 2003  
Amplified by letter dated 7/2/03.  
Amplified by letter dated 20/03/03.

(On behalf of Kings Oak Southern Counties)

IN PURSUANCE of its powers under the Town and Country Planning Act 1990 MOLE VALLEY DISTRICT COUNCIL as District Planning Authority gives notice of its decision to **GRANT** planning permission for the development specified in schedule 1 hereto, subject to the conditions specified in schedule 2.

**N.B.** The permission below does not constitute approval for any purpose whatsoever save as aforesaid. Consent under other Statutory Enactments and compliance with the Building Regulations 2000 may also be necessary.

**IMPORTANT - ATTENTION IS DRAWN TO THE ATTACHED NOTES**

**Schedule 1**            **Erection of 14 dwellings, access road, associated parking and landscaping.**

**Westlees Close, North Holmwood.**

**Schedule 2**

Conditions

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Hard surfaces within the minimum recommended distances for protective fencing from trees given in Table 1 of BS5837 1991 shall be constructed using a no-dig method in accordance with the principles embodied in AAIS Arboricultural Practice Note 1 1996.
3. In this condition 'retained trees' means an existing tree which is to be retained in accordance with the approved plans and schedule; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.
  - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and schedule, without the approval, in writing, of the Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998 1989 (Recommendations for Tree Work).
  - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such time, as may be specified in writing by the Planning Authority.
4. Prior to the commencement of any construction works:
  - (a) Protective fencing shall be erected around each tree or tree group to be retained in the vicinity of the development operations in accordance with the recommendations given in British Standard 5837 1991 (Trees in Relation to Construction).

- (b) No burning shall take place in a position where the flames could extend to within 5 metres of foliage, branches or trunk of any tree or tree group to be retained on the site or land adjoining having regard to the size of the fire and wind direction.
- (c) No trenches, pipe runs or drains shall be dug within 4 metres of the trunk of any trees retained on the site or on land adjoining unless agreed otherwise, in writing, by the Planning Authority; and all such installations shall be in accordance with the advice given in National Joint Utilities Group Publication Number 10.
5. No development shall take place until a landscaping scheme has been submitted to and approved by the Planning Authority including planting of trees, shrubs, herbaceous plants and areas to be grassed. The landscaping shall be carried out in the first planting season after commencement of the development unless agreed otherwise in writing by the Planning Authority, and shall be maintained for a period of 5 years. Such maintenance to include the replacement of any trees and shrubs that die.
  6. No development shall take place until there has been submitted to and approved in writing by the Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation of the development hereby permitted, and shall be carried out in accordance with the approved details.
  7. No development shall take place until details and/or samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Planning Authority. Development shall be carried out in accordance with the approved details.
  8. No development shall take place until details of the hard surfacing materials within the site have been submitted to and approved in writing by the Planning Authority. All hard surfacing shall be carried out in accordance with the approved details and completed prior to the occupation of the development hereby permitted.
  9. Details of all external joinery shall be submitted to and approved in writing by the Planning Authority prior to commencement of the works including materials, method of opening and large scale drawings showing sections through mullions, transoms and glazing bars. Window and door openings should have a minimum reveal of 70mm.
  10. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions to any dwelling hereby permitted shall be erected without the prior permission, in writing, of the Planning Authority.
  11. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no windows, dormer windows or roof lights other than those expressly authorised by this permission shall be constructed.
  12. The garaging hereby permitted shall be used for the storage of private motor vehicles and incidental domestic storage only.
  13. No development shall take place until details of the existing ground levels of the site, and the proposed finished levels of the ground, the ground floor slab level of each building, and the finished levels of any access road and driveway showing their relationship with the existing levels of the immediately adjoining land and buildings have been submitted to and approved, in writing, by the Planning Authority and the development shall be carried out in accordance with the approved levels.
  14. Before the development hereby permitted commences on the site, a soil survey shall be undertaken and the results provided to the Planning Authority. The survey shall be taken

at such points and to such depth as the Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved, in writing, by the Planning Authority and the scheme as approved shall be implemented before any part of the development hereby permitted is occupied.

15. Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.
16. No development shall take until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Planning Authority.
17. No site clearance, preparation, or construction work shall take place outside the hours of 7.30am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays, and no work shall take place on Sundays or Bank or Public Holidays.
18. No development shall take place until the new access road, including its junction with Westlees Close has been constructed in accordance with (the approved plans or a scheme to be submitted to and approved in writing by the Local Planning Authority). No development shall begin before that junction and 20m of the new road have been completed and the visibility zones included in the design shall be part of the new road and shall not be included in any plot or other sub-division of the site.
19. No new development shall be occupied until space has been laid out within the site in accordance with (the approved plans cars to be parked. The parking area shall be used and retained exclusively for its designated use.
20. No development shall take place until a Method of Construction Statement, 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

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

21. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.
22. Prior to the first occupation of the development hereby permitted the land edged blue on the submitted plan shall be conveyed to Mole Valley District Council

### Reasons and Informatives

1. To comply with Section 91(1) of the Town and Country Planning Act 1990.
2. To ensure the retention of trees on the site in the interests of visual amenity in accordance with Mole Valley Local Plan policies ENV25, ENV53 and ENV54.
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4. To ensure the retention of trees on the site in the interests of visual amenity in accordance with Mole Valley Local Plan policies ENV25, ENV53 and ENV54.
5. To ensure the provision and maintenance of trees, other plants and grassed areas in the interests of visual amenity and in accordance with Mole Valley Local Plan ENV25.
6. To preserve the visual amenity of the area and protect neighbouring residential amenities in accordance with Mole Valley Local Plan policy ENV22.
7. To ensure the development harmonises with its surroundings in accordance with Mole Valley Local Plan policy ENV28.
8. To preserve the visual amenity of the area in accordance with Mole Valley Local Plan policy ENV25.
9. To ensure that the development is in keeping with the character of the locality in accordance with Mole Valley Local Plan policy ENV28.
10. To control any subsequent enlargements in the interests of the visual and residential amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.
11. To control any subsequent enlargements in the interests of the visual and residential amenities of the locality in accordance with Mole Valley Local Plan policy ENV22 and to restrict the enlargement of dwellings in this rural area in accordance with Mole Valley Local Plan policy RUD7.
12. To ensure that adequate facilities are provided for the parking of vehicles clear of the highway in the interests of the free flow of traffic and condition of safety on the highway in accordance with Mole Valley Local Plan policy MOV5.
13. To protect the amenities and privacy of adjoining properties in accordance with Mole Valley Local Plan policy ENV22.
14. To ensure the proper investigation and, where necessary, remediation of the site in the interests of the amenities of the locality and the future occupants of the site in accordance with Mole Valley Local Plan policy ENV69.
15. To prevent the increased risk of flooding and to improve water quality.
16. The site covers a large surface area in which it is considered necessary to preserve as a record any archaeological information before it is destroyed by the development in accordance with Mole Valley Local Plan policy ENV50.
17. To protect the amenities of the area, and in particular the amenities of neighbouring residential properties in accordance with Mole Valley Local Plan policy ENV22.
18. Conditions numbered 18-21 above are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.
19. See reason 18 above.
20. See reason 18 above.
21. See reason 18 above.
22. In the interests of providing public amenity open space.



**Informatives:**

1. The development hereby permitted must be carried out in accordance with the approved plans and specifications unless the prior approval in writing of the Planning Authority has been obtained. If changes are proposed you should first contact the Planning Authority to obtain the necessary approval. Any changes carried out without permission may render the applicant/developer liable to enforcement, stop notice or other legal proceedings in order to rectify the matter.
2. The applicant's attention is drawn to the requirements of The Environment Agency which are set out in their letter dated 20.02.03 a copy of which is attached.
3. The applicant is advised to contact those bodies responsible for the supply of gas, electricity, water, telephone and other such services, as soon as possible to ascertain their requirements and to ensure that suitable provision is included within the detailed plans submitted to the local Planning Authority in pursuance of this permission.
4. The applicant should take steps to ensure that the services are installed in a co-ordinated manner at the time of development, and that electricity and telephone supply cables are placed underground.

The Fire Authority advises that water mains on all developments should have a minimum diameter of 100mm. Water mains of this type are suitable for hydrant installation and will provide adequate water supplies for fire fighting purposes.

**For further advice contact:-**

Water Officer  
Surrey Fire Brigade Headquarters  
St David's  
70 Wray Park Road  
Reigate  
Surrey, RH2 0ES


Tel: 01737 224016

5. The applicant is reminded that the demolition and construction stage of the proposed development may give rise to problems of smoke pollution and/or noise, which will depend on the measures taken to control such potential problems. It is, therefore, strongly recommended that you contact the Council's Head of Environmental Health at an early opportunity in order to discuss appropriate measures to be adopted for control of burning, noise and other potential problems for neighbouring residents.
6. In the interests of sustainability and the reduction of waste your attention is drawn to the desirability of recycling building materials wherever possible. The demolition or dismantling of structures on the site should be considered as part of the development process to maximise the reuse or recycling of materials rather than disposal as waste. Further information on reuse or recycling of building materials the applicant is advised to ring the Surrey County Council Centre on 08456 009009.
7. The clearance of vegetation by burning is likely to give rise to problems of smoke nuisance. The applicant is therefore encouraged to remove such green waste from the site in order that it may be recycled through composting, chipping, waste to energy transfer (alternatively, logging) or other similar processes.
8. The applicant is advised that under the Wildlife and Countryside Act 1981, certain birds and mammals are protected in law and all reasonable precautions must be taken to avoid intentionally killing or injuring them and, in the case of birds, damaging or destroying their eggs. The applicant is advised to undertake search procedures using a licensed consultant, to determine whether there are protected birds or mammals resident on the

site/in the building(s), and to undertake consultations with English Nature in the event of the existence of such species being confirmed.

9. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
10. The applicants attention is drawn to the requirements of Surrey County Council's rights of way which are set out in their letter dated 1.7.02 a copy of which is attached.

Signed:

A handwritten signature in black ink, appearing to read 'C. Smith', written over a horizontal line.

Head of Planning

Dated: 4 April 2003

**NOTES**

- All estate roads to be constructed in accordance with Highway Agency Specification of Highway Works and Surrey County Council requirements.
- Visibility zones to be incorporated into Section 38 areas and defined at their extremities.
- Junctions & other locations are to be provided with prism crossings in accordance with Engineers instructions. These will include tactile paving.
- All foul & surface water sewers to have bedding factors agreed by Drainage Authority and all in accordance with the latest National Guidance (currently: Simplified Tables of External Loads on Rigid Pipelines).
- Wearing courses to roads & footways to be omitted until building work has been completed.
- All highway land to be extended to and including site boundaries.
- No private drive to have gradient of greater than 10% for minimum distance of 6m, as measured from the back edge of footway (highway). The gradient is to be straight.
- Chamels 0.67% (1:150) absolute minimum; 0.67% to 1.00% (1:100) p.c. concrete channel blocks; not less than 1.0% bituminous surfacing.
- Service strips to contain no planting or obstructions other than permitted by Surrey Design - Streets Ahead
- Cut-off drainage to be installed at road sub-bases as directed by SCC Engineer and connected to road gullies or to catchpits and thence to s.w. drainage system or SUDS outfall.
- If parking is approved in advance of a garage, the front of the garage is to be a minimum of 6m from the back of the footway or front of service strip.
- Access drives etc., that fall towards the road are to have gullies so positioned as to prevent the discharge of surface water onto the highway.
- The back edge of all vehicle crossings to serve access drive etc., shall be defined by a continuous 150mm x 50mm p.c.c edging or similar approved.
- On-street parking bays are to have individual spaces defined by sets, contrasting black paving colour etc.
- Where appropriate all cul-de-sac are to have the conventional coloured symbol incorporated in the street name plates, and be named ..... Close.
- Street lighting to conform to SCC general specification and specific scheme approval.



**SECTION 38 KEY**

- CARRIAGEWAY
- FOOTWAY/FOOTPATH
- VERGE
- S38 BOUNDARY
- GULLY'S & CONNECTION
- STREET LIGHTING

Rev	Date	Details
A	6.6.03	Sawers revised.
JD	SLW	
JD	SLW	
		By Child

Site: **Westlees Close ROAD ADOPTION LAYOUT**

Drawing Title: **Section 38 ROAD ADOPTION LAYOUT**

Date: April 2003  
 Drawn: SLW  
 AutoCAD Ref.: Engineer

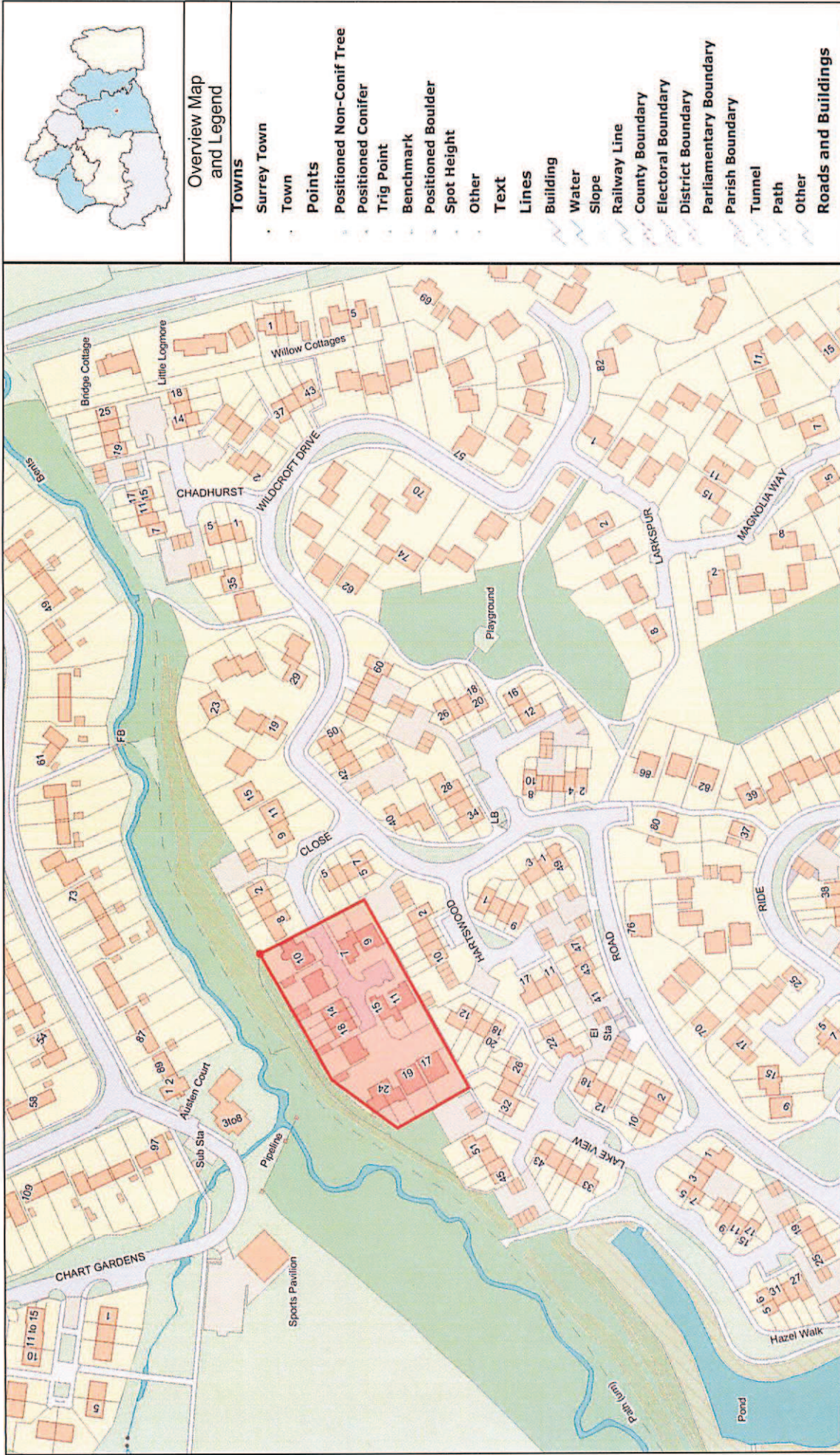
Scales: 1:500  
 Checked: SRC

Drawing No. **KSC/E3159/118 B**

Client: **KINGSOAK**

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 The Old School  
 Old School Road  
 Hook - Hampshire  
 RG27 9JU  
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 Facsimile: 01256-763048  
 e-mail: mal@ahaeng.co.uk





Overview Map and Legend	
<b>TOWNS</b>	
	Surrey Town
	Town
<b>Points</b>	
	Positioned Non-Conif Tree
	Positioned Conifer
	Trig Point
	Benchmark
	Positioned Boulder
	Spot Height
	Other
	Text
	Lines
	Building
	Water
	Slope
	Railway Line
	County Boundary
	Electoral Boundary
	District Boundary
	Parliamentary Boundary
	Parish Boundary
	Tunnel
	Path
	Other
	Roads and Buildings

<p><b>SURREY</b> COUNTY COUNCIL</p>	<p><b>Location Plan</b> <b>WestLees Close, Dorking</b></p> <p><small>Crown copyright © Licence No. 100019813, Surrey County Council, 2013 Except A-Z Street Atlas © Copyright of the Publishers Geographers A-Z Map Company Ltd.</small></p>	
	<p>Scale (approx): <b>1:2263</b></p> <p>Date Printed: <b>21/03/2013</b></p> <p>Printed By:</p> <p>Drawing Number: <b>MO/S38/13/001 A</b></p>	<p></p> <p><b>GRID NORTH</b></p>

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