

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE MEETING OF THE JOINT PLANNING COMMITTEE
16 MARCH 2011

SUBMITTED TO THE COUNCIL MEETING – 12 APRIL 2011

(To be read in conjunction with the Agenda for the Meeting)

Cllr Mrs J I Arrick	Cllr R A Knowles
* Cllr M H W Band	Cllr Ms D Le Gal
Cllr L C Bate	* Cllr Dr N Lee
* Cllr M W Byham	* Cllr A Lovell
* Cllr Mrs E Cable	* Cllr P J Martin
* Cllr Mrs C Cockburn	* Cllr T E Martin
Cllr S P Connolly	* Cllr B J Morgan
* Cllr J H B Edwards	Cllr S N Mulliner
* Cllr B A Ellis	Cllr S J O'Grady
* Cllr Mrs P Ellis	Cllr S L Pritchard
* Cllr Mrs M E Forszewski	* Cllr K T Reed
Cllr Mrs P M Frost	Cllr S Renshaw
Cllr Mr R Frost	* Cllr S N Reynolds
* Cllr R J Gates	* Cllr Mrs C E Savage
* Cllr M R Goodridge	* Cllr J M Savage
Cllr Mrs J P Hargreaves	* Cllr R J Steel
* Cllr S L Hill	* Cllr A E B Taylor-Smith
* Cllr N P Holder	* Cllr Ms J R Thomson
Cllr J P Hubble	Cllr A P Thorp
* Cllr S R E Inchbald	* Cllr J A Ward
* Cllr D C Inman	Cllr Mrs N Warner-O'Neill
* Cllr P B Isherwood	Cllr R A Welland
* Cllr Mrs D M James	* Cllr Mrs L Wheatley
* Cllr Mrs C A King	* Cllr A Wilson

*Present

15. MINUTES

The Minutes of the Meeting held on 18th October 2010 were confirmed and signed.

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Len Bate, Stuart Connolly, Bob and Patricia Frost, Jill Hargreaves, Julian Hubble, Robert Knowles, Stephen Mulliner, Stephen O'Grady, Steve Renshaw, Nerissa Warner-O'Neil and Ross Welland.

17. DECLARATIONS OF INTEREST

There were declarations of interest from the following Members:

Councillor Adam Taylor-Smith declared a Personal and Prejudicial Interest in relation to Item 5, Land to the South of East Street.

Councillor Ken Reed declared a Personal Interest in Item 6 as he was a member of a golf club outside of the Borough; and

Councillor Diane James declared a Personal Interest in Item 6 as she took up a free social membership offer two years ago but had never used the facilities.

A declaration was reported from the Leader of the Council of a Personal and Prejudicial interest in relation to Item 5, Land to the South of East Street.

PART I – RECOMMENDATIONS TO THE COUNCIL

There were no matters raised under this heading.

PARTS II AND III- MATTERS OF REPORT

Background Papers

The background papers relating to the following items in Parts II and III are as specified in the Agenda for the meeting of the Joint Planning Committee.

PART II – Matters reported in detail for the information of the Council

There were no matters raised under this heading.

PART III – Brief summaries of other matters dealt with

18. WA/2010/1650 – LAND TO THE SOUTH OF EAST STREET, FARNHAM

The Committee considered the report and the presentation from the planning officer. A number of updates were presented as part of the officers' report, that included additional correspondence, additional representations since the report had been published, typographical corrections and amendments to the recommendation and conditions. A further amendment to the conditions was proposed at the meeting in relation to condition 10 (xi) which was not included in the update sheet but was accepted by Members.

In accordance with the public participation for this meeting, each party had been allocated up to 15 minutes to speak and the following representations were made in respect of the application and were duly considered:

Objectors: Mr MacLeod, Mr Hyman, Mrs Thurston and Sanders

Farnham Town Council Town Cllr Carlo Genziani

Applicants/Supporters: Greg Vincent

RESOLVED that,

- a) Having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects, permission be **GRANTED** subject to the following conditions:

1. Condition

The development hereby permitted shall commence no later than 6th August 2012 unless an extension of time is first agreed in writing by the Local Planning Authority.

Reason

Having regard to the fact that the temporary construction access/bridge hereby permitted is to serve the development permitted under planning permission WA/2008/0279, which expires on 6th August 2012. This application is therefore also given the same life and should expire on 6th August 2012 in accordance with policies D1, D4 and C5 of the Waverley Borough Local Plan 2002.

2. Condition

The temporary construction bridge, hereby permitted, shall be removed within three years of the commencement of the development hereby permitted or within an alternative timescale to otherwise be agreed in writing by the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4 and C5 of the Waverley Borough Local Plan 2002.

3. Condition

On completion of the development permitted under WA/2008/0279 the temporary construction access/bridge shall be removed and replaced with the permanent footbridge in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such details shall include reinstatement of the land to a condition that is first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

In the interest of the character and amenity of the area and pedestrian convenience in accordance with Policies D1, D4, C5 and M4 of the Waverley Borough Local Plan 2002.

4. Condition

The plan numbers to which this permission relates are 13512. TPN-TCA-001A, 002D, 003D, 004E, 005C, 006C, 007, 010B, 011B, 012B, 013B, 1005/120E, 1005 121C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority. The bridges shall be clear spanning structures with the abutments set back from the watercourse on both banks to provide natural banks beneath the bridge.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4, D5 and C12 of the Waverley Borough Local Plan 2002.

5. Condition

No development shall take place until a scheme for the protection of the River Wey and its corridor has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include all of the recommendations in the submitted Ecological Assessment (Aspect Ecology, September 2010) set out at paragraphs 6.3.6 - 6.3.12, 6.5.15, 6.5.16 and 6.5.22. Thereafter the development shall be implemented in accordance with the approved scheme. The scheme details shall include provision for the protection of protected species as detailed in the attached letter from Surrey Wildlife Trust dated 24/11/2010 and the measures shall be carried out in strict accordance with the approved details.

Reason

In the interest of the visual amenity and ecology of the River Wey and its river corridor in accordance with Policies D1, D5, C5 and C12 of the Waverley Borough Local Plan 2002, Planning Policy Guidance Note 9 and ODPM circular 06/2005

6. Condition

Prior to the commencement of development, a detailed method statement for the removal or long-term management of Japanese Knotweed and Himalayan Balsam on the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed and Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason

In the interest of the visual amenity and ecology of the River Wey and its river corridor in accordance with Policies D1, D5, C5 and C12 of the Waverley Borough Local Plan 2002.

7. Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be

produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

8. Condition

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

9. Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by

the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

10. Condition

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of the construction and deconstruction of the temporary construction access and bridge and construction of the permanent footbridge, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of the re-instatement of the land following deconstruction of the construction access and bridge; and shall consider and provide for the cumulative impact of the construction and deconstruction of the temporary construction access and bridge in combination with the demolition and construction works taking place on the main East Street redevelopment site, permitted under planning permission WA/2008/0279. The scheme shall include:

- (i) control of noise;
- (ii) control of mud, grit, dust, NO_x, smell and other effluvia;
- (iii) control of surface water run-off;
- (iv) details of all screen, fences, site security arrangements including hoardings and other means of enclosure (to include any noise attenuation proposals);
- (v) proposed method of piling for foundations;
- (vi) construction and demolition working hours;
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking away materials are allowed to enter or leave the site;
- (viii) parking for vehicles of site personnel, operatives and visitors;
- (ix) loading and unloading of plant and materials;
- (x) storage of plant and materials.
- (xi) effects on traffic flows and air quality on the A31 and in the adjacent AQMA, this will include real time monitoring to demonstrate the expected outcomes, as modelled, are achieved and to inform appropriate mitigation if necessary.
- (xii) Details of vehicle Euro standards and fuel and exhaust treatments for plant and machinery

The development shall be carried out in accordance with the approved Working Method Statement scheme unless first varied in writing by the Local Planning Authority.

Reason

To ensure that the potential environmental impact arising from the development does not give rise to an unacceptable intrusion on the amenities of nearby residential property, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

11. Condition

Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2005, Trees in relation to construction) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

12. Condition

The proposed landscaping scheme shall be carried out strictly in accordance with the submitted scheme and shall be carried out within the first planting season after the removal of the construction access/bridge or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 10 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

13. Condition

Prior to the commencement of development, those dwellings, which are sited within 25m of the development, should be the subject of an assessment of the impact of the vibration from the site. This assessment should include details of recommended remedial measures should vibration levels be found to be unacceptable. This assessment must be

submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in direct accordance with the agreed details.

Reason

To protect the amenities of neighbouring occupiers in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

14. Condition

Before development commences details of any external lighting, to include location, height, type, intensity of illumination, direction of light sources and spillage, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details and shall not thereafter be altered without the prior written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area and highway/pedestrian safety in accordance with Policies D1, D4, M2 and M4 of the Waverley Borough Local Plan 2002.

15. Condition

No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority detailing the method of construction of the temporary bridge/access development hereby permitted. Details to include:

- a) The location of wheel washing facilities within the construction site, such that no extraneous matter is carried outside of the site area;
- b) The provision of a suitably sized vehicle parking, turning and compound to provide adequate space for the queuing and management of exiting vehicles;
- c) Details for the safe management and control of inbound and outbound vehicles along the construction access, such that incoming vehicles do not queue back onto the A31
- d) The submission and agreement of the proposed traffic management required during the construction and subsequent operation of the access in order to minimise traffic disruption to the existing road network.
- e) The provision of appropriate traffic management measures on the A31, in conjunction with vehicle activated signs, to ensure compliance with the proposed temporary 40mph speed limit;
- f) The provision of a hard standing within the existing verge on the A31 Farnham by-pass between South Street and the proposed access for the safe positioning of a mobile speed enforcement vehicle;
- g) The re-positioning, if necessary of the gates on the proposed access road.

The development shall be carried out in strict accordance with the approved details and adhered to throughout the construction period, unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

16. Condition

The road and vehicular access to the A31 Farnham Bypass including the temporary vehicular bridge over Borelli Walk and the River Wey hereby permitted shall be designed and constructed prior to the implementation of development approved under WA/2008/0279, unless otherwise first agreed in writing by the Local Planning Authority. No development pursuant to WA/2008/0279 shall begin before that junction, the bridge, access road and site compound have been completed broadly in accordance with the application drawings and the requirements of the County Highway Authority. Once constructed the access and bridge shall be retained free of any obstruction to its use in accordance with a duration to be agreed in writing with the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

17. Condition

The proposed access road, including its junction with the A31 Farnham by-pass shall be closed upon completion and prior to the occupation of the development approved by WA/2008/0279 or within an alternative timescale to be agreed first in writing by the Local Planning Authority. All kerbing, verges and highway margins shall be fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

18. Condition

Prior to the commencement of development the applicant shall submit details of a 'Borelli Walk Management Plan', which shall identify and include the following:

- a) Installation of CCTV monitoring and 24 hour recording;
- b) Inclusion of appropriate drainage measures to prevent rainfall ponding in the subway;

- c) Management details for the treatment of flood water and removal of graffiti;
- d) Details for the decommissioning of the temporary bridge access upon its closure;
- e) Details for the provision of the proposed footbridge following the decommissioning of the temporary access with the reinstatement of a route along the approximate route of the existing Borelli Walk.

Once agreed the plan shall be fully implemented by the applicants all at their own expense, including any necessary costs associated with making, securing and implementing any traffic orders or legal processes.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

19. Condition

Prior to the construction of the proposed access or any other associated works on the highway, the applicants shall apply for and implement a temporary 40mph speed limit on the A31 Farnham by-pass and install two vehicle activated speed enforcement signs in accordance with details to be agreed with the County Highway Authority. All of which shall be fully implemented by the applicants all at their own expense, including any necessary costs associated with the making, securing and implementation of any traffic orders or legal processes.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

20. Condition

The proposed gates across the access road shall be kept open at all times during construction, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

21. Condition

The construction access and bridge hereby approved shall not be used other than for the purposes of facilitating access to the main East Street site by construction traffic. They shall not be used for any other purpose unless otherwise first agreed in writing by the Local Planning Authority.

Reason

Having regard to the fact that the development hereby permitted is to serve the development under permission WA/2008/0279 and is not suitable or appropriate for a permanent site access in accordance with Policies D1, D4 and M2 of the Waverley Borough Local Plan 2002.

22. Condition

Notwithstanding the detail shown in drawing numbers 13512-TPN-TCA 007 010B, 011B, 012B and 013B and 1005/120 the proposed position of the realigned Borelli Footpath shall be as shown on drawing number 13512-TPN-TCA 001A, 002D, 003D, 004E, 005C, 006C and 1005/121C unless otherwise first agreed in writing by the Local Planning Authority”.

Reason;

In the interests of the character and amenity of the area and pedestrian safety in accordance with Policies D1, D4, M2 and M14 of the Waverley Borough Local Plan 2002”.

23. Condition

Any traffic management requiring lane closures on the A31 Farnham by-pass shall not be implemented or take place before the hours of 9am or after 5pm Monday to Friday.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M3 of the Waverley Borough Local Plan 2002”.

Informatives:

1. On 6 April 2008 a new fee was introduced by the Town and Country Planning (Fees of Applications and Deemed Applications) (Amendment) (England) Regulations 2008. This fee relates to requests to discharge a condition on a planning consent. The fee payable is £85.00 or a reduced rate of £25.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

2. The applicant's attention is drawn to the contents of the attached consultation responses from Waverley Borough Council Environmental Services dated 29/10/10 and 03/11/10.
3. The applicant is advised to note the contents of the attached letters from the Environment Agency dated 4th November 2010 and 17th February 2011 and Surrey Wildlife Trust dated 24th November 2010.
4. Notwithstanding the submitted information, the permission hereby granted purports to the construction of the temporary access and bridge

and permanent footbridge. It does not grant approval for traffic management proposals etc. in relation to construction of the main development. These details are required to be submitted under Condition 37 (e) of Planning Permission WA/2008/0279.

5. The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under or over or within 8 metres of the top of the bank of the Wey, designated a 'main river'.
 6. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Protection Team of Waverley Borough Council.
 7. The applicants are advised that in seeking the approval of the Highway Authority in regard to condition 1 above for the provision of the new access to the A31, they will first be required to submit and agree with the Local Planning Authority the Method of Construction Statement and secure the approval from the Highway Authority for the implementation of the temporary 40mph speed limit. All works will need to be carried out under the terms of a Section 278 Agreement to be entered into with the Highway Authority and subject to Stage 1,2 and 3 Road Safety Audits and achieve full technical approval
- b) Following the grant of planning permission under reference WA/2010/1650, the Head of Democratic and Legal Services be authorised to:
- (i) Make an appropriate Order, under section 257 of the Town and Country Planning Act 1990 (as amended) for the stopping up of the footpaths as necessary; and
 - (ii) Revoke the Waverley Borough Council Public Footpaths Nos 170 and part of 169 and 171 (off Dogflud Way, Farnham) Public Path Stopping Up Order 2010, confirmed on 3rd June 2010, on confirmation of the new Order.
19. WA/2010/1489 – WILDWOOD GOLF AND COUNTRY CLUB, HORSHAM ROAD, ALFOLD, GU6 8JE

The Committee considered the report and the presentation from the planning officer. A number of updates were presented as part of the officers' report, that included additional correspondence and representations since the report had been published.

In accordance with the public participation for this meeting each party had been allocated up to 15 minutes to speak and the following representations were made in respect of the application and were duly considered:

Applicants/Supporters: Mrs Newnham, Mrs Marshall and Mr P Harrison

At 9.40pm, in accordance with Procedure Rule 9, it was agreed that the meeting should continue until all business on the agenda had been transacted.

RESOLVED that planning permission be GRANTED subject to Conditions and any necessary Section 106 Agreement being agreed by the Head of Planning in consultation with the Chairman and Vice-Chairman of the Joint Planning Committee, Portfolio-Holder for Planning, Chairman and Vice-Chairman of the Eastern Area Planning Committee and the Local Ward Member.

The meeting commenced at 7.00 p.m. and concluded at 10.30p.m.

Chairman