

# APPENDIX A

WA/2008/0279  
Crest Nicholson Regeneration Ltd &  
Sainsbury's Supermarkets Ltd  
18/02/2008

Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site at Land At East Street, Farnham (as amended by plans and documents received 15/08/2008)

Grid Reference: E: 484186 N: 146994

Parish: Farnham  
Ward: Farnham Moor Park  
Case Officer: Elizabeth Sims

13/16 Week Expiry Date 20/05 and 10/06/2008

Neighbour Notification Expiry Date 28/03/2008

**RECOMMENDATION: That the revised list of conditions and Heads of Terms set out in Appendices 1 and 2 be agreed as those to be attached to the permission granted under WA08/279.**

## 1.0 Introduction

1.1 Members will recall that this application was reported to the meeting of this Committee on 1 October 2008.

1.2 The Committee resolved that permission be granted subject to a review of the draft conditions and heads of terms that had been recommended in the report. The review should be undertaken to take account of requests for variation to these from the Farnham Society and the applicants.

1.3 It was further resolved that the review should be brought back to a meeting of the Joint Planning Committee for consideration.

## 2.0 Review of Planning Conditions

2.1 Government guidance in respect of planning conditions is expressed within Circular 11/95. This circular sets out tests that any planning condition should comply with to be appropriately included within a planning permission. These tests are that conditions should be:

- (i) necessary
- (ii) relevant to planning;
- (iii) relevant to the development to be permitted;
- (iv) enforceable;
- (v) precise; and
- (vi) reasonable in all other respects.

2.2 Officers consider that the originally proposed conditions all cover matters relevant to the development. However, the conditions have been reviewed in the light of the further representations received from both the applicants and the Farnham Society, as instructed by the Committee.

2.3 The conditions attached to the original report are attached at Appendix 1. The changes recommended by officers following the review are underlined; proposed deletions are crossed out.

## 2.4 Representations from Farnham Society

During the public speaking section of the Committee meeting on 1 October, representations were made on behalf of the Farnham Society. Their legal representative sought to distribute to members a document making detailed comment and revisions to the officers' draft recommended conditions.

Officers advised the Committee that circulation and consideration of the document at that stage would be inappropriate since a third party cannot formally propose an amendment to an application. Moreover, detailed legal representations of this form could not, in any event, be assessed by officers at

such a late stage to ensure proper advice to members as to the weight to be attached to the representations.

The same document has now been formally submitted to officers to allow the content to be taken into account in this review of conditions.

In summary, the following representations are made:

- 1) Proposed rewording to improve enforceability of conditions;
- 2) Omission of conditions to avoid duplication with s.106 Heads of Terms or suggestion that matters should more appropriately be dealt with through a legal agreement;
- 3) Request for Specification of Plan numbers in certain conditions;
- 4) Omission of phrase “unless otherwise agreed in writing by the Local Planning Authority”.
- 5) Rewording of conditions to ensure submission of details and provision of open space; gates, walls and fencing; parking provision, cycle storage and drainage infrastructure, prior to the occupation of development or in an earlier timescale of overall development than requested by draft conditions to ensure a reasonable standard of environment for earlier occupiers of the overall development.

## 2.5 Representations from applicants

Shortly prior to the meeting of the Committee on 1 October 2008, officers received a letter from the applicants’ agent, Scott Brownrigg, requesting the following changes to the draft conditions:

- Inclusion of additional condition requiring a Phasing Plan to show how the detailed construction of the scheme will be phased;

- Extension of standard time period for commencement of development from three years to five years (Condition 1).
- Condition 3 – amend to provide phased car park provision in line with phasing of residential development;
- Amendment of all pre-commencement conditions that require submission of further details to include an appropriate phasing element;
- Request to agree with the Council the definition of “development” and “commencement” in accordance with S.56(4) of the Town and Country Planning Act.
- Amendment to conditions, 9, 18 and 22 to include phasing elements;
- Amendments to condition 37 to ensure consistency with the proposed Heads of Terms regarding the temporary construction access to the site;
- Request to delete conditions 36, 64 and 75 as duplicating others or otherwise unnecessary.
- Other minor wording variations of conditions 61, 69 and 74.

### 3.0 Response to representations and material considerations

- 3.1 Taking into account the representations and having further regard to the tests of Circular 11/95, it is recommended that Conditions 11, 12, 22, 38, 39, 40, 42, 46, 47, 48, 50, 53, 63, 66 and 69 be redrafted to the form set out in Appendix 1.

The changes to these conditions involve rewording to ensure tighter enforceability. No change is proposed to the substance of these conditions as originally drafted.

- 3.2 In response to the request of the applicants and having regard to the complex nature and scale of the development, it is considered reasonable and necessary to include an additional condition relating to the phasing of construction works. This would require a phasing plan to be submitted to and agreed by the Council, clarifying the timing and nature of the construction of each phase by way of plans and details. This phasing condition is denoted as Condition 1(a).
- 3.3 In respect of conditions 3, 4, 5, 6, 7, 8, 9, 13, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 29, 30, 45, 51, 52, 54, 56, 62, 64, 65 and 72 it is recommended that these be redrafted to include an additional caveat to reflect the phasing of the relevant construction or occupation phase, rather than requiring all details prior to first implementation. This is considered to be reasonable having regard to the need for a timed construction period. Timing of submission would not prejudice the acceptability of the development.
- 3.4 The applicants' request to extend the length of the permission to five years from the standard three years is argued by them to be necessary in view of the scale and complexity of the development and expected period necessary to commence construction. In response, members are advised that it is considered advisable to adhere to the normal 3 year limitation as originally proposed.

The arguments around lead in time to a greater or lesser extent apply to all major and complex developments. The time period of three years is established in law (S.91(1) of the Act) to require development proposals to be reviewed and updated if not commenced in time. There would not appear to be exceptional reasons for setting this normal legal requirement aside in this case. If development is not commenced within the three years period then the applicants can clearly reapply for the development; the development could in any event be commenced by way of a material start on site, i.e. implemented.

3.5 The applicants' concern regarding duplication of some conditions is noted and on this basis it is agreed that conditions 36 (repeats 34) and 64 (repeats 41) are superfluous and should be deleted.

3.6 The applicants have stated that Condition 74 is too restrictive in that it would preclude all movements within the 8 metre buffer zone and conflict with the proposal for the pedestrian bridge in this area.

The condition was drafted and recommended by the Environment Agency. Officers agree in its current form it is unreasonable for the reason given by the applicant. It is considered that insertion of the phrase "unless otherwise first agreed in writing by the Local Planning Authority following consultation with the Environment Agency" before "There should be no storage of materials" would be an appropriate change.

3.7 The applicants' request for the omission of part of draft condition No 37 regarding temporary means of access to A31 is considered reasonable since the matter is duplicated by the proposed Heads of Terms Point 9 in Section 1 of Appendix H. As such it is recommended that part (a) of Condition 37 is deleted.

3.8 The applicants' request to agree the definition of development as commencement is noted. This is a detailed legal issue that is most appropriately resolved on a case-by-case basis between officers and the applicants in relation to each phase of development.

3.9 The minor wording changes to conditions 61 (omit word "homes") (typographical error) and condition 69 (insert "unless otherwise agreed with the Local Planning Authority") are considered appropriate and reasonable.

3.10 The Farnham Society (FS) requests in several cases that reference is made to specific plan numbers and documents. Officers believe that this is unnecessary since the issuing of the Decision Notice and authorising of relevant plans will make clear those details in accordance with the Council's normal practice.

3.11 The FS requests amendments to the wording of several conditions that have been recommended by consultees e.g. County Highway Authority or EA. Where the FS comments suggest changes to wording to tighten enforceability these have been accommodated. However, where they have sought to alter the substance of the condition, it is considered that the conditions should remain intact to properly reflect the technical and specialist expertise of these consultees (e.g. Condition 49).

3.12 The FS's suggestion that long term maintenance provision for the open space and amenity areas should be captured by the S.106 agreement is noted. This point is already covered by the Heads of Terms for the S. 106 agreement.

Officers agree that Condition 21 in respect of Public Art Provision should be provided through the legal agreement.

3.13 The concerns of the FS regarding the timing of the provision of open space, fencing, car parking etc to ensure an appropriate standard of environment for earlier occupiers of the development dovetail with the applicants' request for a phasing control to be introduced.

It is considered reasonable and relevant that those conditions requiring provision of ancillary structures, open space provision, etc, tie in with the relevant phase of development rather than to the timescale of the overall development.

Government guidance is that maintenance of Public Open Space in perpetuity is inappropriate and the Council's normal approach is to require a contribution over a ten year period.

### 3.14 **Conclusion on Conditions**

Taking into account the representations of the applicants and the Farnham Society and having further regard to the advice contained with Circular 11/95, officers consider that the revised list of conditions set in Appendix 1 should be attached to the Planning Permission under WA2008/729.

#### 4.0 Review of Heads of Terms of Section 106 Agreement

- 4.1 Government guidance on planning obligations is expressed within Circular 05/05.
- 4.2 Officers consider that, in general terms, the Heads of Terms originally drafted are sufficient for the consideration of the planning application. However, the opportunity has been taken to revisit them in the light of the representations received. In particular, the Heads of Terms now set out the contributions that the developer will now make in respect of infrastructure contributions. The detailed wording of the legal agreements is a matter for the Council's legal adviser to agree with those of the developer.
- 4.3 The FS has suggested a number of amendments to the transportation Heads of Terms. Some of the comment has been incorporated as useful additions, as clarification, but other comments are at a level of detail that is not appropriate for the Heads of Terms but rather for detailed wording of the legal agreement. However, the additional detail will be helpful to parties involved in those subsequent negotiations.
- 4.4 The FS has suggested an additional requirement for the agreement in respect of public access i.e. to protect, in perpetuity, proposed pedestrian links into and through the scheme. This is considered to be a helpful and worthy addition and is duly incorporated in the recommended terms.
- 4.5 The reference within the original Heads of Terms to "Management Plan" reference is superfluous since there are already existing safeguards in place to manage the public realm.
- 4.6 In relation to the CHP plant, it is recommended that a management strategy for the installation and distribution of heat and electricity from the plant and the community heating system be provided through the S.106 agreement. This should specifically require a minimum energy consumption limit or limit on carbon emissions per annum.

The agreement should also ensure that the CHP plant is capable of conversion to renewable energy in the future.

- 4.7 In relation to the multi-purpose use of the cinema, it is recommended that this requirement be expanded to require that it provides opportunities for other community use in the second auditorium of the cinema building.
- 4.8 The FS has suggested inclusion of reference to a Considerate Contractors' scheme, which would ensure that sub-contractors operate at an agreed standard in relation to construction activities in the wider public interest and in the interests of neighbours to this site. The principle is supported by officers as being reasonable and desirable and is included with the Heads of Terms.
- 4.9 A further suggestion by the FS is for a requirement to establish a Community Liaison Group to ensure appropriate liaison with the local community affected by the development. This is supported by officers and included within the final Heads of Terms. This is regarded as good practice on major developments to ensure appropriate liaison with the local community affected by the development.
- 4.10 The FS also recommends that the legal agreement seeks to ensure the future and integrity of Brightwell House. Officers consider that adequate controls already exist under Listed Building legislation to require appropriate repair and upkeep. The planning proposal also involves the introduction of a new beneficial active use which is regarded as the most appropriate method of securing upkeep of historic buildings.
- 4.11 Finally, the precise negotiated financial contributions towards mitigation in respect of the TBH SPA and towards leisure, education and libraries have been entered into the Heads of Terms.

Those figures derive from the Council's adopted policies for calculation of these contributions.

#### 4.12 **Conclusion on Heads of Terms**

Taking into account the representations of the applicants and the Farnham Society and having further regard to advice contained with Circular 05/05 officers consider that the revised list of Heads of Terms set out in Appendix 2 should form the basis of the legal agreement to be concluded prior to the issuing of the agreed permission.

## APPENDIX 1

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provision of Section 91(1) of the Town and Country Planning Act, 1990 (as amended).

- 1(a) Prior to the commencement of any development, details shall first be submitted to and approved in writing by the Local Planning Authority of a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programme unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the proper and effective development of the site in the interests of the amenity of the area.

2. The development hereby permitted shall be completed in accordance with the approved plans specifications. Any variation or departure from the approved plans will require the prior approval of the Planning Authority before works commence.

Reason: To ensure that the development hereby authorised is satisfactorily undertaken in the interests of the amenity of the area.

3. Before the first occupation of the dwellings hereby permitted the 240 residential car parking spaces shall have been constructed and fully provided as shown on the approved plans. They thereafter shall be permanently maintained in a condition allowing their use for the parking of vehicles and shall be used for that purpose only.

Reason: To ensure that adequate provision is made and maintained within the development for the parking of vehicles clear of existing or proposed

highways in order to maintain the free flow of traffic and in the interests of highway safety.

4. Within six months of the commencement of the appropriate phase of development as agreed under Condition 1a above the arrangements for the provision and future maintenance of the open space and amenity areas ~~the~~ that phase of development where appropriate as shown on the approved plans shall be submitted to and approved in writing by the Planning Authority. Such a scheme shall provide for a maintenance period of not less than 10 years from the final laying out of those areas. The approved arrangements shall be fully implemented before the last dwelling unit is occupied.

Reason: To secure the long term provision of the open space and amenity areas.

5. Before the commencement of the appropriate phase of development as agreed under Condition 1a above ~~development commences on site~~ details of the existing and proposed ground levels of the development in relation to any adjacent building and road shall have been submitted to and approved in writing by the Planning Authority. Such details must be sufficient to clearly identify the completed height of the development in relation to the adjacent development.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings or public areas.

6. Before the commencement of the appropriate phase of development as agreed under Condition 1a above ~~development commences on site or the commencement of each individual building block~~ samples of the materials to be used in the construction of the external surfaces of the development, within that Phase, including the surface materials for public spaces, hereby permitted shall have been submitted to and approved in writing by the Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials used in the construction of the development harmonise with its surroundings.

7. Within six months of the commencement of the appropriate phase of development as agreed under Condition 1a above ~~development~~ details of all proposed gates, railings, walls, fences, or similar structures for the residential amenity areas for that Phase shall be submitted to and approved by the Planning Authority in writing. Such gates, railings, walls, fences or similar structures as may be approved by the Planning Authority shall be erected before the occupation of the last dwelling unit is occupied. These means of enclosure shall thereafter be maintained to the satisfaction of the Planning Authority.

Reason: To ensure an appropriate standard of privacy and visual amenity in the area.

8. Prior to the commencement of the appropriate Phase of development as agreed under Condition 1a above ~~Within six months of the commencement of development~~ the details of the strategy for bringing into use the public car parking provision to serve the non-residential elements of the proposal shall be submitted to and be approved by the Local Planning Authority. The non-residential elements of the scheme hereby permitted shall not be occupied prior to the public car parking spaces shown on the approved plans shall be having been laid out in accordance with the approved strategy. Those public car parking spaces shall thereafter be ~~and~~ made available and subsequently maintained for that purpose at all times.

Reason: To ensure that adequate areas are provided for the parking of cars clear of the highway in the interests of maintaining the free flow of traffic and safety on the highway and in accordance with the adopted policy of the Planning Authority.

9. Before any of the commercial development hereby permitted is first occupied provision shall have been made within the site for cycle storage for a

minimum of 96 cycle stands. Such stands shall thereafter be retained and maintained.

Reason: To ensure that adequate provision is made for cycle storage to encourage cycle use in the interests of sustainable development.

10. No work to any shopfront or bar/restaurant front shall commence until a planning application including full detailed plans showing the design and external appearance of the front elevation including fascia has been submitted to and approved by the Planning Authority.

Reason: To ensure that the visual appearance of the area is not detrimentally affected and because these details were not considered as part of this application.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the use of those parts of the ground and first floor premises in buildings D4A, D8 and D12 as shown on the submitted plans for cafes, bars and restaurants shall be for uses within Use Class A3 and A4 of the Town and Country Planning Use Classes Order 1987 only.

Reason: To ensure that the development is occupied for the purposes applied for and to comply with policy S6 of the Waverley Borough Local Plan.

12. Within one month of the commencement of any works to fit out any of the premises referred to in condition 11 above commences details of any equipment to be installed, which shall include an odour neutralizer plant, shall be submitted to and approved in writing by the Planning Authority. None of the said premises shall be occupied prior to such approved measures having been installed in it. The odour neutralizing plant shall be operated in a manner, which will effectively suppress the emission of fumes or smell from the premises, as long as the use continues.

Reason: To ensure that the occupiers of the nearby residential properties are not adversely affected.

13. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a, Before development commences final details shall be submitted to and approved by the Planning Authority showing the provision for the disposal of both foul and surface water emanating from this development for the appropriate stage. Provision for the disposal of surface water shall be made at the initial stage of development of the site Phase and no impermeable drained area shall be created on the site prior to such approved provision having been ~~shall be~~ completed and operational ~~prior to any impermeable drained area being created on the site~~. No building on the site for the appropriate phase shall be occupied prior to approved facilities for the disposal of foul drainage having been ~~shall be~~ completed and be operational ~~prior to the first occupation of any building on the site~~

Reason: To ensure that adequate provision for the drainage of the development is made.

14. No building shall be occupied until the foul sewage disposal works and the surface water drainage works have been completed in accordance with the submitted plans.

Reason: To ensure that adequate provision for the drainage of the development is made.

15. No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Planning Authority. The scheme shall include:

- (i) control of noise;
- (ii) control of dust, smell and other effluvia;
- (iii) control of surface water run-off;
- (iv) site security arrangements including hoardings;
- (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.

Save for minor revision thereto as shall have been agreed in writing by the Planning Authority the development shall be carried out in accordance with the approved scheme. ~~or as may otherwise be agreed in writing by the Planning Authority.~~

Reason: To ensure that potential environmental impact arising from the development does not give rise to an unacceptable intrusion on the amenities of nearby residential property.

16. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a, ~~Before the development hereby permitted commences~~ a scheme for protecting the proposed dwellings within that Phase from noise generated by the commercial uses on the lower or same floor and the public and residents' parking area shall be submitted to and approved in writing by the Planning Authority. ~~Any works, which form part of the approved scheme, shall be completed before any~~ None of the permitted dwellings are shall be occupied prior to completion of such works unless agreed beforehand in writing with the Planning Authority.

Reason: To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded.

17. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a ~~Before the development hereby permitted commences~~ a scheme to provide sound attenuation between dwellings within that phase to a standard equivalent to that prescribed in the Building Regulations 1991 Regulation E or to such standard as may be agreed in writing by the Planning Authority shall be submitted to and approved by the Planning Authority.

Reason: To ensure that noise disturbance between properties is kept to an acceptable level for the benefit of the future occupiers.

18. ~~No~~ Before any part of the development within the appropriate phase agreed under Condition 1a with the exception of buildings D12 and D21, hereby permitted shall be is first occupied prior to the approved the insulation works resulting from the scheme required by Condition 17 above shall having have been fully provided.

Reason: To ensure that noise disturbance between properties is kept to an acceptable level for the benefit of the future occupiers.

19. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a ~~Before the development hereby permitted is commenced~~ a scheme indicating the provision to be made for disabled people to gain access to all the buildings and in the public spaces within that phase of development throughout the site shall have been submitted to and approved by the Planning Authority. No part of the development hereby permitted shall be occupied prior to such approved measures having been implemented. ~~The agreed scheme shall be implemented before the development hereby permitted is brought into use~~ Such approved measures thereafter to be retained and maintained.

Reason: To ensure that adequate access arrangements are made to the development for disabled and less mobile persons.

20. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a ~~Within six months of the commencement of development~~ a scheme shall be prepared and submitted to and approved in writing by the Planning Authority for the collection and disposal of litter in the public spaces of ~~the site~~ that phase of development including the design and siting of litterbins. No commercial unit shall be occupied prior to the ~~The approved scheme shall be~~ having been implemented. ~~prior to the occupation of the first commercial unit of the development hereby permitted.~~

Reason: In the interests of the environment and to assist in maintaining the clean appearance of the area.

~~21. Within six months of the commencement of development a scheme for public art within the site shall have been submitted to and approved in writing by the Planning Authority. The approved scheme shall be implemented in accordance with an agreed timetable or phasing. The public art shall thereafter be retained unless otherwise agreed in writing by the Planning Authority.~~

~~Reason: The site is prominent in the public realm and streetscene and is regarded as a locality where public art would enhance the quality of life and the environment.~~

22. Prior to commencement of works a method of works statement indicating the sequence of demolition and reconstruction together with measures for temporary structural support during works shall be submitted to the Planning Authority for approval. The approval of the Planning Authority shall be obtained prior to commencement of works and such approved measures shall thereafter be adhered to during construction works.

Reason: To maintain the integrity and the character of the building.

23. No trees other than those shown to be felled shall be removed from the site except with the prior permission in writing of the Planning Authority.

Reason: In the interests of visual amenity.

24. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a development and before any felling of any tree or other alteration of the existing condition of the site within that agreed phase takes place, a scheme of tree protection, including ground protection, in line with BS 5837 (latest version) "Trees in relation to construction", shall be submitted to and agreed by the Planning Authority in writing. Design details

of the proposed physical means of protection, as indicated through drawings and/or descriptive text, should be included on the tree protection plan. Where relevant such scheme shall also take “off-site” trees into consideration.

Reason: To ensure the protection of existing trees from damage during construction works and in the interests of the visual amenity and character of the locality.

25. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, a method statement shall be submitted to and approved in writing by the Planning Authority detailing:

the method of demolition of structures and removal of surfaces near trees,  
roads, paths and cycleway and hard surface construction,  
boundary treatment,  
position and installation of new surface and utility runs,  
site set-up including the position of all site huts, material storage areas, cement mixing and plant and equipment storage areas.

This statement to include arrangements for supervision by relevant professionals and the method statement shall be implemented and adhered to at all times during the construction process.

Reason: To safeguard the existing trees and/or hedges in the interests of the visual amenity and character of the locality.

26. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a and before any felling or other alteration of the existing condition of the site within that agreed Phase takes place, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees and hedges shall

be submitted and approved in writing by the Planning Authority and thereafter adhered to.

Reason: To safeguard the existing trees and/or hedges in the interests of the visual amenity and character of the locality.

27. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a and before any felling or other alteration of the existing condition of the site within that agreed Phase takes place, details of the layout, including depths or height, of all foul and surface water drains, soakaways, all underground and overhead cables (including capacity) including telecommunications, electrical and cable TV, gas mains together with any associated plant and equipment showing their relationship to existing and proposed trees shall have been submitted to and approved by the Planning Authority in writing and thereafter adhered to.

Reason: To ensure that the services proposed and the retained and proposed trees and shrubs are compatible in the interests of amenity and character of the area.

28. The burning of materials shall not take place within 10 metres of the furthest extent of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason: To protect the health of trees to be retained.

29. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.

3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The spaces referred to above and access routes to them to be a minimum of 8 metres away from mature trees or as may otherwise be agreed in writing by the Planning Authority.

Reason: To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems.

30. Within six months of the commencement of the appropriate phase of development as agreed under Condition 1a a detailed landscaping scheme including the species, position of all proposed trees and hedges, plant sizes, planting distances, numbers and provisions for maintenance of the trees and shrubs, and showing areas to be grass seeded or turfed has been submitted to, and approved in writing by, the Planning Authority and thereafter adhered to.

Reason: In the interests of the visual amenity and character of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

31. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant parts of appropriate British Standards or other recognised codes of good practice.

To be carried out prior to the occupation of any part of the development or in accordance with a timetable to be first agreed with the Planning Authority.

Any trees or plants which, within a period of five years after planting, are removed, die or become, in the opinion of the Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable

with others of species, size and number as originally approved, unless the Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

32. The landscaping scheme shall be implemented in the first planting season (October – February) following the occupation of the first building or in the case of phased development in accordance with a timetable submitted to and approved by the Planning Authority before the first building is occupied.

Reason: In the interests of the visual amenity and character of the locality.

33. Concurrent with the details required by the above conditions and within six months of works commencing a landscape management plan, including a maintenance schedule indicating proposals for the long-term management of landscape areas, other than small, privately-owned domestic gardens, shall be submitted to and approved by the Planning Authority and thereafter implemented in its entirety.

Reason: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation and historical significance.

34. No development shall take place until a detailed scheme showing the scope and arrangement of foundation design and all new groundworks, which may have an impact on archaeological remains, has been approved in writing by the Planning Authority the scheme to include arrangements for monitoring by the Council.

Reason: The site is of potential archaeological importance and it is therefore important to control ground disturbance and that the development is carried out in a manner for which an archaeological mitigation strategy has been designed and agreed.

35. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Planning Authority.

Reason: It is possible that minor items or features of archaeological interest will be disturbed in the course of development and they should be rescued or recorded before they are lost.

- ~~36. No development shall take place until a detailed scheme showing the scope and arrangement of foundation design and all new groundworks, which may have an impact on archaeological remains, has been submitted to and approved in writing by the local planning authority and that scheme will be monitored by the Council.~~

~~Reason: In the interests of archaeology.~~

37. No development shall start until a Method of Construction Statement, to include details of:

- ~~(a) temporary access from and to A31 Farnham Bypass (Eastbound only)~~
- (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 and access/junction, Highways works scheduling)
  - (e) provision of boundary hoarding behind any visibility zones

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

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 Policy DN2 of the Surrey Structure Plan.

38. 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~~ shall have been agreed with the Local Planning Authority, in order that ~~the operator can make all reasonable efforts to keep~~ the public highway be kept reasonably clean and to 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.

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 Policy DN2 of the Surrey Structure Plan.

39. No part of the new development shall be occupied until space has been laid out within the site in accordance with the approved plans for a maximum of 426 car parking spaces and 240 secure, undercover cycle spaces for residential use, and a further 96 publicly available cycle parking spaces, and for the loading and unloading of service vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. ~~The~~ All such approved parking/turning areas shall thereafter not be used for other than ~~be used and retained exclusively~~ for their designated purposes and shall be maintained.

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 DN2 and DN3 of the Surrey Structure Plan.

40. The development shall not be occupied until ~~details of~~ there have been implemented such measures for the management and use of the proposed parking as shall have been submitted to and agreed in writing beforehand by the Local Planning Authority, such measures to ~~this will~~ include a barrier control system to prevent through movements between Dogflud Way and South Street, (unless a vehicle has parked in the course of this movement).

~~These details shall be submitted for approval by the Local Planning Authority and~~ Only the approved measures details shall be implemented.

Reason: In the interests of public safety in accordance with Policies DN2 and DN3 of the Surrey Structure Plan.

41. ~~Development shall not commence until~~ Prior to the commencement of the appropriate phase of development as agreed under Condition 1a a drainage strategy detailing any on and/or off site drainage works in relation to the agreed phase shall first be, ~~has been~~ submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

42. Before any demolition works take place and development commences further bat surveys and emergence surveys must be carried out, as recommended in the bat roost survey report and any mitigation carried out prior to any demolition works taking place or development commencing. ~~if and where applicable.~~

Reason: In the interests of ecology and the terms of the application and in accordance with policy D5 of the adopted Waverley Borough Local Plan 2002.

43. There shall be no light spill into the watercourse or adjacent river corridor habitat. To achieve this, and to comply with sustainability, artificial lighting should be directional and focused with cowlings to light sources in close proximity to the river corridor.

Reason: Artificial lighting disrupts the natural diurnal rhythms and night time migration behaviour of a range of wildlife using/inhabiting the river and its

corridor habitat and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

44. There should be no shrub or tree clearance during the bird breeding season, which runs from the end of February – August inclusive.

Reason: In the interests of ecology and in accordance with policy D5 of the adopted Waverley Borough Local Plan 2002.

45. Prior to the commencement of the ~~development~~ appropriate phase of development as agreed under Condition 1a

- (a) a written desk top study shall be carried out by a competent person, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information; and using this information a diagrammatical representation (conceptual mode) for the site of all potential contaminant sources, pathways and receptors. The desk study shall be submitted to and approved by the Local Planning Authority;
- (b) should it be required, based on the information obtained by the desk study, a site investigation shall be carried out by a competent person to determine the nature and extent of any contamination. The investigation shall be carried out in accordance with a protocol, which shall be submitted to and approved by the Local Planning Authority.
- (c) a written report of the site investigation shall be prepared by a competent person. The report shall include the investigation results and details of a remediation scheme to contain, treat or remove any contamination, as appropriate. The report shall be submitted to and approved by the Local Planning Authority;
- (d) the accepted remediation scheme shall be fully implemented (either in relation to the development as a whole or the relevant phase, as appropriate); and

- (e) a completion report and certification of completion shall be provided to and approved by the Local Planning Authority by a competent person stating that remediation has been carried out in accordance with the accepted remediation scheme and the site is suitable for the permitted end use.

Reason: To ensure that any contamination of the site is properly dealt with to avoid any hazard, in accordance with Policy D1 of the Waverley Borough Local Plan.

46. If during development, contamination not previously identified, is found to be present at the site then no further development (~~unless otherwise agreed in writing with the Local Planning Authority~~) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a written addendum to the original remediation scheme and with such additional replacement measures as such approved addendum specifies have been carried out. This addendum to the scheme must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development adequately deals with any contaminated land or water found during the development.

Notwithstanding that such measures may not require express planning permission no sound reproduction or amplification equipment (including public address systems, tannoys, loudspeakers, etc), designed to be audible outside buildings constructed within the permission, shall be installed or operated on the site.

Reason: In the interests of protecting the local residents from unreasonable noise levels.

48. ~~The use of~~ The service yards shall be restricted to not be used other than between the hours of 06.30 to 22.00 Mondays to Fridays, and 06.30 to 20.00

on Saturdays, and 09.30 to 16.30 on Sundays and Bank or Statutory Holidays.

Reason: In the interests of the amenities of adjoining residents and to limit noise disturbance.

49. All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise coming from it does not at any time, increase the ambient equivalent continuous noise level as measured according to British Standard BS4142:1997 at any adjoining or nearby residential property.

Reason: In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area.

50. Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and approved in writing by the local planning authority before installation and thereafter ~~it~~ such installations/items shall be not be operated ~~and or~~ maintained other than in accordance with manufacturer's instructions and in accordance with the approved scheme.

Reason: To ensure that the industrial use hereby approved remains an acceptable use in or adjacent to this residential area.

51. ~~Before building operations commence~~ Prior to the commencement of the appropriate phase of development as agreed under Condition 1a a full detailed scheme for insulating Block D8a from traffic noise from the surrounding road network (South Street/East Street/Dogflud Way) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such works as are necessary to ensure compliance in general terms with PPG24 (Planning and Noise). Thereafter, the development shall not be carried out other than in accordance with such

approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason: To protect the occupants of the new development from noise disturbance.

52. ~~Before building operations commence~~ Prior to the commencement of the appropriate phase of development as agreed under Condition 1a a fully detailed scheme for insulating Blocks D4c, D8 and D6 from noise and vibration from the adjacent and nearby commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such works as are necessary to ensure compliance in general terms with (Planning and Noise). Thereafter, the development shall not be carried out other than in accordance with such approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason: To protect the occupants of the new development from noise disturbance.

53. Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from the A3 uses and any other ancillary cooking activities or catering operations (e.g. in the cinema) on the site. Details of the equipment shall be submitted to and approved by the local planning authority in writing prior to commencement of the development or conversion works. The details to include outlet height, which in general should be at least 1 m above ridge height of the nearest building. The approved equipment for any such use/operation shall be installed and in full working order prior to the commencement of such use/operation use and thereafter it shall be operated and maintained in accordance with the manufacturer's instructions for as long as such use/operation takes place ~~the proposed use continues~~.

Reason: To ensure that the use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use.

54. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a details of the equipment for venting the underground car park area shall be submitted to and approved in writing by the local planning authority. ~~Prior to commencement of the development.~~ The approved equipment shall be installed and in full working order prior to the commencement of use of the underground car park area and thereafter it shall be operated and maintained in accordance with manufacturer's instructions.

Reason: To ensure that neighbouring properties are not unreasonably polluted by odours from the use and that operators are also protected from potential harmful fumes and protect the users of the car park.

55. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a as ~~No development shall take place until~~ details of facilities to be provided for the storage of refuse bins and recycling containers within the site within that phase shall first have been submitted to and approved in writing by the Local Planning Authority. No part of the development in that phase shall be occupied until the facilities have been provided in accordance with the approved details ~~and thereafter the~~ such approved facilities shall be thereafter be permanently retained and maintained.

Reason: To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents.

56. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a details of any external floodlighting of the site within that phase shall be submitted to and approved in writing by the local planning authority ~~prior to the commencement of the development.~~ Any

floodlighting that is permitted shall be installed, maintained and operated in accordance with the approved details unless the local planning authority gives its written consent to the variation.

Reason: To protect the appearance of the area and to protect local residents from light pollution.

57. No development shall take place until a Public Path Diversion Order diverting the routes of Public Footpaths 169 and 170 Farnham is has been made and confirmed by the Planning Authority.

Reason: To ensure that proper arrangements are made in the interests of highway safety.

58. No development shall take place until the design and construction details of the proposed shared use cycleways are agreed with the Highway Authority.

Reason: To ensure that proper arrangements are made in the interests of highway safety.

59. That no development take place until cycle routes are legally defined, linking the development site with South Street at Borrelli Walk, Brightwells Road and with the proposed cycleway at Hatch Mill.

Reason: To ensure that proper arrangements are made in the interests of highway safety.

60. All the residential units shall achieve at least Code Level 3 of the Code for Sustainable Homes. Details of how the scheme shall meet this level (or above) including a timeframe to complete the process shall be for the post-construction review shall be submitted to the LPA. The post construction review document and final certification showing that at least Level 3 has been achieved shall be submitted to the LPA in accordance with the timeframes specified.

Reason: To ensure that the sustainable energy principles of the scheme are delivered.

61. All the retail units shall meet at least a very good standard of BREEAM ~~Homes~~. Details of how the scheme shall meet this level (or above) including a timeframe to complete the process ~~for the post construction review~~ shall be submitted to and agreed in writing by the LPA. The post construction review document and final certification showing that at least "very good" has been achieved shall be submitted to the LPA in accordance with the timeframes specified.

Reason: To ensure that the sustainable energy principles of the scheme are delivered.

62. Prior to development first commencing, details of the CHP plan, community heating system and private wire network and associated equipment including a timeframe for installation shall be submitted to and approved by the LPA. These shall ~~become~~ operational in accordance with the agreed timeframe ~~on the first occupation of the development~~ unless otherwise agreed with the LPA. If the CHP plant is removed it must be replaced with an alternative renewable energy technology or low carbon technology that achieves at least a 227 tonnes CO2/yr saving.

Reason: To ensure that the sustainable energy principles of the scheme are delivered.

63. The development must not be constructed other than in accordance with the Sustainability Statement and its associated annexes unless otherwise agreed in writing by the LPA.

Reason: To ensure that the sustainable energy principles of the scheme are delivered.

64. ~~Development shall not commence until a drainage strategy detailing any on- and/or off site drainage works has been submitted to and approved by, the~~

~~local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.~~

~~Reason: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.~~

65. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a details shall first be submitted ~~ssion~~ to and approved by the LPA prior to the commencement of development of a long-term management plan for the maintenance of all voids for the lifetime of the development. The approved details shall be carried out and thereafter complied with.

Reason: To ensure voids do not become blocked and cause increased flood risk to the development and surrounding area and in accordance with policy D1 of the adopted Waverley Borough Local Plan 2002.

66. All floodplain compensation works shall not ~~will~~ be carried out other than in accordance with calculations in the revised FRA and the proposed levels and contours plan from addendum August 08 plans as submitted.

Reason: To ensure ground levels and consequent flow paths for the submitted compensation scheme are maintained and the designated flood storage areas are kept free-filling and free-draining and in accordance with policy D1 of the adopted Waverley Borough Local Plan 2002.

67. All flood compensation storage works as specified in the FRA Appendix F shall be completed ~~prior to the commencement of development of any~~ buildings located within the 1 in 100 year plus climate change flood extent (up to 64M AOD)

Reason: To ensure the development does not result in the increased risk of flooding at any stage during construction and in accordance with policy D1 of the adopted Waverley Borough Local Plan 2002.

68. The end of building D4 shall be constructed with underfloor voids. The voids shall be constructed such that the openings extend from the ground level to 300mm above the 1 in 100 year plus climate change level of 64.0 metres above Ordnance Datum (Newlyn) and have a total width of at least 1000 mm, or 20% of the length of the wall (whichever is greatest).

Reason: To prevent the increased risk of flooding due to impedance of flood flows and reduction of floodwater storage capacity and in accordance with policy D1 of the adopted Waverley Borough Local Plan 2002.

69. The surface water drainage system shall not be constructed other than in accordance with the calculations and drawings as submitted in Appendix H of the Amended Environmental Statement dated 05/09/08.

Reason: To ensure the development does not increase the risk of surface water flooding and in accordance with policy D1 of the adopted Waverley Borough Local Plan 2002.

70. The permanent cycle/footbridge shall be a clear spanning structure that will not impede the river corridor, in accordance with drawing no. G11939/G/SKI0'A'. It shall be a maximum 2.5m wide with gaps in the timber deck.

Reason: To maintain a continuous buffer strip to provide a corridor for the passage of wildlife and reduce the amount of shading of the channel and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

71. A buffer zone minimum 8 metres wide alongside the River Wey shall be established in accordance with details, which shall be submitted to and

approved in writing by the Local Planning Authority before the development commences.

Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

72. Prior to the commencement of the appropriate phase of development as agreed under Condition 1a details of ~~No development approved by this permission shall be commenced until~~ an Ecological Management Plan shall first be ~~has been~~ submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. This scheme shall outline the detailed design of all ecological mitigation; compensation and enhancement measures listed within the Environment Statement dated January 2008 relevant to the agreed phase of development. This shall include design plans and layout, materials, timings, methods of construction and species lists for planting. The works shall be undertaken in accordance with the approved details.

Reason: To protect, conserve and enhance the natural features of importance for biodiversity across the site and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

73. There shall be no new development including no hardstanding ~~and or~~ fences within a buffer 8 metres wide alongside the River Wey.

Reason: To maintain the character and value of the watercourse and provide undisturbed refuges for wildlife using the river corridor and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

74. There shall be no storage of materials within 8 metres of the River Wey unless otherwise first agreed in writing with the Local Planning Authority in consultation with the Environment Agency. This must be suitably marked and protected during development, ideally with fencing erected on the landward side of the buffer zone, and there shall be no access during development

within this area unless first agreed with the Local Planning Authority in consultation with the Environment Agency. There shall be no fires, dumping or tracking of machinery within this area.

Reason: To reduce the impact of the proposed development on wildlife habitats upstream and downstream, including bankside habitats and in accordance with policies D1 and D5 of the adopted Waverley Borough Local Plan 2002.

~~75. Any other necessary conditions.~~

**Informatives:**

1. 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 the Council. Contact EHO Regarding Food Safety matters.
2. You are advised to contact the Environmental Health section of the Environment and Leisure Department in order to ensure that all regulations, licensing, etc. is carried out in order to comply with the requirements of Food Hygiene Legislation. Contact EHO re Health and Safety at Work.
3. You are advised to contact the Environmental Health section of the Environment and Leisure Department in order to ensure that all regulations, licensing, etc. is carried out in order to comply with the requirements of the Health and Safety at Work Act 1974.
4. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.
5. The permission hereby granted should not be construed in any way as authority to obstruct the public highway by the erection of scaffolding,

hoarding or any other device or apparatus for which a licence must be sought from the County Highway Authority.

6. The developer is advised that it is an offence to allow materials to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The County Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980, Section 131, 148, 149).
7. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency will be required for the construction of this bridge. For this consent we will require a further water vole survey prior to works commencing and a detailed method statement including pollution prevention measures.
8. The applicants are advised that the permission hereby granted does not include a "balancing pond".

## APPENDIX 2

### Heads of terms for draft planning and highway agreements

#### 1. Transportation

Package of improvements that includes:

1. The funding and making of all Traffic Regulation Orders, Road Closure Orders and Footpath Diversion Orders prior to commencement of development and their implementation as appropriate before and during construction.
2. The funding, up to a maximum of £25,000 of an implementation study for a town-wide Park and Stride scheme, to be undertaken prior to commencement of the development, and the funding of any implementation proposals up to a maximum of £250,000. Any remaining sum to be spent by the Council on other transportation measures.
3. The funding of further traffic reduction studies and implementation of measures within the town centre to a maximum of £100,000. Any remaining sum to be spent by the Council on other transportation measures.
4. The funding of £200 per residential unit to fund travel vouchers or cycle provision.
5. The establishment and maintenance for the life of the development, so long as it is practically reasonable to do so, of a Car Club, with a minimum of three cars and spaces being provided within the development, to be made available also for other town centre residents.
6. The funding of a permanent Travel Co-ordinator so long as is practically reasonable to do so.

7. The production, agreement, implementation, measuring, monitoring (in accordance with the Standard Assessment for Monitoring Travel Plans) reviewing and perpetuation of Residential and Employers Travel Plans as two separate living documents.
8. The laying out of the Riverside Car Park to provide approximately 200 additional spaces, the spaces to be available during construction and potentially on a permanent basis following ongoing monitoring of car parking in Farnham following the full occupation of the development and the implementation of Park and Stride.
9. The use of reasonable endeavours to secure a construction access to the site from the A31 Farnham Bypass.

In addition, a subsequent Section 278 Agreement to be entered into prior to development commencing providing for the following improvements at appropriate stages throughout the development.

- a. The signalisation of the existing junction of Union Road with Long Bridge, to include puffin crossings, intelligent bus priority, high friction surfacing and advanced cycle stop lines and approaches where appropriate, as generally shown on drawing number JNY4420/44B.
- b. The signalisation of the existing junction of East Street (two arms), Woolmead Road and Dogflud Way, to include puffin crossings, intelligent bus priority, high friction surfacing and shared cycle/footways where appropriate, as generally shown on our drawing number JNY4420/45C.
- c. The modification of traffic signals at the junction of East Street, Bear Lane, The Borough and South Street to provide improved crossing facilities for pedestrians, changed direction and type of traffic flow, advanced cycle stop lines and approach lines, shared cycle/footway in

East Street, high friction surfacing and intelligent bus priority where appropriate, as shown generally on our drawing number JNY4420/46E.

- d. The realignment and positioning of the existing car park access to Dogflud Way to provide an uncontrolled priority junction as generally shown on our drawing number JNY4420/48D.
- e. The modification of the existing junction of Brightwells Road (south-western arm) with South Street, as generally shown on our drawing number JNY4420/64A.
- f. The reconfiguration of East Street (western arm between Bear Lane and Woolmead Road) to provide for east bound buses only and limited service vehicles together with a shared cycleway/footway on the south side, the cycle/footpath to continue up to and beyond the junction with Dogflud Way (east), as shown generally on our drawing number JNY4420/50E.
- g. The signalisation of the existing junction between East Street and Dogflud Way (east) to provide for toucan crossings, a shared cycle/footway in East Street, intelligent bus priority and high friction surfacing where appropriate, as shown generally on our drawing number JNY4420/59A.
- h. A shared cycle/footpath through the site linking Dogflud Way to South Street via Brightwells Road (south western arm) and the southern side of the bowling green, as shown generally on our drawing number JNY4420/50E.
- i. The making of commuted payments for the future maintenance requirements of all signal installations.
- j. 96 publicly available cycle stands.

- k. New and improved bus stops/passenger waiting facilities at bus stops in the vicinity of the site/town centre to a maximum of £75,000.
- l. Provision of real time passenger information intelligent bus priority, printed public transport information in the vicinity of the site/town centre to a maximum of £120,000.

All the financial contributions will be index linked to May 2007 values using the “All New Construction” index as detailed in the DTI “Construction Statistics Manual”.

## **2. SPA mitigation**

Financial payments in accordance with adopted WBC mini-plan (£320,605.90).

## **3. Affordable Housing**

30% affordable housing units and appropriate arrangements for securing such provision in the future. Provision should meet the Housing Corporations Standards for affordable homes and comply with Council policy on mix and tenure

## **4. Works of Public Art and Craft**

Public Art within the scheme, including agreement of suitable procurement process, which is to include WBC and Farnham Public Art Trust input.

## **5. Public Open Space**

Provision of on-site public open space (hard/soft areas) and future maintenance, including landscape features.

## **6. Social/Education**

Financial payments towards education and libraries in the local area amounting to:

Libraries: £35,484.40 + £1774.22 = 5% monitoring

Education: £715,720.82 + £35,786.04 = 5% monitoring

## **7. Leisure**

Financial payments in accordance with Sport England requirements (could be financial assistance towards the adjacent leisure centre) in lieu of on-site provision amounting to:

Leisure: £307,017.20 + £15,350.86 = 5% monitoring

## **8. Community Services/Facilities**

Relocation and re-provision of the Gostrey Community Centre.

## **9. Controls**

Security of public open areas including on-site CCTV and street lighting. Protect in perpetuity proposed pedestrian links into and through the scheme. The Surrey Constabulary Consultation response requests:

Capital £64,254 + Annual rental: £3,863.

## **10. Public Access**

Protect in perpetuity proposed pedestrian links into and through the scheme.

## **11. CHP Plant**

Requirement for management plan for installation and distribution of heat and electricity from CHP plant and community heating system. The CHP plant should be capable of conversion to renewal energy fuel in the future and should require a minimum energy consumption limit or limit carbon emissions per annum.

**12. Multi-Purpose Use of 158-seater Cinema Screen**

Opportunities to other provide for community uses in the cinema building and auditorium of the cinema building.

**13. To set up and operate a Considerate Contractors Scheme**

**14. To set up and operate a Community Liaison Group**

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