

WA/2009/1674
Flambard Developments Ltd
25/11/2009

Demolition of existing buildings and erection of new buildings comprising 182 residential units and 1,375 sqm commercial floorspace within use classes A1, A2, A3, B1, D1 or D2 (as alternative uses) and accommodation for Surrey Police Authority together with associated highway, access and landscape works (application accompanied by an Environmental Statement) (as amended by letter received 20/01/10 and amplified by letters, emails and additional information received 03/12/2009, 15/01/2010, 19/01/2010 and 10/02/2010) at Land At Flambard Way And Catteshall Lane, Godalming

Grid Reference:

E: 497380 N: 143970

Parish :
Ward :

Godalming
Godalming Central and Ockford

Case Officer:

Cameron Stanley

13 Week Expiry Date

16/03/2010

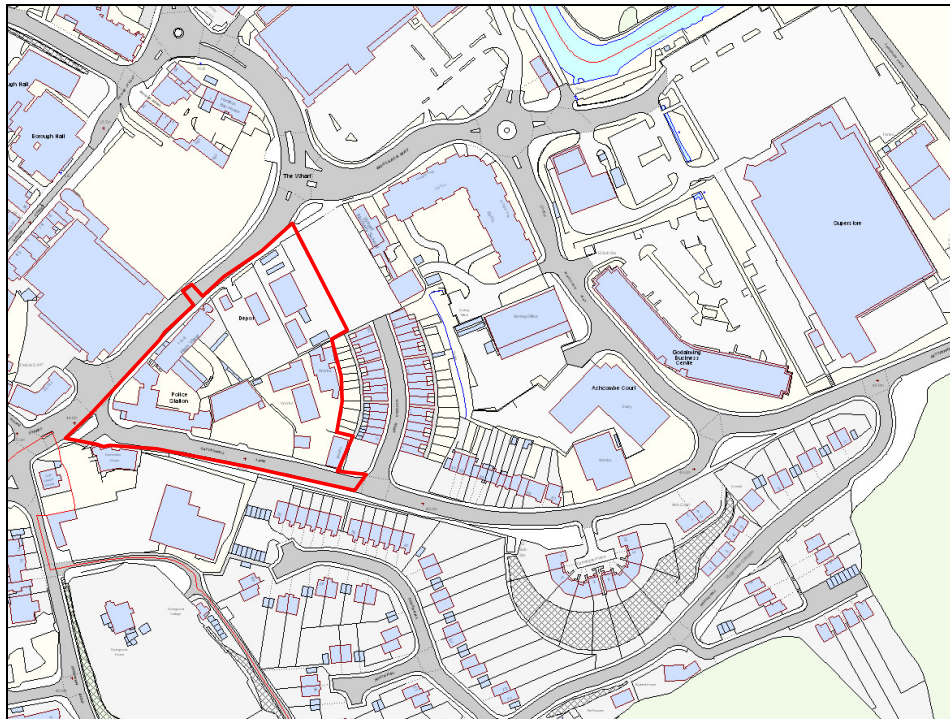
Neighbour Notification Expiry Date

04/01/2010

RECOMMENDATION

That permission be **REFUSED**

Location Plan



Comparison of previously refused scheme to current proposed scheme



Site Description

The application site is located at the junction of Flambard Way with Catteshall Lane, to the south east of Godalming town centre. The site has an area of 1.1ha and is currently used for predominantly light industrial uses, along with a police station located at the south-western corner of the site, at the Flambard Way/Catteshall Lane junction. Part of the site was previously used as part of the Godalming Gas Works, and slopes upwards towards the southwestern corner. The existing built form is mainly brick built and between 1-2storeys in height, with the exception of the police station which is equivalent to a 3-storey building.

The site lies to the south west of Phase 1 of the Key Site, comprising 50 flats known as 'The Atrium', which was approved in September 2003 under planning permission WA/2002/2359. This development has been built and is occupied. The site is abutted to the northeast by a Council owned car park, the Wharf Nursery School and Victoria Road, a residential street. The car park and children's nursery are part of the Godalming Key Site but are excluded from the current proposals.

Current Site Photographs

1. Existing view of Key Site looking north along Flambard Way



2. Existing view of Key Site from the Wharf car park, looking west



3. Existing view of Police Station buildings from Waitrose car park



4. Existing view of site from Woolsack Way, looking west



5. Existing view of corner of Victoria Road with Catteshall Lane



6. Existing view of Woolsack Way/Flambard Way junction, looking south



7. Existing view of Key Site across Waitrose car park



Proposal

The proposal seeks the erection of 182 new residential units, comprising 48 one-bedroom apartments, 115 two-bedroom apartments and 16 three-bedroom flats and 3 three bedroom dwellings, along with the creation of 1375sqm of commercial floor space, to be used for use classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafés), B1 (Business), D1 (non-residential institutions) and D2 (assembly and leisure). The proposed buildings would range from 3 storeys at the southwestern end

of the site, facing Catteshall Lane, rising to a height of 20m at the Catteshall Lane/Flambard Way junction.

The proposal seeks to demolish all buildings on site and construct a series of new buildings around the perimeter of Catteshall Lane and Flambard Way. Internally, a series of three courtyards is proposed that runs broadly parallel with Flambard Way. To the south, the courtyards are enclosed by three storey mews buildings. The eastern-most courtyard is enclosed to the north east by a garden wall whilst the other two courtyards are enclosed by a four and five storey residential building. To the south of the enclosed courtyards and west of the gardens at Victoria Road is a large landscaped open space.

The proposed development includes a two storey basement car park, with 195 car parking spaces. The basement car park is accessed via a ramp located along Catteshall Lane and within the basement car park there is stair and lift access to the individual apartment blocks. In addition to the spaces provided at basement level, four parking spaces will be available at street level along Catteshall Lane. Within the basement it is also proposed to provide 316 cycle parking spaces.

To the northwestern part of the site, an 8-storey tower is proposed, spanning the corner of the junction of Flambard Way with Catteshall Lane and occupying the apex of the site. The tower would provide commercial floor space to the ground floor with seven floors of residential accommodation above, including a luxury duplex apartment spanning the top two floors. The residential accommodation would be served by internal stairways and lifts, with pedestrian access being taken from Catteshall Lane. The tower would have a footprint of approximately 36sqm, and would have an overall height of 25m. It would feature a glazed lantern element to the Catteshall Lane and Flambard Way elevations to the 5th, 6th and 7th floors.

The planning application is accompanied by the following main technical reports and supporting documents:

- Planning Statement (including Retail Impact statement and S106 Heads of Terms);
- Design and Access Statement;
- Transport Assessment (prepared by RPS);
- Travel Plan (prepared by RPS);
- Sustainability Statement (prepared by Good Design Practice);
- Environmental Statement (including Flood Risk Assessment and Land Contamination Assessment), comprising:
 - Volume 1: Non-technical Summary
 - Volume 2: Technical Studies; and,
 - Volume 3: Technical Appendices
- Statement of Community Involvement;
- Tree Schedule and Habitat Plan/Tree Survey; and,
- Viability Appraisal (prepared by Jones Lang LaSalle);

The environmental statement (ES) submitted to accompany the planning application concludes that the proposed development will have no significant environmental impacts. Nathaniel Lichfield and Partners have provided the following summary of the conclusions:

ES Chapter	Summary of Conclusions
B: Landscape & Visual Impact	Overall, the application site has the capacity to accommodate the proposed development and the overall landscape and visual impact would be beneficial and significant.
C: Townscape and Heritage	The development results in positive effects on views and character areas immediately surrounding the site through a high standard of architecture and urban design, and use of good quality materials. The setting of the Olde Steppe House and front wall would be enhanced by the development, as would the setting of both the Godalming and River Wey and Godalming Town Centre Conservation Areas. Overall the development will have a beneficial effect on townscape and heritage assets of Godalming.
D: Traffic and Transport	Provided the suggested mitigation measures are implemented during the construction phase of the development, the residual transport impacts of the development would be neutral to positive. Overall, the scheme itself brings positive benefits in terms of transport environmental impacts, particularly for pedestrians.
E: Soil & Ground conditions	Provided that mitigation measures are suitably implemented. The proposals would not increase the risk to human health or controlled water receptors.
F: Water resources	The site is situated within Flood Zone 1 and is not subject to planning constraints associated with fluvial flooding. A number of mitigation measures have been incorporated into the design of the site to reduce the potential impact on hydrology, flood risk, water quality and water resources, both at the site and to the surrounding environment.
G: Noise	The site is considered to be suitable for residential development. The recommended internal noise levels in BS8233 and the World Health Organisation are achievable by means of suitable glazing and ventilation.

H: Archaeology	There is no existence or former existence of any sites of archaeological significance within the proposed development area. As such, there is no requirement for mitigation as the proposed development will have no impact on potential archaeological deposits.
I: Socio Economic	The proposal will make a positive contribution to the socioeconomic and community facilities within the area. Where local needs cannot be met within the 1.5km catchment area, these are generally available within 10km of the site which is considered acceptable given the rural location of Godalming and its good accessibility to nearby towns (Farnham, Haslemere and Guildford).
J: Air Quality	There are no air quality constraints to the proposed development. The air quality effects associated with the construction and operation of the development are predicted to be of negligible significance.
K: Sunlight/daylight	The results of the technical analysis demonstrate that the proposed development will practically fully satisfy the BRE Guidelines in terms of impact on daylight, sunlight and overshadowing. Overall, the proposed development will not give rise to any material deterioration to the amenity enjoyed by the existing neighbouring buildings.
L: Construction	Mitigation measures are proposed in conjunction with a Construction Management Plan and industry best practice guidance. Mitigation measures will seek to minimise noise and air quality impacts during the construction process.
M: Ecology	Overall, the site is not of high intrinsic ecological value in the national, county, district or local context. As the site is isolated, small and of low ecological value, no significant impact on nearby SNCIs is anticipated. Once mitigation measures have been applied the development will make a positive contribution to biodiversity and nature conservation value at the site.

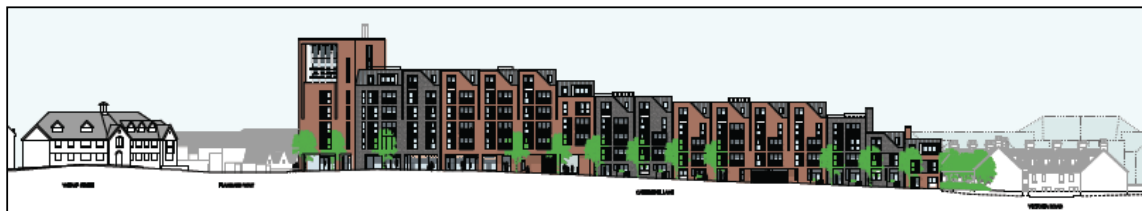
Proposed layout



Proposed Flambard Way Elevation



Proposed Catteshall Road Elevation



Proposed view from Victoria Road



Relevant Planning History/background

The site has a complicated and extensive planning history. An outline planning application (Ref: WA/1990/0449) was submitted by Godalming Coachworks Ltd for 'the erection of a three storey building to provide offices on a cleared site'. The application was granted planning permission on 19 March 1990. A subsequent outline planning application (Ref: WA/2000/1855) on the same site was submitted in 2000 for 'the erection of a three storey office building with associated parking following demolition of existing buildings'. The application was granted in December 2001.

An outline application (Ref: WA/2000/1709) for the 'erection of a building to provide approximately 930sqm of office space (Class B1) following demolition of existing buildings' at Jordan's, Flambard Way was approved on 8 January 2001.

An application for the 'change of use from car repairs/sales to retail (A1) use for the sale of parts, plants and other garden sundries' (Ref: WA/2002/2020) was refused permission in December 2002. The reasons for refusal included the material adverse impact on the vitality and viability of the town centre shopping area and detracting from the character and appearance of the area and neighbouring dwellings.

In 2003, planning permission was granted for Phase I of a new residential development on part of the Key Site, to the immediate east of the application site. This comprised 50 residential units (ref: WA/2002/2359).

A subsequent planning application to vary the original permission was submitted in 2004 to increase the height and number of residential units. The application (Ref: WA/2004/1750) for the 'erection of a part 4 part 5 storey building to provide 60 flats with underground and surface parking, landscaping and associated works' was refused by the Council in February 2004 on the grounds that it would be visually intrusive and detrimental to the character and appearance of this part of Godalming. The 2003 permission, WA/2003/2359 has since been built out and is known as "the Atrium".

In June 2007, an application for Phase II of the Key Site development was submitted for a mixed use development comprising 226 residential units, commercial floorspace, replacement police station, provision of car and cycle parking and landscaped public, communal and private amenity space (WA/2007/1390).

The applicant appealed the application on the grounds of non-determination on 11/01/2008. During the course of the appeal amended plans were received and were subject to consultation. The amended scheme was considered by members who resolved that, had the Council been able to determine the application, then permission would have been REFUSED for the following reasons:

1. The scale, bulk, height and built form of the proposed development adjacent to the town centre is inappropriate and would detract from and compete with the prevailing character of the locality and setting of the Conservation Area in conflict with Policies SE4 and SE5 of the Surrey Structure Plan 2004 and Policies D1, D4, TC6 and HE8 of the Waverley Borough Local Plan 2002.
2. The design by reason of the palette of materials, over complex variety in the detailing would fail to provide a development that is locally distinctive and would be inappropriate to the site contrary to Policy SE4 of the Surrey Structure Plan 2004, Policies D1 and D4 of the Waverley Borough Local Plan 2002 and the principles of Surrey Design 2002.
3. The proposed development would be detrimental to the amenity of neighbouring properties by reason of its overbearing impact in conflict with Policy SE4 of the Surrey Structure Plan 2004 and Policies D1, D4 and TC6 of the Waverley Borough Local Plan 2002.
4. It has not been satisfactorily demonstrated that the transportation implications of the proposed development can be adequately accommodated by the transportation infrastructure within the area contrary to Policy DN2 of the Surrey Structure Plan December 2004, and Policy M2 of the Waverley Borough Local Plan 2002.
5. The development does not make provision for affordable housing in accordance with Government Guidance and Policy DN11 of the Surrey Structure Plan 2004 and Policies H5 and D14 of the Waverley Borough Local Plan 2002.
6. The development does not make adequate provision for equipped play space and indoor sports in conflict with Policies DN1 and DN13 of the Surrey Structure Plan 2004 and Policies H10 and D14 of the Waverley Borough Local Plan 2002.
7. The development does not make provision for a contribution to Education provision in the area in conflict with Policy DN1 of the Surrey Structure Plan 2004 and Policy D14 of the Waverley Borough Local Plan 2002.
8. In the absence of information to clarify the improvements required to the drainage infrastructure the Council is concerned that a Grampian Condition may be inappropriate as there is uncertainty about the prospects of such improvements being achieved to make the development acceptable and therefore conflicts with Policy DN1 of the Surrey Structure Plan 2004 and Policy D13 of the Waverley Borough Local Plan 2002.

The appeal was determined by way of Public Inquiry in July 2008. The Inspector recommended that permission be granted. The appeal was subject to recovery procedures by the Secretary of State. The appeal was dismissed

on 31st October 2008. Copies of the Inspector's report and Secretary of State's decision are available from the Council's website and are important material considerations for the current planning application.

Relevant Planning History

Phase 1 – The Atrium Site

WA/2004/1750	Variation to development currently under construction to erect a part 4 part 5 storey building to provide 66 flats with underground and surface parking, landscaping and associated works (variation to consent granted for 50 flats under WA/2002/2359).	Refused 15/02/2005
WA/2002/2359	Erection of a part 3 part 4 storey building to provide 50 flats with underground parking, together with associated surface parking, landscaping and other works (as amended by plans received 07/02/03).	Full Permission 30/09/2003
WA/1996/0221	Consultation under Regulation 3 - Variation of Condition 2 of WA93/1601 (restricted hours) to allow overnight and weekend use for the parking of two waste recycling vehicles (as amplified by letters dated 27/3/96 and 11/6/96 and plan received 27/3/96)	Deemed Consent 04/07/1996
WA/1993/1602	Consultation under Regulation 3. Erection of an acoustic boundary fence 2.5 - 3.5 metres high.	Deemed Consent 09/02/1994
WA/1993/1601	Consultation under Regulation 3. Change of use from depot and storage yard to recycling centre and storage yard (as amplified by memorandum dated 24/12/93).	Deemed Consent 09/02/1994
WA87/0098	Construction of a 54 space car park for private motor vehicles,	Full Permission 22/04/1987
WA84/1529	Change of use of part of Council depot to car hire business and siting of portacabin and portaloo	Full Permission 30/11/1984
WA80/1325	Construction of access road (ultimately to form part of the link road between	Full Permission 16/09/1980

Catteshall Lane and The Wharf) to new business site (see WA80/1326) making up of the land and drainage of site as

WA80/0402	Relocation of Godalming Band Hut	Withdrawn
WA80/0401	Relocation of Godalming Band Hut	Full Permission 01/04/1980
WA78/0720	Details of surfacing of car park permitted under planning application Number 77/1352	Deemed Consent 03/07/1978
WA77/1352	Use of part of Council Depot as a car park for 45 vehicles	Full Permission 21/11/1977
WA74/0905	Construction of a single carriageway relief road from Bridge Street across Wharf Street Queen Street South Street to the Okford Road/Holloway Hill junction with ancillary road links	Full Permission 14/04/1975
GOD5123	Erection of highways depot and stores building	Approved 03/11/1955
GOD5004	Change of use for erection of gasholders and ancillary plant for operational purposes of statutory undertaking	Approved 15/07/1955
GOD4064	Proposed stores	Approved 23/08/1950
GOD200/72	Outline application for the erection of five warehouse units with a total floor area of 40,000 sq ft, the provision of an access road and 83 car parking spaces on approximately 2.75 acres of land	Refused 06/09/1972
GOD10018	Extension to existing storage shed	Approved 30/09/1968

Nursery Site

WA/2000/0151	Continued siting of portable building for use as a family room.	Full Permission 17/03/2000
WA/1994/1480	Siting of a portable building for use as a family room.	Temporary Permission 12/12/1994

WA85/1562	Consultation under Regulation 10. Continued use as Nursery School	Full Permission 16/12/1985
WA76/1727	Covered way linking side door of existing building to existing covered way	Full Permission 03/02/1977
WA74/0905	Construction of a single carriageway relief road from Bridge Street across Wharf Street Queen Street South Street to the Okford Road/Holloway Hill junction with ancillary road links	Full Permission 14/04/1975
GOD6836	Civil Defence Training Centre and Garage Deemed Planning Permission (Form T480 - 17th May 1961 on File 108/3)	Approved 17/05/1961
GOD10121	Change of use from C D Centre to Nursery School	Approved 14/01/1969

Godalming Ford Site

WA/2002/2360	Change of use of land to provide a contract car park following demolition of existing building.	Full Permission 14/03/2003
WA/2002/2020	Continued change of use from car repairs & sales to retail (class A1) use for the sale of pots, plants and other garden sundries.	Refused 02/12/2002
WA/2000/1855	Outline application for the erection of a three storey office building with associated parking following demolition of existing buildings (as amended by letters dated 16/08/01 and 30/08/01).	Outline Permission 05/12/2001
WA/1993/0690	Display of a non-illuminated sign.	Consent Refused 22/06/1993
WA/1992/1552	Erection of a single storey extension to provide two car valetting/parking bays (as amended by plans received 13/01/93).	Full Permission 03/02/1993
WA/1992/0920	Display of illuminated signs (as amended by letter dated 05/08/92 and plans received 06/08/92 as amended by letters dated 24/08/92 and 15/09/92).	Consent Granted 18/09/1992
WA/1991/1298	Erection of extension to house spray booths; erection of a brick wall.	Refused 27/11/1991

WA/1990/0449	Outline application for the erection of a three storey building to provide offices on a cleared site (as amended by letters dated 26/4/90, 4/5/90 and 14/5/90 and plans received 4/5/90).	Outline Permission 25/05/1990
WA/1988/1753	Erection of an extension for storage purposes	Full Permission 28/09/1988
WA86/0620	Erection of an extension to provide enlarged car repair and maintenance workshop	Full Permission 19/09/1986
WA80/0772	Illuminated flat advertisement sign	Full Permission 24/06/1980
WA74/0173	Erection of single storey car showroom and canopy	Full Permission 04/07/1974
GOD9444A	Illuminated advertisement sign	Approved 27/04/1967
GOD9443A	Illuminated advertisement signs	Approved 27/04/1967
GOD9394A	Illuminated advertisement sign	Approved 31/03/1967
GOD8632	Demolition of existing office building and erection of new one	Approved 29/03/1965
GOD8082	Details of workshop	Approved 06/01/1964
GOD7149	Use of land for the creation of storage buildings and for storage purposes	Approved 17/11/1961
GOD7148	Use of land for general industrial development	Approved 17/11/1961
GOD7147	Use of land for light industrial development	Approved 17/11/1961
GOD7146	Use of land for the erection of offices or commercial buildings	Refused 17/11/1961
GOD18/74	Extension to form new vehicle showroom and office accommodation	Approved 11/03/1974

Jordans Garage Site

WA/2000/1709	Outline application for the erection of a building to provide approx. 930 sq. m of office space (Class B1) following demolition of existing buildings.	
WA/1997/1786	Erection of paint spray booth and extraction duct.	Full Permission 23/01/1998
WA/1997/1241	Erection of paint spray booth and extraction duct.	Refused 18/09/1997
WA/1993/1279	Erection of a single storey car showroom (as amended by letter dated 01/11/93 and plans received 02/11/93).	Full Permission 11/11/1993
WA/1993/0332	Display of a non-illuminated sign (as amended by letter dated 13/04/93 and plans received 14/04/93).	Consent Refused 14/05/1993
WA/1991/0031	Change of use of buildings and land to vehicle service and repair garage and erection of building to provide vehicle repair shop (as amended by letter dated 20/03/91).	Full Permission 12/04/1991
WA/1988/0130	Change of use from Plant Depot and offices to garage, workshop, showroom and offices	Withdrawn 21/08/1989
GOD9751	Erection of tackle store, oil store and office	Approved 01/03/1968
GOD9394A	Illuminated advertisement sign	Approved 31/03/1967
GOD9088	Use of front area for display of cars for sale	Approved 10/05/1966
GOD8754	Extension for offices	Withdrawn
GOD8082	Details of workshop	Approved 06/01/1964
GOD7770	Use as Building Contractor's Yard	Approved 24/05/1963
GOD7465	Erection of premises for motor body repairs, painting and vehicle building	Approved 19/09/1962

GOD7149	Use of land for the creation of storage buildings and for storage purposes	Approved 17/11/1961
GOD7148	Use of land for general industrial development	Approved 17/11/1961
GOD7147	Use of land for light industrial development	Approved 17/11/1961
GOD7146	Use of land for the erection of offices or commercial buildings	Refused 17/11/1961
GOD6650A	Replacement of existing sign by internally illuminated mast sign	Approved 02/09/1960
GOD6576	Temporary building for storage etc of scooters	Approved 15/08/1960
GOD270/73	Extension of existing vehicle repair workshop	Approved 28/01/1974

Former Gas Depot Site

WA/1993/0733	Application under Regulation 3. Change of use of former gas depot to provide coffee bar for use by Surrey Youth Service for a temporary period.	Full Permission 15/09/1993
WA82/1232	Erection of a single storey Distribution Depot for operational use of a Statutory Gas Undertaker,	Full Permission 05/10/1982
WA82/0359	Erection of a single storey Distribution Depot for operational use of a statutory gas undertaker	Full Permission 20/05/1982
GOD8567	Erection of single-storey building for garaging storing and workshops	Approved 21/01/1965
GOD53/72	Alterations and extensions to an existing office block	Approved 27/03/1972

Police Station Site

GOD8641	Proposed Police Station	Approved 23/06/1965
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GOD7213	Proposed divisional police headquarters Deemed planning permission (See letter from Clerk of Surrey County Council dated 23.08.63 - T.C. File 108/3)	Approved
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Drumbeat House Site

WA/2003/2186	Siting of a portable office building for a temporary period.	Temporary Permission 22/12/2003
WA/1999/1256	Retention of a portable building (amended by letter & plan received 25/10/99).	Full Permission 02/11/1999
WA/1998/1175	Siting of portable building for a temporary period.	Temporary Permission 27/08/1998
WA/1997/2004	Change of use from scrap yard to light industrial (Class B1) with ancillary warehouse facilities (as amplified by letter dated 29/01/98 and plan received 02/02/98).	Full Permission 18/02/1998
WA/1997/0773	Outline application for the erection of a building to provide 12 sheltered flats together with the provision of parking.	Refused 25/07/1997
WA/1996/1396	Change of use from scrap yard to classic car and sports car showroom (as amplified by letter dated 26/11/96 and plans received 27/11/96).	Full Permission 18/12/1996
WA/1995/0984	Change of use from scrap metal merchants to Class B2 (General Industry) body shop for light vehicles (as amended and amplified by letter dated 23/08/95 and plans received 24/08/95 and letter and plans received 06/09/95 and 11/09/95).	Refused 12/09/1995
WA/1993/1207	Change of use from scrap metal merchants to premises for car cleaning, repairs and sales (as amplified by letter dated 17/09/93).	Full Permission 13/10/1993
WA/1993/1183	Change of use of premises from scrap metal merchants to tyre, exhaust and	Withdrawn 10/01/1994

motoring accessories fitting and sales
(as amplified by letter dated 22/09/93).

WA/1993/0603	Change of use of 0.2 ha. to waste transfer station including storage of skips for a temporary period of 7 years.	Refused 08/07/1993
WA/1990/1184	Erection of a portacabin to provide office, for a temporary period (as amplified by plans received 08/08/90 and letter dated 28/08/90).	Full Permission 12/09/1990
WA85/0877	Outline application for new offices following demolition of existing workshop	Refused 20/08/1985
GOD6850	Single-storey building for use as an office and sorting and storage of metals	Approved 09/03/1961
GOD6811	Demolition and erection of single-storey building for use as office and sorting and storage of non-ferrous metals	Approved 31/01/1961

Dolphin Works Site

GOD7732	New workshop extension to factory - detailed plan (See outline plan no. 7601)	Approved 29/03/1963
GOD5433	Erection of (1) Factory (2) Office, workshop and caretaker's accommodation over	Refused 10/01/1957
GOD5304	Erection of showroom and lavatory accommodation	Approved 07/08/1956
GOD5184	Erection of new factory building	Approved 10/02/1956
GOD4800	Proposed new workshop and showrooms	Approved 09/08/1954
GOD3827	Use of land for storage of fencing materials	Approved 23/02/1949
GOD10087	Erection of two-storey building	Approved

comprising cloaks, toilets, enquiry office on ground floor, with two offices on first floor on cleared site of existing block 03/12/1968

Falcon House Site

WA/1995/1685	Retention of replacement storage building.	Full Permission 02/02/1996
WA85/1403	Display of 3 non-illuminated signs	Full Permission 22/10/1985
WA77/1067	Display of 3 non-illuminated signs	Full Permission 26/09/1977
GOD7601	Extension to light engineering factory	Approved 18/12/1962
GOD5934	Workshops and showroom	Approved 17/09/1958
GOD5433	Erection of (1) Factory (2) Office, workshop and caretaker's accommodation over	Refused 10/01/1957
GOD5071	Erection of factory to be used for light industrial purposes	Approved 20/12/1955
GOD4800	Proposed new workshop and showrooms	Approved 09/08/1954
GOD3827	Use of land for storage of fencing materials	Approved 23/02/1949
GOD10087	Erection of two-storey building comprising cloaks, toilets, enquiry office on ground floor, with two offices on first floor on cleared site of existing block	Approved 03/12/1968

Godalming Coachworks Site

WA/1988/0895	Erection of extensions and alterations	Full Permission 25/07/1988
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WA/1988/0894	Siting of a portacabin for a temporary period	Temporary Permission 25/07/1988
GOD7684	Addition of metal cutting shop	Approved 13/03/1963
GOD7601	Extension to light engineering factory	Approved 18/12/1962
GOD5779	Alteration and addition to form office and small canteen	Approved 03/04/1958
GOD5709	Factory (for storage and cutting steel)	Approved 08/01/1958
GOD5071	Erection of factory to be used for light industrial purposes	Approved 20/12/1955
GOD4800	Proposed new workshop and showrooms	Approved 09/08/1954
GOD3827	Use of land for storage of fencing materials	Approved 23/02/1949

Planning Policy Constraints

Within developed area of Godalming
 Gas Pipe Line
 Wealden Heaths I SPA 5km
 Key Site Policy TC6 of the Local Plan
 Contaminated land
 Adjacent to Listed Building and Conservation Area

Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1 – Environmental Implications of Development
 D2 – Compatibility of Uses
 D3 – Resources
 D4 – Design and Layout
 D8 – Crime Prevention
 D9 – Accessibility
 D13 – Essential Infrastructure
 D14 – Planning Benefits
 C12 – Canals and River Corridors
 H4 – Density and Size of Dwellings

H5 – Subsidised Affordable Housing within Settlements
H10 – Amenity and Play Space
HE8 – Conservation Areas
HE15 – Unidentified Archaeological Sites
CF1 – Retaining Existing Community Facilities
CF2 – Provision of New Community Facilities
IC2 – Safeguarding Suitably Located Industrial and Commercial Land
TC6 – Godalming Key Site
M2 – The Movement Implications of Development
M4 – Provision for Pedestrians
M5 – Provision for Cyclists
M14 – Car Parking Standards
S1 – Retail Development: Sequential Test

Policies of the South East Plan 2009:-

CC1 – Sustainable Development
CC6- Sustainable Communities and Character of the Environment
CC7 – Infrastructure and Implementation
H3 – Affordable Housing
H4 – Type and Size of New Dwelling
H5 – Housing Density and Design
T4 – Parking
T5 – Travel Plans and Advice
NRM5 – Conservation and Improvement of Diversity
NRM11 – Development Design for Energy Efficiency and Renewable Energy
BE6 – Management of the Historic Environment
TC2 – New Development and Redevelopment in Town Centres
S6 – Community Infrastructure

National Planning Policies:-

PPS1 (2005): Delivering Sustainable Development, and its supplement
Planning and Climate Change
PPS3 (2006): Housing
PPS4 (2009): Planning for Sustainable Economic Growth
PPS9 (2005): Biodiversity and Geological Conservation
PPG13 (2001): Transport
PPG15 (1994): Planning for the Historic Environment
PPS23 (2004): Planning and Pollution Control
PPG24 (1994): Planning and Noise
PPS22 (2004): Renewable Energy
PPS25 (2006): Development and Flood Risk

Godalming Key Site Development Framework (2001)
Parking Strategy for Surrey SPG (2003)
Density and Size of Dwellings SPG (2003)
Surrey Design Guide (2002)
English Heritage/CABE – Guidance on Tall Buildings (2007)

Consultations and Town/Parish Council Comments

Consultee	Comments
Godalming Town Council	<p>Godalming Town Council members resolved to object to the planning application based on the grounds set out below:</p> <ol style="list-style-type: none"> 1. Lack of affordable housing which conflicts with Government Policies 2. Inappropriate design which fails to display any local distinctiveness and is out of character with Godalming and its surroundings 3. Inappropriate in scale, bulk, height and built form 4. Adverse visual impact when looking from parts of the Conservation Area, and from the historic Godalming Hillsides and Lammas Lands 5. Loss of light, overlooking, overshadowing and loss of amenity to local residents, especially those in Victoria Road, Catteshall Lane, South Hill and Felicia Court 6. Insufficient consideration of foul drainage issues 7. Severe impact on traffic levels and traffic flow in the area 8. Concern over the provision of renewable energy 9. Concern over the viability and servicing of the commercial units 10. Inadequate parking provision 11. Concern over pedestrian access to and from the site, and the general permeability of the site <p>Members also agreed that challenges should be made to the visuals provided by the applicants, which were considered misleading in that they bore little resemblance to the reality of the development</p>
The National Trust	<p>The Trust understands that in refusing consent for the applicant's previous proposals the Secretary of State accepted that the site could accommodate the then proposed building scale, height and mass but refused consent because, in her view, the proposed development failed to reinforce local distinctiveness.</p> <p>The distinctiveness of the local area results from the use of traditional building materials, sloping roofs and broadly vernacular design. These features define the character of the existing historic and older buildings and they have been incorporated into the design of most of the more modern buildings – in particular those buildings which lie between the application site and the Navigations.</p> <p>The proposed development takes a different approach to</p>

	<p>design and the result is a style of building which is out of character and which can be found in countless locations up and down the country.</p> <p>In submitting their new proposals the applicants appear to assume that the previously proposed building heights can prevail whatever the architectural form and design of the proposed development. The Trust does not believe that this represents a proper reading of the Secretary of State's decision. We believe that the building heights previously proposed will only be acceptable if the development reinforces local distinctiveness. If it is not possible to achieve the building design which reinforces local distinctiveness without reducing building height, for example to incorporate sloping roofs we believe that the building height will have to be reduced.</p> <p>In the current planning application there are some changes in massing but in the Trust's view the result is still a proposal which fails to respond satisfactorily in design terms to the location and which fails to reinforce local distinctiveness.</p>
<p>County Highway Authority</p>	<p>The Proposal be refused on the grounds that:-</p> <p>It has not been satisfactorily demonstrated that the transportation impacts of the proposed development can be adequately accommodated on the Local Highway Network due to insufficient information within the Transport Assessment and Travel Plan. This lack of information means that the impact of the development cannot be fully assessed for its impact on existing transport infrastructure and that appropriate mitigation measures cannot be identified contrary to Policies M2 (Movement Implications), M4 (Provision for Pedestrians) and M5 (Provision for Cyclists) of the Waverley Borough Local Plan 2002 and Policies CC7 (Infrastructure and Implementation) and T1 (Manage and Invest) Of the South East plan.</p> <p>Informative</p> <p>The Highway Authority is still not satisfied with the level of information supplied so far regarding the impact of the proposed development on the Flambard Way junctions with Brighton Road and Woolsack Way. The Highway Authority is also not satisfied that appropriate provision for pedestrians have been made from the development across Flambard Way. There are also a small number of outstanding issues remaining with the Travel Plan. The Highway Authority would welcome further discussions with the developer to overcome these before the Waverley</p>

	<p>borough Council special meeting to be held on 23 February.</p>
<p>Environment Agency</p>	<p>We refer to our recent response relating to the above application, dated 2 February 2010. As outlined in this response, we consider that the proposed surface water drainage strategy is now adequate. We are pleased that green roofs will be used, but disappointed that Sustainable Drainage Systems (SUDS) features will not be employed more widely for runoff attenuation.</p> <p>However, we still have serious concerns regarding groundwater flooding which were not addressed in the submitted Flood Risk Assessment (FRA). In our previous response we recommended that planning permission be refused on this basis.</p> <p>Subsequent to our response, we were contacted by the applicant's consultants, Enzygo, to discuss our concerns. They advised us that although groundwater flooding was omitted from the FRA, it was considered within Chapter E: Soil and Ground Conditions of the Environmental Statement submitted with the application. Our initial review of this information indicates that groundwater flooding is a potential issue which may be exacerbated by the proposed development.</p> <p>Although we have a role within the planning process as an overseer of all sources of flooding, it is not within our statutory remit to assess information pertaining to groundwater flood risk – nor do we have the technical expertise. We are therefore unable to provide further comment on the groundwater flood risk arising from the proposed development. We must also withdraw our objection, as we could not substantiate it should the application be refused on this basis and then appealed.</p> <p>We strongly recommend that your authority consider further investigation of groundwater flood risk. We would also urge your authority to undertake or commission this investigation prior to determining the application, rather than imposing it as a planning condition. As the decision making body, your authority must be satisfied that the proposed development will not increase the risk of groundwater flooding to the site or surrounding properties.</p> <p>Land Contamination</p>

	<p>In addition to our serious concerns regarding groundwater flood risk, there are a number of land contamination issues associated with the previous use of the site which could potentially present a high risk to the environment. As we must withdraw our objection on flood risk grounds (as outlined above), it is now appropriate to set out the conditions required to address land contamination issues.</p> <p>Should your authority be satisfied that groundwater flood risk has been addressed, we consider that planning permission should only be granted to the proposed development as submitted subject to the planning conditions recommended. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.</p> <p>We recommend that the applicant refer to the Environment Agency's 'Position statement on the Definition of Waste: Development Industry Code of Practice'. Please refer to our website www.environment-agency.gov.uk for further guidance.</p>
<p>South East England Partnership Board (SEEPB)</p>	<p>The South East England Partnership Board as the regional planning body does not consider that the proposals are of regional significance, and therefore does not wish to make representations.</p> <p>We would be grateful if we could be informed of the decision in due course.</p>
<p>Natural England</p>	<p>Natural England has no comments to make on this planning proposal. However we would like to stress that the absence of comments or direct involvement on individual plans or proposals is simply an expression of our priorities. It should be taken as implying a lack of interest or indicating either support for, or objection to, any proposal.</p> <p>However, we would expect the Local Planning Authority to assess and consider the possible impacts resulting from this proposal on the following when determining this application:</p> <p><u>AONB</u> If the proposal site is within an Area of Outstanding Natural Beauty or potential National Park boundary, we recommend that you contact the relevant AONB unit or South Downs Joint Committee, as appropriate, to ensure that planning issues regarding this proposal take into account any issues that may arise from this development as a result of this designation.</p>

	<p><u>Local wildlife sites</u> If the proposal site is on or adjacent to a local wildlife site, e.g. Site of Nature Conservation Importance or Local Nature Reserve the County Ecologist and/or local Wildlife Trust should be contacted.</p> <p><u>Protected species</u> Natural England welcomes the submission of the Environmental Statement and we recommend that you consult your in-house/retained ecologist with regards to the findings of the ecology chapter and the appropriateness of the mitigation proposed. This is in line with Natural England's standing advice</p> <p><u>Biodiversity enhancements</u> This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes. The Council should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 14 of PPS9. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that <i>'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purposes of conserving biodiversity.'</i> Section 40(3) of the same Act also states that <i>'conserving biodiversity includes, in relation to a living organism or habitat, restoring or enhancing a population or habitat.'</i></p>
Surrey Wildlife Trust (SWT)	<p>The Trust responded to Waverley Borough Council's consultation regarding the previous plans for developing this site i.e. ref WA/2007/1390. Whilst we note the changed design for the current application and results of the Tree Survey and updated Phase I Habitat Survey, our comments sent to you on the previous occasion (dated 24th July 2007) largely stand as follows.</p> <p>The application site is surrounded by other development but its boundaries reach to within 150m of Lammas Land Site of Nature Conservation Importance (SNCI) and Local Nature Reserve (LNR). This development should address the potential to create a green corridor through the centre of the built up area, which could greatly benefit Godalming's biodiversity and could provide a valuable benefit to residents and visitors.</p>

	<p>We note that the development proposals include some green roofs and walls, together with an extensive planting scheme which includes some semi-mature trees. However, it is important native species are included in the planting scheme. A suitably qualified ecologist will be able to recommend species which are complimentary to the trees and shrubs found in the adjacent SNCI, are potential sources of shelter and food for birds and invertebrates and are appropriate for the urban context of the development. The biodiversity potential of the site should be further enhanced by incorporating bat and bird nest boxes into the new buildings.</p>
<p>Campaign to Protect Rural England (CPRE)</p>	<p>Previous application</p> <p>The previous application for a larger site was turned down on appeal for the principal reason that the quality of design was found wanting by the Secretary of State. The report of the Inspector on that appeal had recommended approval of the application and it is CPRE's view that in a number of important respects the Inspector misdirected himself and his decisions can be justifiably challenged something that neither the Council nor those who voiced objections to the previous application have had any opportunity to do.</p> <p>New application</p> <p>Additionally, and this is a very material consideration, the application now before the Council is a new application. It is for a materially smaller site, made over five years since the earlier application, and must as a matter of law be considered against current applicable policies and policies which the Council is developing in relation to the Local Development Framework. For these reasons the conclusions reached by the Inspector and the Secretary of State whilst deserving of careful consideration, are not as a matter of law binding on the Council which is fully entitled to decide otherwise if it considers it has good reason to do so.</p> <p>Legal position</p> <p>The line of cases starting with North Wiltshire DC v Secretary of State for the Environment make it plain that where a planning authority or Inspector is considering a substantially similar application to one that has previously been refused, while that refusal (and, one must assume, the particular grounds and reasoning) will be a material consideration for the second proposal, the authority must exercise its own judgment on the entirety of that proposal. If the Council reaches a different conclusion on the second proposal, it is obliged to explain the reasons but there is no system of binding precedent. This is of even greater significance where there are, as in this case, significant</p>

differences between the two proposals.

Differences in applications

Instead of what was originally conceived as a development of the whole site in two phases, it has now become four sites of which one has been completed (the Atrium) and the remaining three subject to separate planning applications. Phase 2 of the original scheme is now effectively crammed into a much smaller site though with little acknowledgment in the scale of the buildings. The inherent uncertainty as to the relative timing of these three independent developments gives rise to a separate but very real concern as to the ultimate appearance of the sites viewed as a whole and indeed as to the likelihood of successful development of the sites as a whole. This worry is exacerbated by the scale of the present proposal. The grant of permission is likely to cause severe problems for the development of the two other sites by reason of having to be “sympathetic” in relation to the current proposal. This informs CPRE’s preference not to see the site redeveloped piecemeal.

Weight to be given to application

In its consideration of the new application, the Council has fairly to accord due weight to the views of the Applicant but it must apply the law on the footing that it is “plan led” not “developer led” and have regard to planning policies for the site, the very limited local support for this development and the substantial and reasoned opposition. For this reason the commercial objectives and financial strength (or lack of it) of the developer are not overriding issues which point in favour of the grant or refusal of planning consent. This is particularly the case where the relevant financial information is unavailable to the public for comment.

Local Democracy

It is also CPRE’s view that in considering whether to grant permission the Council should give weight to local opinion as an expression of local democracy. This would accord with current political thinking of both major political parties which have, since the Secretary of State’s decision, acknowledged the greater role to be played by local government in local issues. This leads to the conclusion that the Council should give greater weight to the Council’s views as expressed on the previous appeal (which CPRE and others agreed with and supported) and therefore less weight to the views of the Inspector and those of the Secretary of State. Indeed the only significant issue of national rather than local relevance – the question of social housing- was the only issue which was decided by the Inspector in a way which frustrated compliance by the

Council with its own and national policies. In effect this excused the Applicant from compliance with the relevant policies because of its financial position and led to a conclusion that there could be no affordable housing on this site. From a planning point of view this seems to CPRE to be untenable and indeed unacceptable. It is self evident that a site close to shops, recreation facilities, medical provision and transport must be infinitely more suitable for social housing than less convenient sites.

Exception to policies

The Council, in considering the new application is asked to agree to an application as an exception to existing policies including the Supplementary Planning Guidance for the site. It is not for the Inspector to treat his personal view as to the appropriate height of the development (“ For my part, I do not feel that the development should be restricted to three storeys”) as being of greater weight than that of locally expressed preference for lower rise buildings. The Council is, we contend entitled to revisit the overall impact of the Scheme and should not regard itself as required by the Secretary of State to agree to a proposal which the Council representing local democracy cannot support as being in the long term interests of the Town. It is also much better placed than an Inspector or the Secretary of State to take fully into account the character of Godalming, its history and the pace and desirability of change to its appearance and the impact that will have on its heritage and character.

Buildings too massive for the site

For this reason it is CPRE’s view that the bulk and profile of the new buildings need to be assessed having regard to the general impression made on a relatively small historic town and not measured just against the immediately local impact of the area surrounding Flambard Way. The impact on the approach to the town will be significant. The very tall building at lower end of Guildford viewed from the High Street has been an enduring and regrettable example of a failure of the planning system and Woking’s high rise buildings give it a feel which would be wholly alien to Godalming. These mistakes should not be replicated in Godalming. When dealing with an exception to policies now in force and the very high density sought by the developer, a decision of the Council not to act as if bound by the Inspector and the Secretary of State’s decision on the earlier application would be entirely reasonable notwithstanding some features common to both.

Earlier design not accepted

The Secretary of State appeared, in her October 08

determination on the previous proposal, to suggest in para. 21 that the significant problems that she had with that proposal – namely that it was “somewhat utilitarian” and damaged the character and appearance of the surrounding area – could be mitigated by design modifications, without abandoning the scale, height and mass of the proposal. CPRE doubts that this is possible whatever the design but contends that the modifications embodied in the current proposal, in any event, do not meet the Secretary of State’s stated need for (a) the reinforcement of local distinctiveness, (b) attractiveness and (c) an improvement of the character and quality of the area to the degree achievable by use of this particular site.

New design does not meet the Secretary of State’s criteria

Whilst Secretary of State agreed with the Inspector that *an* intensive development of the scale originally proposed could be appropriate to its setting and complement the character of the area (as required by Local Plan Policy D4 and Policy TC6), she nonetheless concluded that the design in front of her was not fit for purpose. Even though there are many (including CPRE) who believe the Secretary of State’s and the Inspector’s decisions were misconceived and open to objection, it remains an important question, whether the new proposal is appropriate within the context of the Secretary of State’s decision. In CPRE’s view it does not. The new design proposals have made little or no positive impact on securing a development which is “appropriate to the setting and complementary to the character of the area” nor does it “reinforce local distinctiveness or attractiveness or improve the character or quality” of Godalming as an historic town or the approaches bounded by the site.

CPRE opposes the grant of consent. CPRE would submit that these considerations are such that its strong opposition to the application should be noted. We urge the Council should not approve this application and certainly not conclude that the issue has been decided by the Inspector and Secretary of State on the previous appeal.

Potential damage to the urban environment

Whatever the academic merits of the new design as compared to the previous plans, in the context of Godalming they remain too massive and overbearing and will make a “statement” which will permanently affect (not in our view positively) the impression of Godalming as it is

approached along Flambard Way in either direction. The buildings will dwarf the proposed new primary school and the low rise buildings in Victoria Road and reduce the semi-rural feel of the town something it has managed to retain notwithstanding growth over the last 100 years . In terms of a design which is suitable for this site the new plans are less offensive than the previous plans but no more suitable. The design of the tower block in particular is in the view of many incongruous, ugly and wholly out of keeping with both other adjoining buildings and the character of the town.

Potential damage to the Rural environment

CPRE remains concerned with the general impact of the proposed buildings on the impression of the town when seen across open land particularly to the north from the Lammas Lands from surrounding hillsides and especially on the approach to the town along Flambard Way in both directions. The Secretary of State concluded (in para. 19, but without clearly indicating how the concern might be addressed) that the first proposal would have an adverse visual impact when looked at from the hills which overlook the town centre. She possibly did imply that her concerns might be overcome by improved design detail. We would respectfully suggest that distant views will naturally focus on general scale, height and mass, not design detail. (In this context it should be noted that the majority of the distant view montages created by the applicant and filed in the Technical Volume of the Environmental Statement for the current proposal were created from photographs taken when the deciduous trees were in leaf, creating the impression that the development would largely be hidden from the relevant viewpoints. It appears that the Secretary of State may have had similar concerns, though it has to be conceded that she did not refuse permission with particular reference to adverse impact on distant views.

Social housing

CPRE strongly supports the need for social housing on this site and strongly questions the “need” for market housing. The Council may need to establish whether likely demand for luxury housing will be greater than that for the Atrium flats. The arguments regarding social housing need and provision should be revisited with a firm intention of securing compliance with the Council’s policy for affordable housing on the Key Site. The previous offer of some social housing on the Langham Park site has not been implemented and (given the financial position of the applicant said to justify no affordable housing on the Key Site) must cast doubt as to whether it will be in the foreseeable future. Even if viewed in conjunction with the

Langham Park site the provision of affordable housing on both sites would not remotely meet the policy requirement in relation to the new application. At the previous Enquiry it was observed that “the entire affordable housing case promoted by the appellant(i.e. that there should be none) stands or falls on the viability argument.”

“Any building is better than no building”

The argument that the proposed development on the site would be an improvement to its present somewhat derelict condition should not be given any substantial weight. This sensitive site should not, in CPRE’s view, be redeveloped because any building is better than no building. The aim of the planning law in the context of this site is to secure the most appropriate redevelopment for the site and we would argue one that commands a wide measure of support of those who have to live with the consequences of the decision. In this respect the Applicant’s financial position cannot be prayed in aid to secure the grant of a permission which on planning grounds would not otherwise be accepted. CPRE could not accept that the Applicant’s plans must be seen as the “only plans in town” and consequently its view that the only buildings which can be built on this site are 182 luxury homes which are needed to provide the developer with a profit acceptable to it.

Other issues

The traffic problems which will result from the new application are less than satisfactory partly the result of what we consider to be over-development of the site.

The need and therefore desirability for additional luxury housing in Godalming is open to doubt. A proposed new survey by GOSE makes decision on this issue premature but the use of the site exclusively for market housing will put further and undesirable pressure on villages and the countryside (e.g. Dunsfold) to supply social housing sites. These are almost always unsuitable, and could, not in our view, go close to satisfying what is thought to be the demand.

The use of this site will have implications for water and potential flooding problems.

CPRE questions the suitability of this site for commercial purposes but is concerned that it could further damage commerce in the High Street already weakened by the two large supermarkets. It appears to CPRE that a strong case for commercial viability needs to be made out as otherwise the commercial units will not be sustainable; if they are

	<p>mainly to serve the occupiers of the new flats we doubt if they would be.</p> <p>The extent of the required remediation of the site in respect of pollution is in part caused by the scale of the proposed redevelopment. The cost of the remediation work falls on the owner of the site (not on the local community through the grant of planning applications) and insofar as this application is to be regarded as enabling development, the Council will bear in mind the comments of the Inspector (supported by the Secretary of State) in the Cranleigh Brick and Tile case.</p> <p>CPRE is sorry to write in such negative terms about this application but the fact that everyone has waited long for the site to be regenerated and become an attractive feature of this ancient town should not be allowed to result in approval being given for a development driven, it appears, mainly by the financial needs of the developer and which is not the best and most appropriate that can be devised.</p>
Thames Water	<p><u>Water Supply</u></p> <p>Existing water supply insufficient to meet additional demands for proposed development. If permission is granted the following condition should be applied:</p> <p>Condition Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the Local Planning Authority (in consultation with Thames Water) The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point</p> <p>Reason To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand Catteshall Road</p> <p><u>Waste water</u></p> <p>Informatives: – Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development</p>

	<p>– There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer’s cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services on telephone number 0845 850 2777 for further information.</p> <p>Capacity exists to serve the proposed development provided connection to Thames Water network is made via manhole SU97434901. Subject to the developer connecting via this manhole Thames Water would have no objection to the development on network capacity grounds</p>
HSE	HSE has no comments on this environmental statement.
Sport England	<p>The proposals do not impact on or result in the loss of existing playing field land, nor do the proposals include any new sporting provision.</p> <p>As such, Sport England raises no objection to this application.</p>
CABE	<p>We wholeheartedly support this planning application. The developer is to be commended for its choice of a well-respected architect for the new proposal on this sensitive site. The principle of perimeter development and the scale and massing of the buildings are an appropriate response and we believe that the new application shows the potential to be a development that will have the high design quality and distinctiveness to make a distinguished contribution to Godalming.</p> <p><i>Layout</i></p> <p>We welcome the thorough analysis of historic local precedent that has generated the well-considered sequence of spaces through the site. We support the pedestrian permeability, the appropriately sized, white-rendered courtyards and the diminution in the scale of the built form from the urban edges to the softer, green centre of the site.</p> <p>This scheme will help to re-establish a coherent urban fabric in this area of the town. We do not object to the principle of some areas being gated at night and feel that clarity in the definition of public and private space has been successfully generated. We think that a simple, undulating grassed area will provide an attractive amenity space in the centre of the development. The relationship between the</p>

projecting blocks to the rear of Catteshall Lane, the planted strip and the garden is good, and privacy between public routes or shared amenity space and any ground floor habitable rooms has been successfully resolved.

Architectural treatment

We support the rigorous approach to the development of the elevations. We believe that a strong set of design principles has been established and that, in the course of their development, richness and variety in the treatment and use of materials has been generated. The palette of materials relates well to the existing buildings of Godalming.

We welcome the proportions and rhythmic nature of the elevations and their modulation in response to the site's topography. The distinct difference in character between the treatment of Flambard Way and the more domestic scale of Catteshall Lane is successful, and the sloping parapets on Catteshall Lane deal well with the reduction in scale from east to west. We enjoy the expression and reduced scale of the cottages at the rear of Flambard Way, which relate well to the internal shared garden. The manipulation of form in response to the site and context has generated a well articulated roofscape in views looking down on the site.

The height of the corner treatment at the junction of Catteshall Lane and Flambard Way is appropriate only if the architecture is of exceptional quality, explicitly celebrating the corner and creating a strong image of the building from the direction of the town centre. With this in mind, we think that the form of the corner has successfully developed an appropriate verticality and distinctiveness, which successfully addresses views from the town centre.

Ultimately the success of this development when built will be dependant on exemplary detailed design and the choice of appropriate materials and, in this context, will be very sensitive to any reduction in quality. The local planning authority should be convinced that the development can be realised to a high quality and may wish to apply conditions to ensure an appropriate level of control on design details and materials.

Environmental strategy

We welcome the commitment to Code for Sustainable Homes level 4.

Conclusion

We are pleased to support the planning application. This is an intelligent and compelling proposal, which we think is a

	<p>very significant improvement on the previous application scheme. We commend the skill of the architects in designing a rare example of architecture that has a contextual quality but remains crisp, fresh and of its time. We welcome the client's commitment to high quality design and have confidence that, if these architects are retained to develop the detailed design and construction drawings for this scheme following any planning approval, it will offer something of real delight to Godalming.</p>
<p>SCC Planning</p>	<p>The County Council were consulted on the previous Phase II mixed-use scheme for the Godalming Key Site (under reference WA/2007/1390). Our response was dated 16 August 2007. We considered that the scheme had the potential to contribute to regeneration and to housing needs in principle. Nevertheless, there were concerns over the community service improvements and particularly over the contributions towards the possible re-location of the Wharf Nursery, and concerning affordable housing provision, and a new children's centre elsewhere. We also had objections at that time over the transportation submission which was required to be resolved to the satisfaction of the County's Transportation DC Group.</p> <p>We note that these previous proposals were considered at a non-determination appeal in July 2008. We note that the inspector concurred that the site was in a sustainable location and that redevelopment would assist with housing supply. Nevertheless, although the site could accommodate the scale and mass of proposed buildings, the proposals were found unacceptable as the scheme failed to reinforce local distinctiveness in such a sensitive area adjacent to the town centre. The appeal was therefore dismissed.</p> <p>The current proposals are for revised mixed-use scheme intended to take account of the reason for dismissing the appeal. The scheme therefore has variations from the previous Phase II scheme. The current scheme comprises a reduced level of housing (some 182 units of 1-3 bed flats and 3 bed houses), 10 commercial units (of approx. 1,259 sq. m. internal floorspace) potentially for flexible uses including Class B1, D1/D2 and A1-A3. The Surrey Police are also again to be accommodated. The Wharf Nursery school and Borough car parking are unaffected by the revised scheme.</p> <p>In particular, the revised proposals indicate a change to layout and massing. The massing will include linked buildings gradually reducing in height along Flambard Road to avoid dominating existing development. Internally there would be</p>

a series of courtyards. The new buildings would range in height from three storeys (plus lower ground floor) to eight storeys at the Catteshall Lane/Flambard Way junction to three storeys adjacent at Victoria Road.

Strategic policy

Previously comments were made in relation to the Surrey Structure Plan, 2004. The Structure Plan has been superseded by the regional strategy under the South-East Plan, May 2009. Policies of the South-East Plan are referred to below. Reference is also made to the Surrey Waste Plan, 2008 and the emerging Surrey Minerals Plan.

Key Site

It is accepted that the Key Site is specifically designated as a strategic site suitable for redevelopment for a range of uses within the Waverley Local Plan, 2002. A Development Framework has also previously been prepared. It is presumed that the Borough's attitude to the site would be continued under work for the emerging Waverley Local Development Framework, and that the site would be included within the Core Strategy or relevant sites document.

The South-East Plan generally emphasises economic growth based on the promotion of sustainable development which takes account of climate change and existing urban areas. Sustainable development would also rely on accessible sites with improved transportation arrangements. The South-East Plan also refers to smaller rural market towns, such as Godalming, where development is to help strengthen viability through providing employment, housing, retailing and services etc. for the local area.

In our view, in principle, the revised proposals for the Key Site would be acceptable under South-East Plan Core Policies CC1-CC4 dealing with sustainable development, resources, climate change and sustainable design and construction. In addition, we would have no objection under Policy BE4 concerning development within smaller rural towns. Given that the site is established as a redevelopment site to include housing for Borough needs, we would accept that the release of the site to include development for a significant element of housing would contribute towards regional housing requirements for the Borough under Policy H1 (set at some 5,000 units in the longer term). The site also has the potential to ensure the location of further local service provision. No objection is

therefore raised under Policy S1 concerning support for healthy communities.

We would also have no concern over the substitution of employment uses on the site in the manner proposed. We accept that there may be some potential use of commercial units for Class A1 retailing, as a consequence of other more limited opportunities within the town centre. We also note the proposed arrangements with the Police Authority to retain a police presence on the site and for the provision of accommodation elsewhere through agreement.

Affordable housing

The previous scheme included market housing with proposed off-site provision for affordable units. The revised scheme to hand again includes a similar number of off-site units at Langham Park (some 38 x 2-3 bed units).

The question of acceptable housing provision, mix and dwelling size, and the location of affordable housing to satisfy local housing needs, should be confirmed in the Borough's emerging Core Strategy and justified by recent Housing Needs Surveys. Therefore, it is again our view that, provided the Borough is indeed satisfied that the potential provision of affordable housing elsewhere within the town is satisfactory to meet local needs required under the emerging Core Strategy (including provision at Langham Park), no objection is raised under South-East Plan Policy H3 concerning the proper provision of affordable housing. It is also noted that proposed housing density remains similar to that previously proposed. In our view, this density level is significantly high and may only be acceptable if the Borough is satisfied that the number of units is justified on general provision grounds.

Environmental issues

In our view, given the decision in the previous appeal concerning overdevelopment and the likely physical dominance of the development in what is a sensitive part of the town, a significant concern remains over whether the revised scheme has progressed to a level where the Borough could be satisfied that the dominance and visual impact of new building on the existing townscape has been satisfactorily reduced by design.

In this respect, we note that the revised Design and Access Statement seeks to promote a substantial linked building mass to the south of Flambard Way. We would query the

level of likely integration of the scheme within the wider townscape and the provision of a 'gateway' development. In our view, the proposed 'strong edge' along Flambard Way is likely to produce a barrier-effect, (reinforcing the severance effect of Flambard Way as the town's inner relief road), rather than creating a more permeable lay-out providing greater integration with the existing street scene and townscape. As the previous inspector laid substantial emphasis on the need to ensure that more substantial integration of building mass and lay-out is necessary, we consider that objection is justified under Policy BE1 concerning regeneration based on significant improvements to the appearance of the built environment.

We, nevertheless, note that the submitted Design and Access Statement seeks to ensure that the development again can be satisfactorily accommodated on the site in terms of proposed scale, mass and height, and including public realm improvements. We also note that the Design and Access Statement and Sustainability Statement indicate that the residential element would seek to achieve Code Level 4 under the Government's Code for Sustainable Homes. High levels of energy efficiency and a proposed energy strategy (biomass boiler) are intended to ensure compliance with renewable energy policy requirements. Provided the Borough is satisfied that the non-residential building element achieves the equivalent very high BREEAM rating, and that the energy strategy is soundly based on a reliable renewable fuel source, it is our view that the proposals have the potential to achieve very high principles of sustainable design and construction, in compliance with Policy CC4.

The scheme would also comply with the requirements for a minimum of 10% renewable energy and design requirements under Policy NRM11 concerning design, energy efficiency and renewable energy provision. In respect of flooding issues, we note that the site is within Zone 1 according to the Environment Agency's Flood Risk Maps. A number of mitigation measures are included within the proposals. Provided the Environment Agency agrees that the proposals provide for a satisfactory sustainable urban drainage system, the development would be in compliance with PPS25 (Development and Flood Risk) and the requirements under South-East Plan Policy NRM4 concerning sustainable flood risk management. We have no archaeological concerns.

Waste

The Surrey Waste Plan (SWP) 2008 sets out a number of strategic objectives for waste management including the need to provide for the sustainable management of Surrey's waste and to drive waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option. In particular, Policy CW1 seeks to promote waste minimisation by encouraging developers and contractors to design and manage construction contracts for developments in ways that minimise waste in the construction process.

Government guidance contained in PPS10 (Planning for Sustainable Waste Management) states that proposed new development should be supported by site waste management plans to identify the volume and type of material to be demolished and/or excavated, opportunities for the re-use and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed. Following the introduction of The Site Waste Management Plan (SWMP) Regulations 2008, such plans are mandatory for all construction projects over £300,000. These regulations require a SWMP to be prepared in accordance with the regulations before the commencement of construction work on site.

The proposals involve the demolition of all existing buildings, comprising a mix of commercial and light industrial uses and a police station, and the construction of a two storey basement car park. This will generate a significant amount of construction, demolition and excavation waste (CDEW). We would expect a significant proportion of this waste to be re-used on-site or recycled in order to minimise the demand for primary aggregates and the amount of CDEW sent to landfill.

The submitted Sustainability Statement states that during the demolition stage, the intention is to minimise the amount of waste removed off site and to try to re-use as much demolition material as possible, once it has been crushed on site. The applicant is also committed to making best use of recycled aggregate and re-using some of the excavated topsoil in soft landscaped areas. The Environmental Statement also confirms that concrete and masonry associated with demolition and surface break out will be crushed on site and re-used as general fill. Furthermore, the Sustainability Statement explains that the client will prepare a SWMP conforming to the SWMP Regulations 2008 before any construction work begins, with the aim being to eliminate, reduce, re-use or recycle as much waste as possible and to minimise the need for disposal off-site.

This approach is supported in order to promote the use of sustainable construction and demolition techniques (South-East Plan Policy W2), minimise waste production (Surrey Waste Plan Policy CW1) and the demand for primary aggregate extraction (emerging Surrey Minerals Plan Policy MC1 and South-East Plan Policy M1), increase re-use and recycling and reduce the disposal of CDEW to landfill (South-East Plan Policy W5).

South-East Plan Policy W2 requires a development design which minimises waste production and associated impacts through the promotion of layouts and designs that provide adequate space to facilitate storage, re-use, recycling and composting. The submitted Planning Statement explains that waste generated by individual residential units will be separated into recycling and general waste by residents and stored temporarily in cupboards, located adjacent to the front doors of each residential unit. The cupboards will be accessible from both inside and outside the flats. Four refuse collection points will be provided for the commercial units. This approach is also supported.

Infrastructure

We note the reference to a draft heads of a S.106 Agreement in accordance with the previous Inspector's conclusions over necessary contributions, in addition to the required highway improvements. The current scheme therefore includes pro rata reductions based on the reduced housing element. We consequently note the proposed contributions towards a travel plan, cycle path, play space, as well as the affordable housing element.

We note that the previous Inspector concluded that an education contribution would not be necessary in respect of the housing element. It is our assessment as County Education Authority that circumstances have changed since the previous appeal. There were formerly a significant number surplus primary spaces. Nevertheless, there has been an increase in primary aged children, and numbers are forecast to increase further. These two factors mean both an Early Years and a Primary contribution for local education purposes are justified. We agree there is currently no justification for requiring a contribution for secondary provision.

Early Years and primary S106 contributions would be spent on local education provision, which will be identified in detail. A detailed justification based on local educational

needs is to be produced by the County's Schools Place Planning Group (Mark Burton 0208-541 9142).

In our view, a draft S106 Agreement should cover all matters that require agreement, including appropriate educational contributions, so as to comply with South-East Plan Policy S6 and Policy LF10.

Transportation

The proposals include a total of some 19 car parking spaces plus cycle parking. Pedestrian linkages are also included to encourage use of the town centre on foot. Access to public transport is reasonable.

Transportation issues are still under consideration by the County's Transportation DC Group (TDC). Further information has been supplied by the applicants concerning traffic flows, parking, trip generation and concerning the draft travel plan. This information is currently being assessed. The recommendations of the TDC Group concerning highway and parking requirements, and the details of the proposed Travel Plan, including financial contributions, will need to be satisfactorily agreed, so that the proposals comply with Policy T2 concerning mobility management and Policy T4 concerning parking.

Conclusions

The proposals are for a revised mixed-use scheme of regeneration for the Godalming Key Site. The residential development again includes market housing. Nevertheless, there is potential for development at Langham Park for an element of affordable housing by agreement.

As previously stated, it is our view that a number of planning and regeneration advantages for Godalming would accrue as a result of the redevelopment of the Key Site. In particular, the proposals allow for community service improvements and off-site benefits.

We would not demur from the statement that the proposals would provide for regeneration, including significant housing and commercial provision adjacent to the town centre. There would also be contributions towards affordable housing and community services. We would therefore not object to the revised scheme of redevelopment in terms of compliance specifically with strategic policies under the South-East Plan for sustainable development, regeneration, the provision of housing and services in accessible

	<p>locations, as well as compliance with the Borough's intentions for the site. Also, in our view, the proposed scheme has the potential to comply with very high principles of sustainable design and build.</p> <p>We would also suggest that, as the proposals are for an established opportunity site within an identified town centre, redevelopment as proposed would not be in conflict with the policy approach outlined in the recently published Government Planning Policy Statement Number 4 (PPS4) concerning sustainable economic growth.</p> <p>The scheme seeks to overcome the reasons for the appeal decision concerning the design and impact of the previous scheme. Nevertheless, it is noted that a substantial building mass is proposed along Flambard Way. Also, housing density is retained at a very high level given the general nature of the town. The Borough may therefore wish to consider whether the scale, bulk and height of buildings represents an over development of the site, given local conditions and likely visual impact. In our view, and notwithstanding the revised Design and Access Statement, objection is justified under South-East Policy BE1 concerning regeneration based on significant improvements to the appearance of the built environment.</p> <p>In our view, a draft S106 Agreement should cover all matters that require agreement, including appropriate educational contributions, so as to comply with South-East Plan Policy S6 and Policy LF10.</p> <p>The recommendations of the TDC Group concerning highway and parking requirements, and the details of the proposed Travel Plan, including financial contributions, will need to be satisfactorily agreed, so that the proposals comply with Policy T2 concerning mobility management and Policy T4 concerning parking.</p>
English Heritage	Not yet received – to be reported orally.
Guildford Borough Council	<p>Thank you for your consultation concerning the above planning application. Whilst the Council has no objection in terms of the development's impact on Guildford Borough, a number of concerns do exist regarding the merits of the proposal. These include:</p> <ul style="list-style-type: none"> • Quantum of development /Over-development of the site; • Excessive scale, bulk and massing of the built form; • Harm to character and context of the local

	<p>environment;</p> <ul style="list-style-type: none"> • Potential harm to existing residential amenity; • Absence of affordable housing.
Police Architectural Liaison Officer	Not yet received – to be reported orally.
DISCASS/Disability Forum	Not yet received – to be reported orally.

Internal Consultations	
Head of Housing	<p>This application for 182 new homes on the Godalming Key Site generates a requirement for 25% affordable housing, which equates to 46 affordable homes (if rounded up from 45.5). It is always the expectation of the Council to see affordable housing provided on site, which is consistent with PPS3 and our Local Plan. Therefore, our starting position is that we would expect the 46 affordable homes to be provided on the Godalming Key Site.</p> <p>The application is accompanied by an Economic Viability Appraisal Report, which concludes that the provision of affordable housing on the site is not financially viable. I understand the viability appraisal report has been forwarded to the DVS for an independent view.</p> <p>In the absence of on site provision the developer is proposing ‘the provision of 38 units of affordable housing...off site at Langham Park.’¹ as an alternative. However, even if the conclusions of the viability assessment and the proposal to provide affordable homes at Langham Park are accepted, I have a number of concerns about this approach:</p> <ul style="list-style-type: none"> • Even if the principle that it is not financially viable to provide 46 affordable homes on the Key Site is accepted, 38 affordable homes at Langham Park falls short of this requirement. • Although contrary to our Local Plan, the Langham Park planning permission was granted at a specific period of time on the basis of specific community benefits such as 100% affordable housing and a nursery, which may no longer be the case. • I understand consideration is currently being given to whether the Langham Park application has now expired, even though paragraph 3.12 of the

	<p>Godalming Key Site Planning Statement states ‘this permission remains live and submissions have been made to discharge the conditions.’</p> <ul style="list-style-type: none"> • The Viability Report cites an income from Sentinel Housing Association. However, this payment is subject to the association receiving approval from their board and grant funding from the Homes and Communities Agency. <p>Therefore, I am unsure as to how the developer will fulfil their affordable housing planning obligations.</p>
Air Quality Officer	<p><i>Nitrogen Dioxide Levels</i></p> <p>The proposed development site is adjacent to an Air Quality Management Area and air quality remains a material consideration for the site. Waverley Borough Council has declared this an AQMA due to high levels of nitrogen dioxide (NO₂) attributed to road traffic emissions.</p> <p>The construction of the proposed redevelopment will have associated construction traffic comprising of contractors vehicles, Heavy Goods Vehicles, excavators, earth moving equipment and other diesel-powered vehicles/generators. This will result in emissions of NO₂, fine particles and other combustion related pollutants, which are covered by the air quality objectives.</p> <p>Furthermore the Environmental Statement, Chapter J: Air Quality states that the predicted annual–mean NO₂ concentrations for construction or operation phases do not show exceedences of the UK objective at introduced receptors.</p> <p>Although the magnitude of changes in NO₂ concentrations at all existing receptors has been classified as “extremely small” and the significance of annual-mean NO₂ impact is deemed “negligible”, the highest predicted annual-mean NO₂ concentrations were estimated as below (but close to the UK annual mean objectives (40µg/m₃)). The modeling data can only be a prediction of the likely pollution levels.</p> <p>We would therefore expect the developer to ensure that air quality monitoring is carried out during construction and operation and ensure that this information is disseminated – including to the local authority.</p> <p>Conclusion and Recommendation:</p> <p>The developer is required to carry out ongoing air quality monitoring during the construction and operation phases.</p>

	<p>The NO₂ and dust monitoring are recommended to include assessments of the efficacy & efficiency of the control measures. The recorded monitoring data should be submitted to the local planning authority.</p> <p>The Council requires that dust generation activities will be controlled and minimised through the use of standard mitigation measures and best practice employed during construction and operation phase, as stated in Environmental Statement.</p>
<p>Tree and Landscape Officer</p>	<p>The previous Inspector's/SoS's decisions have established the principle of the development and the impact that may have on the surrounding landscape and Conservation Area. The issue at hand would appear principally to be the extent and standard of landscape proposed for the new scheme and the effect on softening visual impact in particular.</p> <p>Tree planting around the peripheries of the site will be an improvement on the existing relatively bare site that exists. The substantial net gain in tree planting for the site is undisputed.</p> <p>The previous concern regarding the proximity of tree planting to the northern elevation along Flambard Way remains. Space is severely limited and therefore trees will either be of small stature or of limited useful life expectancy (30 years is suggested before removal and replacement will be required). For the previous appeal, a scheme was submitted that took the latter approach, with regard to 'typical plant species proposed'. The current scheme also takes this approach. The proposed 'fastigiated plane trees' (along Flambard Way) are a misnomer. There is not a cultivar or variety of London Planes that have this unnatural growth habit. Planting trees of the future stature ascribed would be welcomed, but is constrained by the proposed built form. 7- 9 metre high trees at planting will have undoubted instant impact and are welcomed. Tree species and viability of sourcing such specimens must be a consideration. Apically dominant species that will provide 20-30 years before the growth issues become a concern would include Turkish hazel, Italian alder and the 'Frans Fontaine' hornbeam cultivar.</p> <p>A key consideration of the tree planting must be the provision of adequate soil rooting volumes to enable the establishment and future growth of all new proposed planting. If mindful to recommend the scheme for approval this can be secured by condition.</p>

	<p>Green roofs are not an area of landscape that I have significant experience in. The concept of more environmentally attractive and eco-friendly design is more common on the continent and with the drive for more sustainable landscapes in the urban realm and potential for realistic climate warming, something that is likely to be a feature of modern design that should have clear benefits in this respect.</p> <p>Appropriate conditions should include provision of a detailed landscape scheme that includes details of planting pit specifications. Where possible I recommend the creation of sub-surface lateral tree pits that have a substrate of appropriate load bearing capacity and are separate from services provisions (to minimise future requirements to disturb roots during utility repair works). Landscape management and maintenance conditions are also recommended to ensure that all aspects of the landscape proposed are catered for in the longer term.</p>
<p>Environmental Health (Contamination)</p>	<p>Nathaniel Lichfield and Partners (as co-coordinating consultant) has prepared on behalf of the applicant, Flambard Developments Ltd, an Environmental Statement (ES) that summarises the environmental impact assessment process associated with the development. Specialist consultants RPS undertook the soil and ground conditions assessments within the ES.</p> <p>Parsons Brinkerhoff Ltd (PB) was instructed to undertake a review of the document (in relation to soil and ground conditions only) by Waverley Borough Council (WBC).</p> <p>The consultation response covers services infrastructure, gas protection, ground water and surface water, waste, and remediation options appraisal</p> <p>It is concluded that the observations described above can be dealt with going forward with appropriately detailed further investigations following demolition and remediation options appraisal. It will then be possible to move forward to the implementation of the remediation strategy which may entail the development of the detailed design, implementation plan, verification plan, monitoring and maintenance plan and final validation. In addition a detailed waste management plan, stockpile management plan, environmental management plan and health and safety plan will need to be produced.</p> <p>No objection is raised subject to conditions.</p>

Refuse and Recycling Officer	The waste arrangements are satisfactory
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Representations

427 letters of objection have been received, along with 7 petitions including 730 signatures, 2 letters of support and 7 letters making general observations about the proposal.

The main points raised within the letters of objection are summarised herewith:

Issue	Comment summary
Design	<ul style="list-style-type: none"> - The height of the buildings proposed is out of keeping with the character of existing buildings - Building should be limited to 4 storeys, in line with other building heights - Architecture and materials pay no regard to existing built form e.g. flat roofs, glass panels - Density of development is unacceptable - More recreational and open space should be provided - Does not reflect scale and architecture of Victoria Road - The proposals do not reinforce local distinctiveness - The tower looks like an office block - The design of the elevations will not mellow over time - Green spaces are to north and east and will be overshadowed - Open spaces appear to be down deep shafts - Design has not been given as careful consideration as Homebase or Waitrose - The development will dominate long and middle distance views of Godalming - The development would be an eyesore on a prominent main thoroughfare - The design would split the town in half - Walkways and stairwells reminiscent of 50s, 60s and 70s architecture and will create ghetto-style living conditions - The junction is not a 'landmark' corner – the Church spire currently is - The green space is not flat, it is sloped and would not be attractive - Pedestrian permeability would not be increased as no provision made for pedestrians into Waitrose car park
Highways	<ul style="list-style-type: none"> - Entrance/exit onto Catteshall Lane will increase traffic to unacceptable levels - Increased traffic will impact upon existing residents and parking facilities of Victoria Road residents - The proposals will increase existing traffic congestion

	<p>through the town</p> <ul style="list-style-type: none"> - Increased pedestrian traffic has not been accounted for - Ambulance and fire services likely to be affected by new highway arrangements - Parking spaces are inadequate for residential and commercial properties - Provision for deliveries is inadequate - There is no parking provision for shoppers - The servicing of commercial units will be restricted to night, causing noise intrusion to residents - The proposal will result in an increase in parking in nearby roads, to the detriment of existing residents - The pedestrian islands on Flambard Way are unnecessary and will further back up traffic - Peak times quoted are incorrect – they are 07:30 to 09:00 and 17:00 to 18:30 hours - Existing bus provision is limited, finishing early on weekdays (08:20 pm) and non-existent on Sundays – no provision made for improvements
Impact upon neighbours	<ul style="list-style-type: none"> - Height of buildings will overshadow Victoria Road dwellings - Inclusion of roof terraces and balconies is inconsiderate to neighbours and will affect privacy - There would be a material loss of light to surrounding properties - Consideration needs to be paid to the redevelopment of the Wharf Nursery School - The buildings would lead to an increased sense of enclosure to existing residents - The development will overlook South Hill - The development would overlook the rear gardens of properties along Victoria Road
Impact upon historic townscape	<ul style="list-style-type: none"> - Proposals do not take account of the fact that existing townscape is varied and reflects history and character of Godalming - Materials proposed are out of keeping and will not fit in with historic buildings - Tower will dominate distant views and dwarf the existing Church spire - Development is on the edge of the Conservation Area and the design would clash with the historic buildings - The design fails to enhance the area
Housing	<ul style="list-style-type: none"> - No affordable housing is provided - Affordable housing will not be integrated within proposal - Link to Langham Park is not acceptable - Question the need for luxury flats when other developments such as the Atrium aren't fully occupied

	<ul style="list-style-type: none"> - No family housing is provided - There is no public information on viability and justification for not including affordable housing
Commercial space	<ul style="list-style-type: none"> - Question need for additional commercial space - Empty commercial units in Godalming and Guildford, especially adjacent to the site - Commercial units will affect viability of High Street shops - Development would draw business away from main High Street
Other issues	<ul style="list-style-type: none"> - Contamination assessment is insufficient to determine the amount and nature of contamination - Has provision been made for additional school places? - Why is the Police Station included when Surrey police use Waverley Borough Council offices? - No benefits for young people - Create a precedent for other high rise, high density development - The photographs included in the application are misleading and inaccurate - The existing drainage toward Victoria Road is insufficient and will be further strained by the development

The main points raised in the letters of support are summarised herewith:

- We already have enough very ugly Victorian, Georgian or Edwardian pastiche buildings. Please remember we are living in the 21st Century!
- There is a shortage of housing and the dwellings would be welcomed
- The proposal would enable the demolition of the ugly police station building

Determining Issues

Section 38(6) of the Planning and Compulsory Purchase Act 2004 repeats the duty imposed under S54A of the Town and Country Planning Act 1990 and requires that decision must be made in accordance with relevant Development Plan Documents unless material considerations indicate otherwise. The report will identify the relevant development plan policies and material considerations for this application. The development plan consists of the South East Plan 2009 and the Waverley Local Plan 2002. The emerging LDF Core Strategy does not yet carry any weight.

The determining issues are:

- Whether the application overcomes the previous reasons for refusal for application WA/2007/1390
- Compliance with national policy
- Compliance with the Planning Brief and Policy TC6 of the Local Plan

- Design considerations
- Impact upon Conservation area
- Housing mix and density
- Neighbouring amenity
- Provision of amenity and play space
- Housing supply
- Affordable housing
- Highway considerations, including access and parking
- Contamination on site
- Biodiversity
- Sustainability
- Flood risk
- Infrastructure
- Viability of commercial units
- Local democracy
- Enabling development

Previous Planning History – (Appeal decision WA/2007/1390)

Application WA/2007/1390 was submitted for consideration to the Council on the 8th June 2007 for mixed use development of phase II of the Godalming Key Site to provide for the demolition of the existing buildings and new development comprising 226 residential units and commercial floor space within use classes A1, A2, A3, B1, D1, D2, (as alternative uses), along with replacement of existing Police Station, provision for car parking and associated highway, access and landscaping.

As stated above, the application was appealed on 11/01/2008 against non-determination by Waverley Borough Council. Following a Public Inquiry the Inspector recommended that planning permission be granted subject to conditions, however the Secretary of State disagreed with that recommendation and dismissed the appeal. A summary of this decision is provided in the following points:

- (i) Given the lack of a strong visual context for the development, an intensive development of the scale proposed would be appropriate to its setting and complement the character of the area;
- (ii) Whilst the scale of the development could be appropriate to its context, this is dependent upon high quality architecture and sensitive detailing being achieved;
- (iii) The architecture is not of sufficiently high quality for the location. It shares a generic quality in design and is not considered to reinforce local distinctiveness. The deficiencies in the design of the scheme weigh heavily against the proposal;
- (iv) The site could accommodate buildings of the scale, height, and mass proposed. The scale proposed would be appropriate to its setting and complement the character of the area;

- (v) There would be no material effect on the character and appearance of the Conservation Area;
- (vi) The proposal would not have a detrimental impact on the setting on the adjacent listed building (Old Steppe House);
- (vii) There would be no overbearing impact on the occupiers of nearby properties, and that the proposal would not unduly affect their daylight, sunlight, or privacy;
- (viii) The development would incur abnormal costs such as the treatment of contaminated land. The provision of affordable housing, even at some reduced quantum, would not be viable;
- (ix) There is a clear link between the application site and the Langham Park site. The development will not include any affordable housing on site, but rather would enable affordable housing at Langham Park. In any case she considered that the delivery of off-site affordable housing is a benefit which should be accorded limited weight;
- (x) The safety and free flow of traffic would not be prejudiced by the proposal. There is adequate provision for cyclists;
- (xi) A contribution towards the Leisure Center is not necessary. An education contribution would not be necessary in this case, and there would be no unacceptable demands on education provision.
- (xii) The redevelopment would bring about regeneration benefits, remediation of a contaminated site and improvements to infrastructure.
- (xiii) The mix, size and type of dwellings are appropriate.

The appeal decision is an important material consideration in the assessment of the current scheme.

The main differences between the previous scheme and the current proposals are:

1. A reduction in site area from 1.6ha to 1.1ha, occurring from the omission of the nursery school site and Council car parking area.
2. A reduction by 43 in the number of residential properties from 225 residential units to 182, broken down as follows:

Scheme as submitted in 2007	Current scheme
101 x 1-bed	48 x 1-bed
102 x 2-bed	115 x 2-bed

22 x 3-bed	19 x 3-bed
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3. An increase in residential floor space from 17,526sqm of residential space to 18,009sqm, representing a net gain of 483sqm
4. A decrease in residential density from 168 dwellings per hectare (dph) to 164dph
5. An increase in habitable rooms from 520 to 529, representing an increase in habitable rooms per hectare from 468 to 476
6. 195 underground parking spaces, comprising 166 residential, 17 disabled and 12 commercial along with 4 over ground spaces – 2 each for disabled and car club spaces. This represents a net gain of 59 residential spaces over the previous scheme and two additional commercial spaces
7. An increase in cycle spaces from 225 to 316, representing a net gain of 0.74 spaces per dwelling, plus 1 additional space per commercial unit (10 in total).
8. Revised vehicular access to be taken from Catteshall Lane rather than Woolsack Way; omission of raised pedestrian platforms at the Woolsack Way/Catteshall Lane junction and in Catteshall Lane
9. A change in open space composition from 1962sqm of communal amenity space and 2059 sqm of private amenity space plus balconies (in a comparable area of 1.1ha) to 3793 sqm of private, communal and public amenity space including balconies
10. A change in the proposed renewable energy source from ground source heat pumps providing 10% of the development's energy to biomass boilers which are estimated to produce 34% of the energy demands of the development

The key tests for members are:

- a. having regard to the changes that have been made, whether the current scheme overcomes the harm previously identified by the Secretary of State; and/or
- b. whether this application causes materially greater harm than the previous application.

Members will be advised in relation to each planning issue, whether, taking into account this previous planning appeal decision, the current application is considered to be acceptable.

Compliance with National Policy

PPS1 provides the Government's overarching policy framework for delivering sustainable development in urban and rural places by:-

- Making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life
- Contributing to sustainable economic development
- Protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities
- Ensuring high quality development through good and inclusive design and the efficient use of resources, and
- Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community

In considering the application, consideration must be given as to whether the development would comply with the criteria listed above. Analysis of the issues is included within the 'planning considerations' part of this report.

As the proposal is on an edge of centre site, both PPS4: Planning for Sustainable Economic Growth and PPS3: Housing particularly apply. PPS4 replaces PPS6: Planning for Town Centres, and sets out the Government's policy framework for planning sustainable development in urban and rural areas. PPS3 underpins the delivery of the Government's strategic housing policy objectives and states that the planning system should deliver:-

- High quality housing that is well-designed and built to a high standard.
- A mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas, both urban and rural.
- A sufficient quantity of housing taking into account need and demand and seeking to improve choice.
- Housing developments in suitable locations, which offer a good range of community facilities and with good access to jobs, key services and infrastructure.
- A flexible, responsive supply of land – managed in a way that makes efficient; and
- Effective use of land, including re-use of previously-developed land, where appropriate.

The aims of this policy are addressed more locally through Policies H4, H5 and H10 and consideration must be paid as to whether the proposed development achieves the strategic aims of PPS3 as well as the specific criteria of the Local Plan Policies.

Compliance with planning brief and policy TC6

Planning brief

A Planning Brief for the development of the Key site by Roger Evans Associates was published by the Council in 2001, which sought to encourage and guide proposals for the redevelopment of the site. The Development Framework outlines that the development should not exceed 3 storeys in site, and that the most successful pattern of development is generally that of the 'perimeter block' wherein buildings are located on the outer edge of the site, bounded by access streets. It continues that a primary urban design objective is to create development that complements the existing urban form of Godalming.

It is the opinion of officers that the development fails to comply with the planning brief due to its overall scale and design, in that it does not sufficiently reflect local design and is of a scale out of keeping with the general pattern of development in Godalming. This is discussed more specifically within the following section entitled 'design', and for the reasons given therein, the development is not considered to comply with the Planning Brief.

However, as the Inspector on the previous appeal noted in paragraph 54, the Planning Brief provides guidance and is not intended to be prescriptive or to dictate the final evolution of design for the site. It is also noted that in order to achieve a 'key approach view and landmark' in this key location, the scale of building must increase from the suburban limits suggested by the framework of two to three storeys. In any case, the guidance of the framework should be interpreted in light of Policy TC6 of the Local Plan, which is not prescriptive in terms of overall design.

In paragraph 17 of her decision, the Secretary of State agreed the development should not be constrained by the height limitations as set out in the planning brief.

Policy TC6

Policy TC6 of the Local Plan outlines the Council's vision for the redevelopment of the Godalming Key Site. It states that the Council will support the co-ordinated development of the site with a mixture of uses appropriate to an edge-of-town centre location, provided that:-

- a) Development improves the townscape, being of a high quality design and complementing the scale of character of the town;**

It is noted that the Secretary of State, in refusing the previous scheme, attached significant weight to the design, scale and character of the development, and its importance in reflecting local distinctiveness. Officer analysis of the design and character of Godalming, and that of the proposed development is included under a separate heading below.

- b) For a comprehensive development scheme, motor vehicular access is restricted to Catteshall Lane and the southern section of Woolsack Way;**

The proposal would take vehicular access from Catteshall Lane and thus would be compliant with criterion b) of Policy TC6.

- c) Appropriate off-site highway works are funded by the development, including improved pedestrian and cycle links to the town centre and, where appropriate, facilitates for public transport;**

The County Highway Authority has provided comment on the scheme. The details of the consultation response are included under a separate section below.

The Highway Authority has objected to the scheme but have commented that had the application been acceptable in transport terms, a contribution of £22,440 would be acceptable towards pedestrian and cycle provision between the site and the town centre.

The applicant has included an Infrastructure Contribution of £85,590 towards the travel plan and £25,500 for cycle way improvements.

- d) A detailed investigation is undertaken to establish the nature and extent of soil and ground water contamination, and proposals must include remedial measures to deal with any identified hazards;**

The site has previously been used as a gas works, along with various other potentially contaminating uses including engineering works, garages and a scrap yard. The applicant has submitted an Environmental Statement which details the range of contaminants affecting the site. This has been subject to the scrutiny of the Council's Environmental Health Service and the Environment Agency, and is addressed under a separate heading below.

- (e) The residential amenities of Victoria Road are protected;**

Neighbouring amenity is addressed under a separate heading below.

- (f) A full impact study is carried out in respect of both foul and surface water drainage.**

Issues relating to foul and surface water drainage have been included in the Environmental Statement. Thames Water is satisfied that capacity exists within the existing network with regards to foul water drainage. The Environment Agency has raised concern with regard ground water flooding, stating that an initial review of information provided indicates that groundwater flooding is a potential issue which may be exacerbated by the proposed development. The EA has advised that it is not within their statutory remit to assess information pertaining to groundwater flood risk. Officers do not agree

and have requested a written response specifically addressing this issue. In the absence of this response, and in order to protect future occupiers and neighbours of the site, objection is raised on the ground of potential groundwater flooding. This objection would be withdrawn if the EA were to provide an informed response stating no objection to the scheme.

Design

Planning Policy Statement 1: 'Delivering Sustainable Development' - promotes high quality design of new developments that respond to local context and create or reinforce local distinctiveness. The companion document to PPS1 is 'By Design', prepared by The Commission for Architecture in the Built Environment (CABE).

Planning Policy Statement 3: 'Housing' – promotes high quality design and the need to identify the distinctive features that define the character of a particular area and maintain and improve local character.

Planning Policy Guidance 15: Planning for the Historic Environment – requires plans to encourage development that is consistent with maintaining its (the area's) overall character.

Local Plan Policy D4: Design and Layout – requires that new development should be of high quality design integrating the site with the surroundings. Local Plan Policy TC6: The Godalming Key Site – states that development is to be supported provided it improves the townscape, being of high quality design and complementing the scale and character of the town.

The previous scheme was refused on design grounds and as such, the design of the proposal is considered critical to its acceptability.

The applicant's approach has been to try and achieve a high quality design using a well regarded, established firm of architects. The evolution of the scheme is well documented in the Design and Access statement.

The proposals for the application site are designed so that the possibility of future development on the adjacent land is not compromised. During the design development process the applicants were made aware of proposals on two sites adjacent to the application site. Surrey County Council has prepared a proposal for the Wharf Nursery. This proposal included an indicative built form outline, which demonstrated that the remaining WBC car park site could be developed with a 3 to 4 storey block providing a continuous and comprehensive extension of the Flambard Way frontage.

Proposals are also in preparation for the land the southeast of the application site on two parcels either side of Victoria Road. Design information has been exchanged and the illustrative masterplan aims to respond to those proposals.

In relation to the previous scheme, the Inspector concluded that:

“In design terms.....the site could accommodate buildings of the scale, height and mass proposed. However.....the design has to be of a high quality and reinforce local distinctiveness. In this particular case.....the proposal fails to take the opportunities available to improve the character and quality of the area, and does not reinforce local distinctiveness.....the deficiencies in the design of the scheme weigh heavily against the proposal...on balance the proposal conflicts with the development plan”.

The applicants have sort to overcome this objection through changes in both site layout and design. The Commission for Architecture and Built Environment (CABE) has been involved in the evolution of the proposal and have provided strong support for the current scheme. With regard to the current scheme, CABE make the following conclusion:

“We are pleased to support the planning application. This is an intelligent and compelling proposal, which we think is a very significant improvement on the previous application scheme. We commend the skill of the architects in designing a rare example of architecture that has a contextual quality but remains crisp, fresh and of its time. We welcome the client’s commitment to high quality design and have confidence that, if these architects are retained to develop the detailed design and construction drawings for this scheme following any planning approval, it will offer something of real delight to Godalming.”

The complete response from CABE is included within the consultation response section of this report.

In relation to the current scheme, officers have considered the design extremely carefully, having particular regard to the Secretary of State’s previous concerns and the endeavours to overcome the previous objections.

Officers have sought the expert advice of their own Urban Design Officer and also a Consultant Design Expert (John Davey) in evaluating the scheme. The resultant urban design assessment has been prepared in the context of the planning history associated with this site. The previous design objections are set out and considered against the current scheme. It is noted that the Secretary of State concluded that in terms of its height, scale and bulk, the previous scheme was not unacceptable. In comparison with the previous scheme, the bulk, height and massing are very similar. Members should note in fact that on the Flambard Way elevation the proposal is, overall, less high than the previous scheme.

A significant level of third party objection has been received with regards to massing of the development. This is a concern shared by officers, who do not share the Secretary of State’s view that this level of development is appropriate for Godalming. However, members are advised that the

Secretary of State's view carries substantial weight and pursuing an objection to bulk, height and massing in light of the previous decision could be regarded as unreasonable if the decision is subsequently appealed.

Notwithstanding the position on height, the urban design assessment concludes that none of the Secretary of State's previous objections on design have been overcome, and the proposal would cause material harm to the local market town character of Godalming as follows:

- The architecture is seen in isolation and would not visually integrate or harmonise with the existing character or context of this part of the town.
- The design has a generic resemblance to other blocks of flats elsewhere in the country and fails to reinforce local distinctiveness, character and sense of place.
- The corner tower element does not provide a visually distinct and sufficiently high quality architectural statement that would reflect and positively contribute to local distinctiveness.
- The excessive amount of flat roof forms is out of character with the area and fails to have a positive visual relationship with adjoining development.
- The scheme would have an adverse visual impact on established views from the immediate locality and more distant views, including those from the hillsides. At night time when internally lit, it would also be prominent and detrimental to the longer distance views of the town.

The assessment recommends that the application be refused on the grounds that it:

- Fails to meet urban design Development Plan policy.
- Fails to meet the quality of architecture expected of this sensitively located site and;
- Would cause visual damage to established views within the area and of the town centre from the surrounding hills.

Effect on the Conservation Area

Policy HE8 of the Local Plan states that the Council will seek to preserve or enhance the character of conservation areas. Criterion (b) of Policy HE8 states that new development within or adjoining Conservation areas will be of a high standard to ensure that the design is in harmony with the characteristic form of the area and surrounding buildings, in terms of scale, height, layout, design, building style and materials.

In relation to the previous appeal, the Secretary of State concluded that

"...for all intents and purposes, there are no views of the appeal site from within the Conservation Area. Given this consideration, and the Secretary of State's agreement with the Inspector that an intensive development of the scale proposed would be appropriate to its setting and complement the character of the area, she agrees with the Inspector that there would be no material effect on the character and appearance of the Conservation Area."

Officers disagree with the Secretary of State's conclusion. As part of the consultation for the current scheme, residents have submitted a photographic representation of how the development could be viewed from Godalming High Street and Conservation Area. The agents have submitted their own photomontage of the High Street impact, which indicates that the development would be visible from the High Street.

Officers are seeking their own expert verified photographic representation to inform this assessment. An oral report and display of this photograph and a comment upon it will be made to the meeting. The key test is if the development is visible, would it preserve or enhance the character of the Conservation Area. Given the alien form and appearance of the proposal in relation to the distinct historical character, it is considered that the impact would be in conflict with Policy HE8 of the Local Plan and the statutory test under the Planning (Listed Buildings and Conservation Areas) Act 1990 s.72.

Housing Mix and Density

Policy H4 of the Local Plan 2002 outlines the Council's requirements for density and size of dwellings for residential developments comprising three dwellings or more. The policy states that the Council will require at least 50% of all the dwelling units within the proposed development to be 2 bedrooms or less; not less than 80% of all dwellings units to be 3 bedrooms or less, and for no more than 20% of the dwelling units to exceed 165sqm in total gross external floor area, excluding garaging. The policy also states that densities of 30-50 dwellings per hectare will be encouraged, with higher densities particularly encouraged at places with good public transport accessibility or around major nodes with good quality public transport corridors.

In addition, national planning guidance contained within PPS3: Housing indicates that Local Planning Authorities should develop housing density policies which take account of the level of demand and need for housing in the area and the availability of suitable land. Local Authorities may wish to consider a range of densities, although a national minimum density of 3 dwellings per hectare (dph) should be used as a guideline.

The current scheme proposed 182 dwelling units, comprising 48 one-bedroom apartments, 115 two-bedroom apartments and 19 three-bedroom flats and 3 three-bedroom dwellings. This represents a dwelling mix of 26.4% one bedroom, 63.2% two bedrooms and 10.4% three bedrooms, totalling 89.6% 2 bedroom units or less and 100% 3 bedroom or less. The site would have a density of 165.4 dwellings per hectare, based on a gross external site area of 1.1 hectares. Four of the dwellings would have a potential gross external floor area in excess of 165sqm, representing 2.1% of the dwellings.

2007 Scheme			Current Scheme		
Type	No.	%	Type	No.	%

1-bed	101	44.9	1-bed	48	26.4
2-bed	102	45.3	2-bed	115	63.2
3-bed	22	9.8	3-bed	19	10.4
Total	225		Total	182	

The proposed mix complies with Policy H4 of the Local Plan. As shown in the table above the proposed development offers a similar percentage mix of one, two and three bedroom properties to the previous scheme. In considering the previous application, the Secretary of State agreed with the Inspector that there would be an appropriate mix of size and type of dwellings, and that the location offers a realistic and appropriate choice of transport access. (SoS, paragraph 30)

The proposed density of dwellings is high; however, the site is considered sufficiently well served by public transport and is closely related in terms of location to the town centre. As such, it is considered that the proposed density could be accommodated on site. The mix and size of dwellings proposed is considered to comply with criteria a) to c) of Policy H4 and is such considered acceptable.

Neighbouring amenity

Policy D4 of the Local Plan 2002 outlines the Council's overarching guidance regarding the design and layout of development, and states under criterion c) that development should not significantly harm the amenities of occupiers of neighbouring properties by way of overlooking, loss of daylight or sunlight, overbearing appearance or other adverse environmental impacts. Similarly, Local Plan Policy D1, which outlines the considerations the Council will have to the environmental implications of development, states that development will not be permitted where it would result in material loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance resulting from the emission of noise, light or vibration.

The submitted Planning Statement states, in paragraph 7.41 that the proposed scheme has been sensitively designed to ensure a high quality residential and commercial environment, with detailed consideration of the relationship between the adjacent uses including the Council owned car park, Wharf Nursery School, The Atrium and residential amenities of properties along Victoria Road. It states that the proposals have been designed to ensure future development of adjacent land is not compromised and that the scheme will enhance the vitality of the site. Paragraph 7.44 of the Planning Statement states that the proposed development would adhere to policies H4, D1 and D4 of the Local Plan.

In considering the previous application, the Secretary of State agreed with the Inspector's conclusion that there would be no overbearing impact on the occupiers of nearby properties, nor would their daylight sunlight or privacy be unduly affected. The Inspector specifically commented that for the dwellings on the western side of Victoria Road, their present aspect is poor, looking as they do over existing commercial buildings and part derelict industrial land and

car parking. In paragraph 3.93 of his report, the Inspector noted that whilst the aspect from Victoria Road properties would change, it would result in a general improvement in amenity with most houses overlooking open spaces with modern blocks in the distance. Whilst No.'s 2 and 4 Victoria Road would have direct views towards the eastern elevation of Block D, the elements closest to the houses would be lower than the rest, and at an adequate distance away.

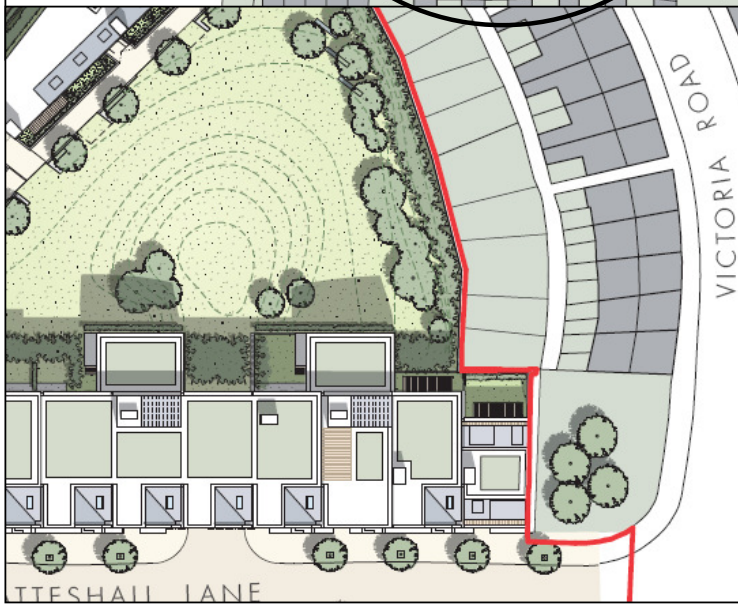
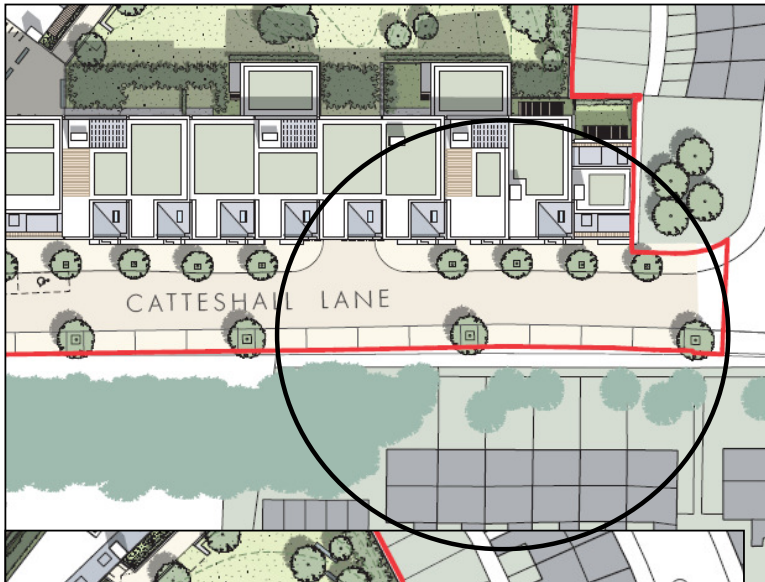
In terms of differences to the previous scheme, the current scheme incorporates a number of changes that require consideration in assessing the impact of the proposed development on neighbouring amenity. A brief summary of the relationship of the development to adjacent properties is provided in the table below:-

Relationship	Previous Scheme	Current Scheme	Comment
a) Catteshall Lane elevation to properties to north of South Hill	Block D approximately 25m from properties	Blocks H- J approximately 25m away from properties	No change in relationship
	Height between 15m-17m, 5 –6 storeys	Blocks H-J approximately 9-15.5m, 3-5 storeys	Proposed blocks slightly lower and fewer storeys
	South facing windows and balconies to all floors	South facing windows and balconies to all floors	No change in relationship
b) Eastern most block of Catteshall Lane elevation to Victoria Road	Northern elevation of Block D 4m from boundary	Northern elevation of Block H 4m from boundary	Greater separation between deepest block and rear boundaries of Victoria Road
	Eastern elevation of Block D 2m from boundary	Eastern elevation of Block H 6.4m from boundary	
	Deepest block 1.5m from rear boundaries	Deepest block 2.5m from boundary	
	Maximum depth of Block D 21m	Maximum depth of Block H 20m	
	Height of block approximately 12m, including 2 floors with 3 rd floor roof terrace and screening	Height of block approximately 12m, 3 storeys of habitable accommodation	Decreased potential for overlooking in easterly direction

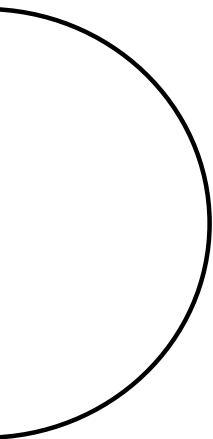
	No north or east facing windows but roof terrace with screening to 3 rd floor at block closest to Victoria Road	No side facing windows but windows and balconies to northern elevations on block closest to Victoria Road	Increased overlooking to rear of Victoria Road properties in northerly direction
c) Eastern most part of Flambard Way elevation to Victoria Road	Southern elevation of Block B 2.5m from boundary with Victoria Road	Southern elevation of Block B 4.8m from boundary with Victoria Road	Greater separation distance to boundary with Victoria Road
	Height approximately 9m, 3 storeys	Height of block closest to Victoria Road approximately 4m, rising to 11m	Lower height of block closest to Victoria Road
	Side facing windows to all three floors, roof terrace at 2 nd floor level	No side windows, south facing windows and balconies at 1 st and 2 nd floor	Increased overlooking from 1 st floor balcony
d) Flambard Way Elevation to Felicia Court	North western elevation approximately 23m from Felicia Court	North western elevation 26.5 m from Felicia Court	Increased separation distance between north western elevation and Felicia Court
	Height approximately 23.5m, 7 storeys in height including roof atrium	Height approximately 21.6m on north western elevation and 7 storeys, rising to 24.6m and 8 storeys for tower	North western elevation no greater in height but tower slightly taller and additional storey
	North western facing windows and roof terraces up to 7 th storey	North western facing windows and terraces to all 7 floors	No change in relationship
e) Flambard Way Elevation to the Wharf Nursery School and the Atrium	Block A 3m from the Atrium	Block B 27m from Wharf Nursery site	Change in relationship between Phase 2, the Wharf Nursery and the Atrium

	Height approximately 11m, 4 storeys	Height approximately 16m, 5 storeys	Increase in height and number of storeys closest to Wharf Nursery
	No side facing windows but balconies to 1 st , 2 nd and 3 rd storeys on south facing elevations	Side facing windows to north eastern elevation at fourth floor level, balconies on south facing elevations from 1 st – 3 rd floors	Increased overlooking of Wharf Nursery from north eastern elevation at a distance of 25m

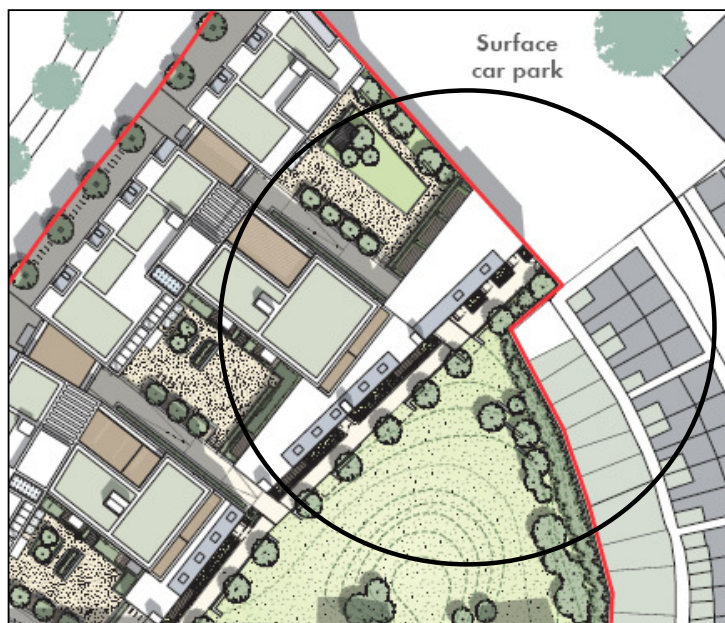
Relationship A - Catteshall Lane elevation to properties to north of South Hill



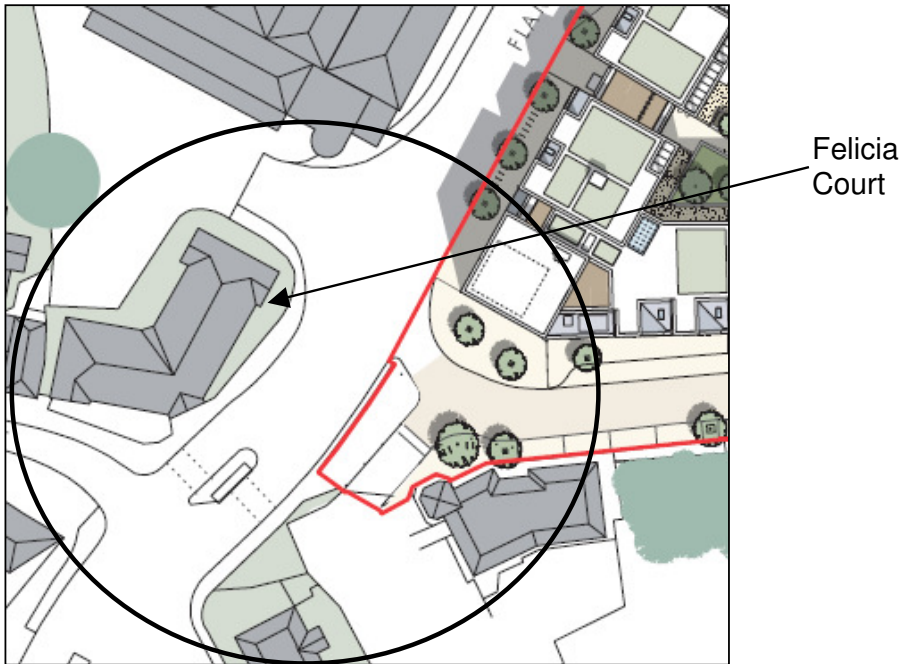
Relationship B - Eastern most block of Catteshall Lane elevation to Victoria Road



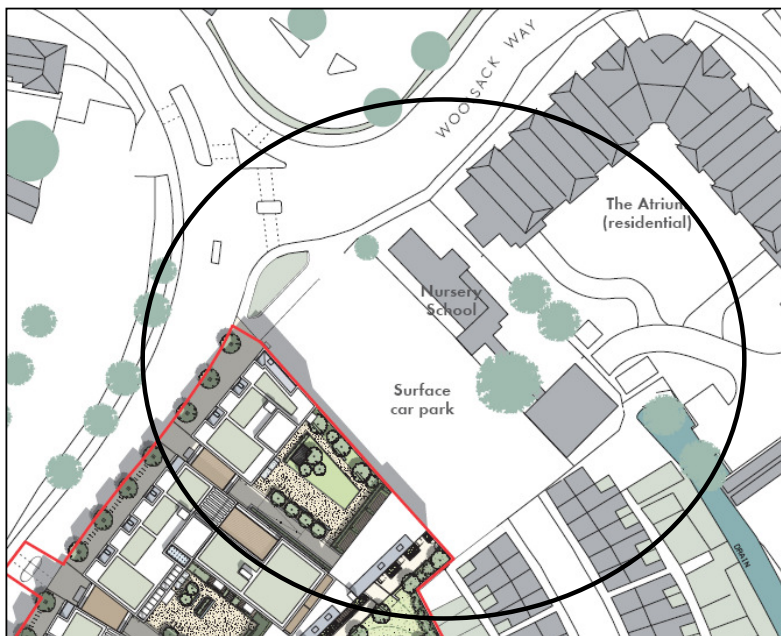
Relationship C - Eastern most part of Flambard Way elevation to Victoria Road



Relationship D - Flambard Way Elevation to Felicia Court



Relationship E - Flambard Way Elevation to the Wharf Nursery School and the Atrium



As illustrated within the matrix above, there has been a material change from the previous scheme in that the block closest to No's 2-4 Victoria Road now features windows and recessed balconies serving habitable rooms at ground,

first and second floor level. In the previously refused scheme, this was a blank elevation with no windows, albeit with a screened roof terrace at second floor level. Whilst the Secretary of State considered the previous relationship to be acceptable, officers consider that the revised proposal would result in unacceptable levels of overlooking to the rear private amenity spaces at a distance of 4.8m of the properties to the west of Victoria Road, causing a loss of residential amenities to occupiers of these properties contrary to Local Plan Policies D1 and D4. Objection is therefore raised in relation to this relationship.

Notwithstanding this point, officers note that the proposed relationship of the development in terms of height and siting has not materially changed from the previous application. As such it is not considered justifiable to refuse the current scheme on overbearing impact, loss of sunlight or daylight to neighbouring dwellings. Similarly, officers note there has not been a material change in the relationship of the proposed development to other immediately neighbouring properties, including those at Felicia Court, South Hill and the Atrium, and the Wharf Nursery. Whilst the possibility to overlook the Wharf Nursery from Block B has increased, due to the inclusion of side facing windows to the north western elevation, the separation distance of 27m would ensure that any intervisibility between Block B and the Wharf Nursery would be minimal.

Provision of amenity and play space

PPS3: Housing states, in paragraph 16 that it is important to consider whether new housing development

‘... provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies.’

Additionally, Policy H10 of the Local Plan 2002 states that residential development should incorporate amenity space adequate to meet the needs of residents, in particular:

- (a) each dwelling should have access to a useable outdoor area; and
- (b) development incorporating dwellings suitable for family occupation should make appropriate provision for children’s play.

The current proposal includes the provision of 3,793 sqm of private, communal and public amenity space, including balconies, courtyards and roof terraces. All of the properties would have access to either private or shared amenity space, comprising a balcony, private garden or shared courtyard area.

The Council uses the standard recommended by the National Playing Fields Association (NPFA) for assessing the provision of outdoor playing space. The proposed development would generally require the provision of a Local

Equipped Area for Play (LEAP). This comprises a play area equipped mainly for children of early school age (4-8 years old). LEAPs should be located within five minutes walking time from every home (400m walking distance). The main activity area should be a minimum of 400m² with a buffer between it and the boundary of the nearest residential property. This buffer zone can include footpaths and planted areas.

The applicant has not provided any equipped play space on site but has offered a contribution of £85,590 for the provision of off-site play space.

No specific reference was made in the Inspector's report or Secretary of State's decision as to the provision or adequacy of shared and private amenity space. The appellant did offer a contribution for children's play space provision, which was not challenged by the Inspector or Secretary of State.

Officers express concern that much of the proposed amenity space would not be truly private, and there is confusion within the proposal as to whether the amenity space within the courtyards would be shared between residents and the general public. Additionally, officers question the usability of the central open green space, which would be steeply graded. This topography is necessary to accommodate the car-park entrance/exit to the underground car park, and does not provide any evident amenity benefits. However, officers consider that the green space, regardless of its usability, provides an important green open space which would enhance the amenities of those living in and travelling through the site.

Officers accept that the level of privacy and provision of private amenity space are restricted due to the quantum of development required on site due to the current market conditions. The overall level of amenity space provided is therefore considered acceptable given the town centre location and intensity of development required on the site.

Additionally, the Council's Tree and Landscape Officer has been consulted regarding the extent and standard of landscaping proposed and the effect this would have on softening the visual impact of the proposal.

It is noted that the existing site is relatively bare of planting, and that any gain in additional trees would be desirable. However, concern remains regarding the proximity of tree planting to the northern elevation of the development, along Flambard Way. Space is limited along this section of Flambard Way, and future growth of trees may be limited due to the constraints of the development. Careful consideration must be paid as to the soil rooting volumes to enable the establishment and future vitality of the trees.

Notwithstanding these concerns, officers consider that the general amount and type of landscaping and planting would represent a general increase in the value of the visual amenities of the site, and appropriate landscaping would be welcomed. If permission were to be granted, conditions to ensure a detailed landscaping scheme and landscape management and maintenance

plan are submitted and agreed by the local planning authority would be appropriate.

Having regard to these considerations and to the previous appeal conclusions, there is not considered to be an overriding objection on grounds of amenity space provision.

Housing supply

PPS3 sets out the national planning policy framework for delivering the Government's housing objectives. WBC are required by the South East Plan to provide for at least 5,000 new homes in Waverley in the period from 2006 to 2026.

Officers acknowledge that the provision of a range of residential units of varying size makes a valuable contribution to local residential stock. The Council is currently undertaking a housing options consultation. The Key Site has been identified as a housing site and is included as being able to provide 182 dwellings. This, however, cannot be taken as a strong commitment by the Council to achieve this number of residential units, as any development must meet the strict tests of planning policy.

Officers advise that notwithstanding the development brief, this site is regarded as suitable for housing development in principle. Moreover the Secretary of State concluded that the achievement of a high quality mixed use development appropriate to its setting is of paramount importance, and that the position on housing land supply is not an overriding consideration.

Affordable Housing

PPS3 (Housing) sets out the Government's target to provide high quality housing for people who are unable to access or afford market housing. The provision of affordable housing is amplified through Policy H3 of the South East Plan and Policy H5 of the WBC Local Plan sets out the specific requirements for affordable housing.

Policy H5 states that on developments in settlements of more than 3,000 population, the Council will seek affordable housing on new developments comprising 15 or more new dwellings. Where proposals provide a housing density of more than 40 dwellings per hectare (which includes the current proposal) the Council will seek to negotiate that at least 25% of the number of net new dwellings are in the form of subsidised affordable housing. Policy H5 states that the scale of provision on individual sites will depend on the characteristics of the site, market conditions and other considerations.

This application for 182 new homes on the Godalming Key Site generates a requirement for 25% affordable housing under Policy H5, which equates to 46 affordable homes (if rounded up from 45.5).

The proposal does not provide any on site affordable housing. The applicant has argued that the provision of affordable housing on the site would not be financially viable. A confidential appraisal has been submitted to evaluate the case for providing affordable and other community benefits. The detail of the submission is regarded by the applicants as commercially sensitive and they have requested that it is not released into the public domain. Consideration of that detail as a discrete element of the assessment should therefore be considered and debated by members in exempt session, if considered necessary. Members will need to decide if they agree with the conclusions of the financial appraisal.

Officers have commissioned an independent scrutiny of the appraisal by the DVS (the commercial arm of the Valuation Office Agency). The conclusion of the DVS is that that, taking into account the current market conditions for both sales and cost, it is considered that this particular development is not viable and can afford no realistic section 106 contributions or affordable housing.

In the absence of on site provision the developer is proposing the provision of 38 units of affordable housing off site at Langham Park as an alternative. This housing would be provided and secured through a s106 agreement if permission is granted.

If members accept the conclusion of the DVS that the development would not be viable if affordable housing is provided on site, then this offer of 38 units is not in lieu of on site provision, but as an additional benefit to consider as part of the mix of development.

In the officer's view, and taking into account the views of the Head of Housing, the 38 units on Langham Park would to some extent be welcome. The provision of affordable housing is a key corporate priority of the Council. However, the site is not ideal and housing would not be well integrated into the existing residential fabric and community core of the town. Nevertheless the principle of affordable housing was previously agreed upon the site under reference WA/2006/1809.

In relation to the appeal scheme, the Secretary of State concluded that there is a clear link between the application site and Langham Park, and whilst the development would not include any affordable housing on site, it would enable affordable housing at Langham Park.

In relation to the previous permission on Langham Park (WA/2006/1809), concern has been expressed that approval may have lapsed, thus removing the lawful vehicle to deliver the 38 affordable dwellings. Officers have sought Counsel's advice which has concluded that the permission remains extant. The development has commenced prior to the expiry date. Therefore the applicant's offer of affordable housing could effectively be secured by a s106 obligation to deliver the extant permission. However, it is noted that there is no actual link offered in any unilateral obligation and it is not known when the housing would be provided in relation to the key site development.

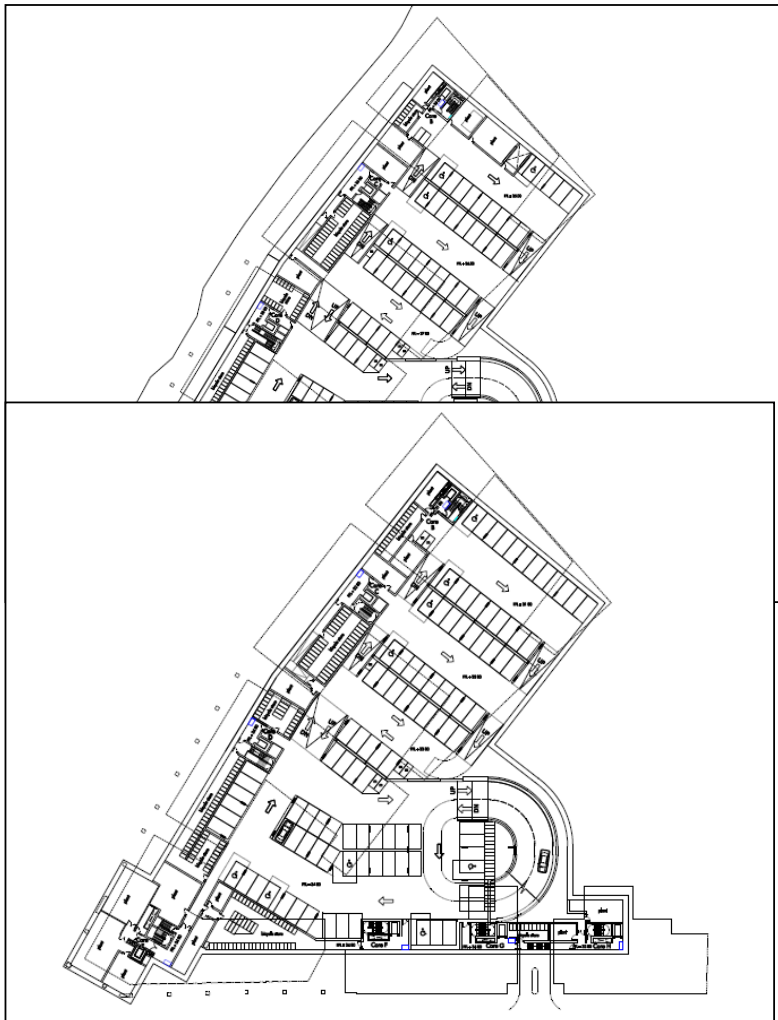
Officers remain concerned that the exclusion of affordable housing from the scheme undermines the credibility of the development as part of a sustainable community. However, having regard to all matters, in particular the conclusion on financial viability and the conclusions of the previous Inspector, it is considered that an objection relating to the lack of affordable housing on site could not be justified.

Concern has been raised in letters of objection that the applicant's own financial position is such that affordable housing should be provided on site. The general financial position of the applicant or developer is not a material consideration. The cost of the development remains the critical consideration.

Highway considerations, including parking and access

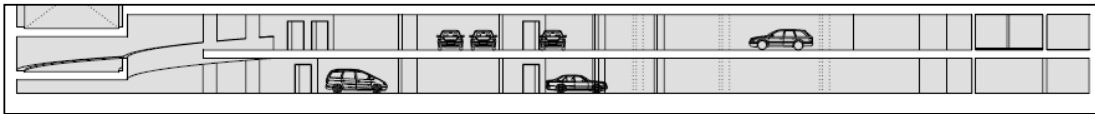
The proposed development includes a two storey basement car park, with 195 car parking spaces. The car park is accessed via Catteshall Lane with stair and lift access to individual apartment blocks. 316 cycle parking spaces are also provided within the basement car park. The table below provides the distribution of parking spaces:

Car Park Layout – Level 1



Car Park Layout
– Level 2

Sectional Drawing of Car Park



Type of Space	Breakdown and Location
166 (standard car spaces)	Residential, basement
17 (disabled car spaces)	Residential, basement
2 (disabled car spaces)	Residential, Catteshall Lane
2 (car club spaces)	Residential, Catteshall Lane
12 (standard car spaces)	Commercial, basement
316 cycle spaces	Residential, basement
10 cycle spaces	Commercial, basement

Pedestrian access to the site is provided at three points along Flambard Way and between the commercial units and residential block along Catteshall Lane.

A lay-by is proposed on Catteshall Lane adjacent to the site waste storage area. The lay-by is sufficient to accommodate a 12m refuse vehicle. A second lay-by is proposed on Flambard Way. The lay-bys will also be used for deliveries to the commercial units.

A transport assessment has been provided as part of the environmental statement. The assessment outlines the proposed development in relation to national, regional and local transport policies.

The Transport chapter within the ES concludes that provided the suggested mitigation measures are implemented during the construction phase of the development, the residual transport impacts of the development would be neutral to positive. Overall the scheme itself brings positive benefits in terms of transport environmental impacts, particularly for pedestrians.

A Travel Plan has also been submitted to SCC. The Travel Plan seeks to reduce the impact of traffic on surroundings roads, to promote equal opportunities to residents by offering wider travel choices, to improve personal and wider community health, to reduce air and noise pollution and to accord with national, regional and local government objectives.

Highways considerations have been assessed by Surrey County Council as Highway Authority. SCC objects to the proposal on the grounds that it has not been satisfactorily demonstrated that the transportation impacts of the proposed development can be adequately accommodated on the Local Highway Network due to insufficient information within the Transport Assessment and Travel Plan. This lack of information means that the impact of the development cannot be fully assessed for its impact on existing transport infrastructure and that appropriate mitigation measures cannot be identified contrary to Policies M2 (Movement Implications), M4 (Provision for Pedestrians) and M5 (Provision for Cyclists) of the Waverley Borough Local Plan 2002 and Policies CC7 (Infrastructure and Implementation) and T1 (Manage and Invest) of the South East Plan.

The Highway Authority is not satisfied with the level of information supplied so far regarding the impact of the proposed development on the Flambard Way junctions with Brighton Road and Woolsack Way. The Highway Authority is also not satisfied that appropriate provision for pedestrians has been made from the development across Flambard Way. There are also a small number of outstanding issues remaining with the Travel Plan.

Contamination on site

The Government's objectives for contaminated land are set out in DETR Circular 02/2000, Contaminated Land. These are:

- to identify and remove unacceptable risks to human health and the environment;
- to seek to bring damaged land back into beneficial use; and
- to seek to ensure that the cost burdens faced by individuals, companies and society as a whole are proportionate, manageable and economically sustainable.

PPS23 sets out the Government's core policies and principles on pollution aspects of land use planning.

The site has a history of contaminating uses, including a former gas works to the south of the site. In addition to the gas works, historically the site has had various other potentially contaminating uses including a scrap yard, engineering workshops and garages.

Several site investigations have been undertaken at the site since 1991, addressing soil and groundwater contamination, ground gas and the geotechnical characteristics of the ground.

Within the Environmental Statement RPS report that a range of contaminants including metals, ammonia, sulphate, phenols, cyanide and hydrocarbons, have impacted the shallow soils and deeper groundwater beneath the site.

It is proposed to remove large volumes of soil and groundwater, which also facilitates the creation of the underground car park.

In general, the contamination officers agree with the approach adopted and are satisfied that the consultants involved are aware of, and have generally utilized the current best practices and guidance for the assessment of potentially contaminated land and proposals to mitigate contamination on site.

Biodiversity

PPS9 : Biodiversity and Geological Conservation indicates that wildlife conservation must be taken into account and that biological diversity is conserved and enhanced through development.

It is not considered that there would be any harm caused to protected species as a result of the proposal. The site lies approximately 190m from the adjacent Lammas Lands Site of Nature Conservation Importance (SNCI). If permission were to be granted, suitable conditions could be imposed to ensure no harm would occur.

Officers note the comments of Surrey Wildlife Trust in respect of the desirability of creating a green corridor through the centre of the site. The development does not create an actual green corridor, but does include an area of communal amenity space in the centre of the development, which would include planting. This would be a welcome contribution to meeting biodiversity objectives.

In addition, paragraph 4.86 of the non-technical summary states that ecological value of the site could be enhanced in a number of ways, including through the inclusion of brown roofs with drought tolerant plant species, the use of 'grasscrete' surfacing and bird and bat boxes. It is considered that this adequately responds to this requirement and should be conditioned accordingly if permission were to be granted.

Sustainability

Policy NRM11 of the South East Plan seeks to secure greater use of renewable and low-carbon energy in new development. Under this policy development of more than 10 dwellings should secure at least 10% of their energy from renewable or low-carbon sources.

Information relating to the use of renewable energy has been submitted to support the current planning application. It is evident from the figures provided that the provision of a biomass boiler will meet more than the required 10% of the total energy demand of the development in compliance with the requirements of Policy NRM11. Details of the installation and delivery details of the fuel have not been included within the Sustainability Statement. These details would need to be conditioned if permission were granted.

In addition, the applicants explain that the residential units of the development would be constructed to meet Code Level 4 of the Code for Sustainable Homes (Sustainability Statement) and the retail components will meet a BREEAM 'excellent' rating. This ensures a holistic approach to sustainability and in particular energy efficiency and water minimisation. Achieving this level will need to be controlled by condition if permission is granted and would ensure that the residential element of the development would meet the higher levels of water minimisation and energy efficiency than required by Building Regulations.

A number of water minimisation measures are also proposed including:

- Grey water recycling of shower and basin water in every unit.
- Rainwater collection tanks to serve irrigation outlets.
- Individual water metering to each unit.
- Target water consumption of 105 litres per person per day.

Overall, the information submitted shows that the development will meet the current planning policy framework with regard to sustainability and climate change.

Flood risk

The Environmental Assessment includes an assessment of the impacts of the development proposals in relation to hydrology and drainage. The report concludes that the site is situated in Flood Zone 1 and is, therefore, not subject to planning constraints associated with fluvial flooding. A number of mitigation measures have been incorporated into the design of the site to reduce the potential impact on hydrology, flood risk, water quality and water resources both at site and to the surrounding environment.

Under paragraph 22 of Planning Policy Statement 25: Development and Flood Risk (PPS25), the developer is responsible for providing an FRA which demonstrates the measures proposed to deal with flood risk, which includes site drainage. Paragraph 22 also states that the developer is responsible for designs which reduce flood risk to the development and elsewhere, by incorporating sustainable drainage systems.

The Environment Agency (EA) has assessed the submitted information and advised that, based on the information contained within the application and supporting documents, it had some concerns regarding flood risk. In particular, a concern that the proposed measures for surface water management lack sufficient detail to demonstrate their efficacy for this development. The EA, therefore, initially objected to the application unless further information is provided.

In the submitted FRA, reference is made to a number of springs being located under the Phase II site. In relation to this, the informed concerns of a local resident have been forwarded to the EA for its particular consideration. The FRA quotes the British Geological Survey's groundwater flooding susceptibility map showing the site to be located in an area with a moderate to high susceptibility to groundwater flooding. Despite this, the FRA itself does not address how the risk from groundwater flooding will be managed on site.

The EA provided a second response dated 10/02/2010 in which it advised that subsequent to the first response, it was contacted by the applicant's consultants, Enzygo, to discuss the concerns. At that point it was highlighted that groundwater flooding was considered within Chapter E: Soil and Ground Conditions of the Environmental Statement submitted with the application. EA's initial review of this information indicates that groundwater flooding is a potential issue which may be exacerbated by the proposed development.

The EA has advised that although it has a role within the planning process as an overseer of all sources of flooding, it is not within its statutory remit to assess information pertaining to groundwater flood risk – nor do they have the technical expertise. It is therefore unable to provide further comment on the groundwater flood risk arising from the proposed development. EA withdrew the objection, as it could not substantiate it should the application be refused on this basis and then appealed.

Officers maintain that it is clearly within the remit of the EA to assess issues relating to groundwater flooding, and that this responsibility should not be handed over to the local authority simply because of a lack of technical expertise within the organisation.

Officers share the EA's concern with regards to groundwater flooding, and have strongly recommended that the EA considers further investigation of groundwater flood risk.

At this point, officers remain to be satisfied that the proposed development will not increase the risk of groundwater flooding to the site or surrounding properties. In order to protect both existing and future residents this issue is included as a reason of refusal. The objection would be withdrawn should the EA conclude that the issue has been adequately addressed within the environmental statement.

Infrastructure

Government advice in Circular 05/05 'Planning Obligations' (Office of the Deputy Prime Minister July 2005) is that local planning authorities should include general policies about the principles and use of planning obligations in their Development Plan documents. It adds that more detailed policies applying these principles ought then to be included in Supplementary Planning Documents.

Local Plan Policy D13 states that development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development.

Policy D14 of the Local Plan seeks that all major development bring significant environmental or community benefits to the Borough. The policy states that in considering whether planning benefits will be sought, regard will be paid to Policy Guidance and Government Circulars.

The Supplementary Planning Document (SPD) 'Planning Infrastructure Contributions' sets out how the Council will implement Planning Obligations, including when developer contributions will be sought, the type of community benefits that will be sought and how charges will be calculated.

Circular 05/05 states that any s.106 obligation must be "fairly and reasonably related in scale and kind to the proposed development". If the level of the proposed obligation means that the development could not take place because it was not viable then it is unlikely to fairly and reasonably relate in scale and kind to the development.

Paragraph B10 of the Circular states that in some instances, perhaps arising from different regional or site-specific circumstances, it may not be feasible for the proposed development to meet all the requirements set out in local, regional and national planning policies and still be economically viable.... In such cases, decisions on the level of contributions should be based on negotiation with developers over the level of contribution that can be demonstrated as reasonable to be made whilst still allowing development to take place.

The previous Inspector and SoS decisions concluded that an education contribution would not be necessary in respect of the housing element. The assessment of SCC as County Education Authority is that circumstances have changed since the previous appeal. There were formerly a significant number surplus primary spaces. Nevertheless, there has been an increase in primary aged children, and numbers are forecast to increase further. These two factors mean both an Early Years and a Primary contribution for local education purposes are justified. SCC agrees there is currently no justification for requiring a contribution for secondary provision.

Early Years and primary S106 contributions would be spent on local education provision, which SCC will identify in detail. A detailed justification based on

local educational needs is to be produced by the County's Schools Place Planning Group (Mark Burton).

New development of this scale would generally attract a contribution towards leisure provision within the Borough. However, both the Inspector and Secretary of State on the previous appeal concluded that a contribution towards improvements at the existing leisure centre in Godalming is not necessary as the works were due to be undertaken regardless of the outcome of the Key Site application.

SCC has advised that a contribution of £28,793 would be required for libraries.

The applicants have advised that they are willing to make the following payments/provisions, which are reduced but agreed contributions:

- A contribution of £75,300 for off-site play provision
- A contribution of £85,590 towards the Travel Plan
- A contribution of £25,500 for cycle way improvements
- A commitment to build 38 affordable dwellings at Langham Park with clauses to link development stages to Key Site delivery and a commitment to discharge the planning conditions at Langham Park.

It is considered, having regard to the economic viability of the development and the previous decision of the Secretary of State, that a reduced sum of planning obligations is justified in this instance. However, it is considered that this acceptance should, if permission were to be granted, be subject to the inclusion of an overage clause as recommended by DVS in their viability appraisal report.

Other Issues

Viability of commercial units

PPS6: Planning for Town Centres (2005) was superseded by PPS4: Planning for Sustainable Economic Growth in December 2009. PPS4 states that the vitality and viability of town and other centers should be promoted through new economic growth and development of main town centre uses, focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities. It also states that competition between retailers and enhanced consumer choice should be promoted through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community, in particular socially excluded groups.

In considering the previous application, the Secretary of State concluded in paragraph 30 that there is no suggestion that the objectives of existing or

emerging guidance on town centres would be undermined by the proposed 10 small units that could be used for retail or other town centre purposes.

It is noted that the Town Council is concerned regarding the likely viability of the proposed shop units included within the proposed scheme. Members will be aware however that the appeal scheme also included a similar arrangement of uses and this was not objected to in principle by either the Inspector or Secretary of State. Moreover, it is arguable that if built out in this form the rejuvenation of the site would improve the attractiveness of these potential units. Therefore, their viability would be ensured.

Local democracy

It is noted that the CPRE considers that the Council should give greater weight to the opinion of local people over that of the Secretary of State's decision, given the Government's emphasis on local democracy. Officers would advise that substantial weight has been afforded to the body of objection. However the Secretary of State's decision remains a highly material consideration, which must be afforded considerable weight.

Enabling development

Residents have expressed a preference for site to remain undeveloped, and that the contamination be controlled on site, rather than removed and treated, at the expense of accepting unacceptable bulk and massing on site. In response, members' attention is drawn to paragraph 20 of the Secretary of State's decision, which states that an intensive development at a scale proposed would be appropriate to the site and its setting. Therefore, as stated previously there can be no objection to the bulk and massing which were considered acceptable in themselves. Additionally, it cannot be argued that the bulk and massing were previously only regarded as acceptable in view of the cost of removing the contamination on site.

Conclusion

The proposal would result in the redevelopment of a contaminated site, which is located in a highly sustainable location, and would also provide the additional benefit of contributing to residential housing stock in the local area. As such, redevelopment is to be encouraged where in undertaken in accordance with Local Plan Policy TC6 and other relevant policy.

The site is located in a prominent location close to the centre of Godalming, and would be seen from a number of views surrounding the historic market town. The Secretary of State concluded that in order to be acceptable, the design has to be of a high quality and reinforce local distinctiveness. As such, significant weight has been attached to the issue of design. The conclusions of the urban design assessment clearly indicate that the current proposal fails to meet the Secretary of State's detailed concerns and, as such, should be refused.

In addition, the applicant has failed to demonstrate that the site is compatible with surrounding transport infrastructure, concern also remains with regards to the impact of the development on groundwater flooding in the area, and the proposal would result in a loss of residential amenities by reason of overlooking.

Having regard to all matters, it is considered that the proposal would conflict with local, regional and national policies and would result in material harm to the character and appearance of the area.

Recommendation

That, subject to the receipt of additional comments from the Environment Agency, and consideration of further photographic evidence, permission be **REFUSED** for the following reasons:

1. The proposed development does not meet the requirements of the wide ranging urban design policies contained in the Development Plan and the relevant government planning policy guidance and statements, in conflict with PPS1, PPS3, and Policies D1, D4 and TC6 of the Waverley Borough Local Plan 2002.
2. The architecture of the proposed development fails to reinforce or make a positive response to local distinctiveness and sense of place and introduces a building that would be out of character with and harmful to the appearance of the local area and townscape, in conflict with PPS1, PPS3, and Policies D1, D4 and TC6 of the Waverley Borough Local Plan.
3. The proposed development would have an adverse visual and intrusive impact on attractive and established views in the immediate locality and in longer distance views from the hills overlooking the town centre, in conflict with in conflict with Policies D1, D4 and TC6 of the Waverley Borough Local Plan.
4. The proposed development would be detrimental to the amenity of neighbouring properties by reason of overlooking and loss of privacy, in conflict with Policies D1, D4 and TC6 of the Waverley Borough Local Plan 2002.
5. It has not been satisfactorily demonstrated that the transportation implications of the proposed development can be adequately accommodated by the transportation infrastructure within the area, contrary to Policy D1 and M2 of the Waverley Local Plan 2002.
6. It has not been satisfactorily demonstrated how the groundwater flood risk to existing and new residents will be managed, in conflict with PPS25: Development and Flood Risk and Policy D1 of the Waverley Local Plan 2002.

7. The scale, bulk, height and built form of the proposed development adjacent to the town centre is inappropriate and would detract from and compete with the prevailing character of the locality and setting of the Conservation Area in conflict with Policies D1, D4, TC6 and HE8 of the Waverley Borough Local Plan 2002.