

SCHEDULE "A1" TO THE AGENDA FOR THE  
JOINT PLANNING COMMITTEE  
6<sup>TH</sup> AUGUST 2012

Application subject to public speaking.

Background Papers

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report.

A1	<u>WA/2012/0453</u> Country Homes (Key Site) Ltd 28/03/2012	<u>Erection of 137 dwellings comprising 35 houses and 102 apartments together with associated highway access and landscaping following demolition of existing buildings (as amplified by additional information received 16/0/2012; additional plan and letter received 01/06/2012; additional information received 02/07/2012 and 10/07/2012 and emails received 18/07/2012) at Land At Flambard Way, Catteshall Lane and Woolsack Way, Godalming GU7 1JN. This application is accompanied by Environmental Impact Assessment (EIA).</u>
Committee:		Joint Planning Committee
Meeting Date:		06/08/2012
Public Notice		Was Public Notice required and posted: Yes
Grid Reference:		E: 496699 N: 143690
Parish/Town :		Godalming
Ward :		Godalming Central and Ockford
Case Officer:		Kathryn Laughton
16 Week Expiry Date		17/07/2012
Neighbour Notification Expiry Date		04/05/2012
Neighbour Notification Additional Expiry Date		03/08/2012
RECOMMENDATION		That having regard to the environmental information contained in the application, the accompanying Environmental Statement and response to it, together with the proposals for mitigation of environmental effects, and subject to considerations of views of outstanding consultees and subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) planning permission be GRANTED subject to conditions.

Location Plan





## Proposed Elevations



## Proposed Elevations



## Site Description

The application site comprises a triangular piece of previously developed land 1.1ha in size at the junction of Flambard Way with Catteshall Lane, to the south east of Godalming town centre. The site is bounded on two sides by public highways and on the third by the residential properties fronting onto Victoria Road and an open surface car park. The site is occupied by a range of buildings and hard standing, the most prominent building on site is that of the former Police Station, located in the south-western corner of the site. To the north east of the former Police Station are the former Godalming Gas Works and the former Jordan's Garage. To the east of the former Police Station are various industrial and warehouse buildings. Topographically the site rises from north-east to south-west. The existing built form is mainly brick built and between 1-2 storeys in height, with the exception of the police station which is equivalent to a 3-storey building.

Not included within the application site but forming part of the wider Key site is 'The Atrium' a development comprising 50 flats, located to the north-east of the site, which was approved in September 2003 under planning permission WA/2002/2359 known as Phase 1; the Wharf Nursery School granted permission under application WA/2010/0571; and an open surface car park granted permission under application WA/2002/2360 renewed under Ref WA/2010/0422

## Proposal

The proposal seeks the erection of 137 new residential units, comprising

<b>Apartments</b>	<b>Dwelling Houses</b>
65 one-bedroom apartments	9 three bedroom
35 two-bedroom apartments	26 four bedroom houses
2 three-bedroom apartments	
Total 102 apartments	35 Dwelling Houses
<b>Total 137</b>	

The proposed buildings would range from 2.5-3 storeys at the south western end of the site, facing Catteshall Lane and Flambard Way, rising to 4 storeys with a recessed fifth storey at the apex of the site, at the Catteshall Lane/Flambard Way junction.

The proposal seeks the erection of two apartment blocks: one at the apex of the site, at the junction of Flambard Way with Catteshall Lane ("south block"), and one to the north east of the site, at the junction of Flambard Way and Woolsack Way ("north block"). The north block would rise to a height of 3 storeys, with the south block at the apex of the site rising from three to four storeys, with a recessed fifth floor.

The apartment blocks would be interspersed with a series of town houses, along the frontage onto Flambard Way, and along the southern and eastern perimeters of the site. The town houses would be 2.5 storeys in height, with dormer windows serving the roof space. The proposed town houses would each have front and rear gardens, and there would be a communal, central courtyard area serving the development. Pedestrian access through the site would be provided at either end of the row of houses along Flambard Way, and at the top of Catteshall Lane, between the south block and town houses.

The proposed development includes a basement level car park, with 199 car parking spaces. Each of the town houses would be served by two parking spaces, with access provided directly into the dwellings. The apartment blocks would be served by internal stairways. The basement car park would be accessed via a ramp located along Catteshall Lane. In addition, 125 individual cycle lockers would be provided. Four disabled bays would be provided at surface level, accessed from Catteshall Lane.

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

- Planning Statement (including S106 Heads of Terms);
- Design and Access Statement (including Heritage Statement);
- Transport Assessment (prepared by RPS);
- Sustainability Statement (prepared by MES Energy Services));
- Environmental Statement (including Flood Risk Assessment and Land Contamination Assessment), comprising:
  - Non-Technical Summary
  - Volume 1: Topic Assessments
  - Volume 2: Technical Studies, Reports and Appendices
- Statement of Community Involvement; ,
- Viability Appraisal (confidential).

### Environmental Impact Assessment

A screening opinion was sought by the developer under regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regs) Reference SO/2011/0003, which concluded that the proposed scheme constitutes EIA development.

A scoping opinion was not requested by the developer; however, Environmental Statements (ES) submitted with previous planning applications informed the latest submission.

The ES submitted to accompany the planning application concludes that the proposed development will have no significant environmental impacts.

A summary of the conclusions of the chapters of the ES is given in the Non-Technical Summary. An overview of these conclusions is given herewith:

<b>ES Chapter</b>	<b>Summary of Conclusions</b>
B: Landscape & Visual Assessment	<p>Existing landscape condition of the site is derelict/damaged, and landscape value very poor. Proposal will have benefits by removing unattractive buildings that are inappropriate to the traditional building style and form in Godalming.</p> <p>Visual impact will be insignificant in medium to long distance views as scale will blend into existing townscape. Short distance views will be significant but beneficial with removal of existing buildings and replacement with a well designed development that complements character of area. No adverse visual impacts from development.</p>
C: Townscape & Heritage Assessment	<p>Visual effects of proposal have been assessed using five short and medium range views. View east along Flambard Way includes Listed Building and buildings within Town Centre Conservation Area. Proposals improve the relationship between the Town Centre and development to the south of Flambard Way and will improve the setting of the Old Steppe House.</p> <p>Development increases in height from two and a half to five storeys, and will improve glimpsed views of the building within</p>



	<p>the Conservation Area. Proposal will provide a positive effect on the townscape and on views from Bridge Street and the Waitrose Car Park by strengthening a weak visual edge to the Town Centre, and may also result in an increased sense of enclosure for the town.</p>
D: Traffic & Transport	<p>The proposed development will not have a significant detrimental impact on the local highway network, either during construction or operational phases. The proposal includes sufficient parking which accords with the standards outlined by the Highway Authority as well as existing car ownership levels in the local vicinity and will provide sufficient spaces for cycles/cars to be stored in the development site.</p> <p>The proposal will result in improvements in the capacity of the Flambard Way/Brighton Road junction, thereby reducing queuing within Flambard Way. Proposal will also result in improvements in pedestrian connectivity between the site and Town Centre through pedestrian crossing improvement and improved cycling facilities.</p>
E: Soil & Ground conditions	<p>Contaminants identified have the potential to impact human receptors on site if no mitigation is in place. The contaminants are not considered to be having an unacceptable impact on off-site controlled water receptors.</p> <p>The proposed redevelopment of the site would not increase the risk to human health or controlled water. The removal of soils and groundwater would reduce the contaminant load and reduce the potential risk to off-site receptors. The secant wall around the basement car park would not cause alterations to the groundwater flow path.</p>
F: Water resources	<p>No secondary sources of flooding have been identified with the FRA, there are no historic records of the site flooding and there are no existing or planned flood defence measures that protect the site from flooding. The site is located within Flood Zone 1 and therefore has 'low probability' of fluvial flooding, with less than 1 in 1000 annual probability of river flooding in any year.</p> <p>Appropriate mitigation measures to attenuate surface water have been presented with the FRA. The attenuation volume required to restrict runoff to the pre-development 1 in 2 year (50% annual probability) runoff rate of 12.0l/s has been determined to be approximately 368m<sup>3</sup> assuming no infiltration methods.</p> <p>Additional information to support Chapter F was submitted on 29<sup>th</sup> June 2012.</p>
G: Noise	<p>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.</p>

H: Archaeology	<p>The assessment did not identify any archaeological resources within the application site. The soil investigation survey indicates that a substantial level of made ground existing over the application site, which means that any potential archaeological interface will already have been removed.</p> <p>There have been no changes in the archaeology of the site since the last application and assessment. There are no environmental implications in respect to archaeology. As a result the proposed development has no impact on potential archaeological deposits.</p>
I: Socio Economic	<p>The social-economic and community impacts of the proposed development will be positive. The assessment has demonstrated that the study area will have sufficient capacity to accommodate the demands created by the increased population. Impacts arising from the development in terms of housing and local economy will be beneficial.</p>
J: Air Quality	<p>The proposed development does not conflict with the measures set out in WBC's Air Quality Action Plan. There are no constraints to the development in the context of air quality.</p>
K: Sunlight/daylight	<p>The proposed development would not give rise to any material deterioration to the amenity enjoyed by the existing neighbouring buildings as demonstrated by the Daylight and Sunlight report and as such would not result in a significant effect upon these receptors.</p>
L: Construction	<p>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.</p>

#### Relevant Planning History and background to the application

An outline planning application (reference 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 19/03/1990. A subsequent outline planning application (reference 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 05/12/2001.

A further outline application (reference 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 permitted on 08/01/2001.

Subsequently an application for the 'change of use from car repairs/sales to retail (Class A1) use for the sale of parts, plants and other garden sundries' (reference WA/2002/2020) was refused permission in 02/12/2002. The reasons for refusal included the material adverse impact on the vitality and viability of the town centre shopping area and the impact upon the character and appearance of the area and neighbouring dwellings.



## Phase I of the Key Site redevelopment

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 current application site, this comprised 50 residential units (reference 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 (reference 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 recommended for approval by Officers but was refused by the Committee in 15/02/2005 on the grounds that it would be visually intrusive and detrimental to the character and appearance of this part of Godalming. The 2003 permission has been implemented on site. The 2003 permission was built out and is known as "The Atrium".

## Phase II of the Key Site redevelopment

In June 2007, an application for Phase II of the Key Site development was submitted for a mixed use development comprising of 226 residential units, commercial floor space, replacement police station, provision of car and cycle parking and landscaped public, communal and private amenity space (reference WA/2007/1390). The application was appealed against non-determination and the proposals were considered at a Public Inquiry. The Planning Inspector recommended that permission be granted. However, the application was subsequently recovered by the Secretary of State (SoS) on 12/02/2008, who dismissed the application on 31/10/2008. In reaching her conclusion, the SoS acknowledged that the site could accommodate buildings of the scale, height and mass proposed, but that the design of the scheme failed to take opportunities to improve the character and quality of the area and did not reinforce local distinctiveness, with the deficiencies in the design of the scheme weighing heavily against the proposals.

Following this appeal decision, the developer submitted a revised proposal (reference WA/2009/1674). This application sought the erection of 182 new residential units together with the creation of 1375sqm (GE) of commercial floor space, to be used for purposes within use classes A1, A2, A3, B1, D1 and D2. The application sought to overcome the previous reasons for refusal cited by the SoS by seeking a new design for the proposal. However, in the opinion of the Council, the proposal failed to overcome the previous reasons for refusal and the development was subsequently refused planning permission on 24/02/2010. The reasons for refusal were as follows:-

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.

The applicant appealed the Council's decision on 31/08/2010. However, the applicant then requested that the appeal be held in abeyance by the Inspectorate, pending pre-application discussions regarding the current scheme. The Planning Inspectorate did not agree to postpone the appeal, and the applicant withdrew the appeal on 01/12/2010.

Subsequently, pending the pre-application discussions regarding the current scheme, the applicant submitted a revised application based on WA/2009/1674. That application (reference WA/2011/0281) was registered on the 16/02/2011 and sought broadly the same development as submitted under reference WA/2009/1674, albeit with some material changes to the Flood Risk Assessment and screening treatment to the balconies closest to Victoria Road. Through those changes, the applicant has sought to overcome two of the reasons for refusal given for application reference WA/2009/1674, namely those relating to groundwater flooding and impact upon neighbouring amenity.

In order to overcome the overlooking issue, prior to the submission of an appeal, the applicant submitted revised plans to the Council which showed additional screening to the end units of the Catteshall Lane elevation, adjacent to the rear gardens of Victoria Road. Members considered the revised plans at the Central Area Planning Committee on 06/06/2010. The Committee resolved that the proposed timber louvres would be an inappropriate solution to problem, and would in themselves create material visual harm and result in loss of amenity. Members also considered that the issue of perceived overlooking would not be satisfactorily overcome by the proposed screening.

The applicant also sought to resolve the issues relating to groundwater flood risk. The applicant's flood risk expert, RPS, has worked with the Council's expert, Mott MacDonald, to revise the modelling to present an accurate and reasonable ground water flood risk model. The additional data were submitted with Chapter F of the ES which accompanied the application reference WA/2011/0281. In the assessment of that application, it was considered that the updated ground water flood risk information presented an accurate indication that groundwater flooding at the site would not be increased. As such, the Council was satisfied that the proposal overcame the previous reason for refusal relating to ground water flood risk cited in the refusal of application reference WA/2009/1674.

However, given the similarities of the scale, height and design of the proposed scheme to application WA/2009/1674, and having regard to the resolution of Members on 06/06/2010 regarding the impact of the development upon the amenities of nearby occupants, the application (WA/2011/0281) was refused under delegated powers on 07/06/2011 for the following six reasons:

1. The proposed development by reason of its excessive height, bulk and overall architectural treatment in this visually sensitive location, fails to make a positive contribution to local distinctiveness and 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. The proposal is therefore in conflict with PPS1 and PPS3, and Policies D1, D4 and TC6 of the Waverley Borough Local Plan 2002.
2. The architectural style, scale, height, massing and form of the proposed development fail to reinforce or make a positive response to local distinctiveness and sense of place and introduce 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 2002.
3. The architectural style, scale, bulk, height, massing and form of the proposed development adjacent to the town centre are 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.
4. 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 Policies D1, D4 and TC6 of the Waverley Borough Local Plan 2002.
5. The proposed balconies on the northern elevation of Block H would cause perceived overlooking and loss of privacy to occupiers of properties on the western side of Victoria Road. The proposed balcony screens would result in an overbearing and oppressive form of development. As such the proposal would be materially harmful to the amenities of the occupiers of these properties, contrary to Policies D1 and D4 of the Waverley Borough Local Plan 2002.
6. There are insufficient crossing facilities across Flambard Way within the vicinity of the proposed development to cater for the increase in demand to cross Flambard Way from the Key Site when compared with permitted uses of the site. The absence of appropriate crossing facilities is likely to lead to conflict between pedestrians and motorists contrary to policies M2 (Movement Implications), and M4 (Provision for Pedestrians) of the Waverley Borough Local Plan 2002 and Policies CC7 (Infrastructure and Implementation), and T1 (Manage and Invest) of the South East Plan.

The applicant appealed the Council's decision on 05/12/2011. However, the applicant then requested that the appeal be held in abeyance by the Inspectorate, pending the submission of the current scheme. The Planning Inspectorate did not agree to postpone the appeal, and the applicant then withdrew the appeal on 20/04/2012.

## The Nursery site

The site of the Wharf Nursery School lies between the Council owned surface car park to the north east of the Phase II Site and to the immediate south west of the Phase I development, The Atrium. Under the 2007 application for the Phase II redevelopment, it was proposed to relocate the nursery to a site to the north east of the Key Site at Langham Park and for the nursery site to be incorporated within this proposal. However, the SoS dismissed this application and as such the relocation of the Nursery could not proceed.

Subsequently, the County Council proceeded to seek its redevelopment, independent of the remainder of the Key Site development. Waverley Borough Council was consulted on the proposal under Regulation 3 (reference WA/2009/1755), and subsequently on the discharge of the conditions for the scheme under reference WA/2010/0571. No objection was raised by Waverley to either application. The nursery school has subsequently been rebuilt pursuant to those permissions.

## Phase II – Land at Flambard Way and Catteshall Lane

WA/2011/0281	Demolition of existing buildings and erection of new buildings comprising 182 residential units and 1,375 sq.m of commercial floor space within use classes A1, A2, A3, B1, D1 or D2 (as alternative uses), accommodation for Surrey Police Authority and associated highway, access and landscaping works (revision of WA/2009/1674). This application is accompanied by Environmental Impact Assessment (EIA)	Refused 07/06/2011 Appeal Withdrawn 20/04/2012
WA/2009/1674	Demolition of existing buildings and erection of new buildings comprising 182 residential units and 1,375 sqm of commercial floor space within use classes A1, A2, A3, B1, D1 or D2 (as alternative uses), accommodation for Surrey Police Authority and associated highway, access and landscaping works (application accompanied by and Environmental Statement). (As amended by letter received 20.1.10 and amplified by letters, emails and additional information received 3.12.09, 15.1.10, 19.1.10, 10.2.10 and 18.2.10)	Refused 24/02/2012 Appeal Withdrawn 01/12/2010
WA/2007/1390	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), replacement of the existing police station, and provision for car parking and associated highway, access and landscaping works	Appealed for non-determination 11/01/2008 Appeal Dismissed 31/10/2008

## 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 Catteshall Lane and The Wharf) to new business site (see WA80/1326) making up of the land and drainage of site as shown on plan.	Full Permission 16/09/1980
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 Ockford 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/2010/0571	Consultation under Regulation 3 for the details of external materials, replacement tree planting, cycle parking provision, contaminated land remediation and monitoring of contamination submitted pursuant to conditions 3, 6, 9, 11 and 12 of planning permission reference WA/2009/1755 for new nursery school and children's centre	No objection 19/05/2010
WA/2009/1755	Consultation under Regulation 3 for the construction of replacement nursery school and children's centre buildings following demolition of existing buildings, modifications to existing outdoor play spaces and parking area	No objection 18/01/2010
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's Street South Street to the Ockford Road/Holloway Hill junction with ancillary road links	Full Permission 14/04/1975
GOD6836	Civil Defence Training Centre and Garage.	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
GOD270/73	Extension of existing vehicle repair workshop	Approved 28/01/1974
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

#### 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
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 23/8/1963

#### 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 motoring accessories fitting and sales (as amplified by letter dated 22/09/93).	Withdrawn 10/01/1994
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

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
GOD7732	New workshop extension to factory - detailed plan .	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

#### 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
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 Buffer Zone  
 Godalming Key Site (subject to Policy TC6 of the Local Plan)  
 Adjacent to Listed Building (Old Steepe House)  
 Adjacent to Conservation Area (Godalming Town Centre)  
 Air Quality Management Area (AQMA)  
 High Archaeological Potential  
 Contaminated land

### 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: land Between Flambard Way, Catteshall Lane and Woolsack Way  
 M2 The Movement Implications of Development  
 M4 Provision for Pedestrians  
 M5 Provision for Cyclists  
 M14 Car parking Standards

Policies of the South East Plan 2009 (subject to the letter to Chief Planning Officers from the Secretary of State dated 27/05/10 regarding abolition of Regional Spatial Strategies) :-

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

Policies of the Local Development Framework Core Strategy (Revised Preferred Options and Draft Policies February 2012)

Policy CS1	Location of Development
Policy CS2	The Amount and Location of Housing
Policy CS3	Sustainable Transport
Policy CS4	Infrastructure and Community Facilities
Policy CS5	Affordable Housing on Development Sites
Policy CS7	Housing Type and Size
Policy CS14	Leisure, Recreation and Cultural Facilities
Policy CS16	Townscape and Urban Design and the Heritage
Policy CS17	Biodiversity and Geological Conservation
Policy CS19	Sustainable Design and Construction
Policy CS20	Renewable Energy Development
Policy CS21	Flood Risk Management

## Guidance

The National Planning Policy Framework (2012)

Technical Guidance to the National Planning Policy Framework (2012)

Godalming Key Site Development Framework (2001)

Parking Strategy for Surrey SPG (2011)

Draft Waverley Borough Council Parking Guidelines (2012)

Density and Size of Dwellings SPG (2003)

Surrey Design Guide (2002)

Surrey County Council Parking Guidelines (March 2012)

English Heritage/CABE Guidance on Tall Buildings (2007)

Strategic Housing Land Availability Assessment (2011)

Strategic Housing Market Availability Assessment (2009)

Note:

The South East Plan 2009 is the Regional Spatial Strategy (RSS) for the South East region. Although the Localism Act makes provision for the abolition of regional strategies, until they are formally abolished by Order, they remain part of the development plan. It has been held that the Government's intention to abolish regional plans could be a material consideration in making development control decisions. The amount of weight that can be attached to this intention is a matter of judgment, given that there are still some matters to be resolved before the Government can initiate the formal process of abolition.

The Council is preparing its Core Strategy setting out the key strategic planning policies for the area up to 2028. Between February and April 2012, the Council consulted on the "Local Development Framework Core Strategy – Revised Preferred Options and Draft Policies". The Council is now in the process of assessing the outcome from that consultation and deciding what further changes need to be made to the Plan, before it is published. The Council agreed the proposed pre-submission version of the Core Strategy at its meeting on 17<sup>th</sup> July 2012. The intention is that the Pre-Submission Core Strategy will be published for consultation in August. The intention is that the Core Strategy will then be submitted for Examination in December 2012. As it stands only limited weight can be given to the emerging Core Strategy and its proposed policies. However, this will increase as the Core Strategy progresses through Examination.

On the 27<sup>th</sup> March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document has superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management) and condensed their contents into a single planning document. Section 38(6) of the Planning and Compulsory Purchase Act 2004, still requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Waverley Borough Local Plan 2002 and the South East Plan 2009 therefore remain the starting point for the assessment of this proposal.

The NPPF is, however, a material consideration in the determination of this case. Paragraphs 214 and 215 of the NPPF make clear that where a local authority does not possess a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of conformity with the NPPF.

#### Consultations and Town/Parish Council Comments

Godalming Town Council	The Town Council is generally supportive of the application but has concerns regarding traffic flows and access issues, drainage and the lack of affordable housing on the site. Members would also like to see the Waverley car park included in the development in the fullness of time.
County Highway Authority	Not yet received – to be reported orally
Environment Agency (EA)	We have assessed this application regarding fluvial flood risk and the effect of surface water on the river Wey. We also have concerns regarding the potential for groundwater contamination.



## **FLOOD RISK**

It was not clear from the original application documents where provision would be made on site for the identified surface water attenuation volume of 368m<sup>3</sup>. We note the large open space areas indicated on the block plan. However, in this circumstance the site has a significant slope and the open space forms a green roof over the proposed basement car park. These factors would have an impact upon what locations could be chosen within the proposed master plan. As a result we asked for it to be identified where the attenuation storage will be provided.

The additional plans submitted directly from the flood risk consultant have now identified the location of the proposed attenuation storage. Following receipt, we now find the scheme acceptable in flood risk terms subject to the condition shown below.

### **Flood Risk Condition**

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Infiltration test in accordance to BRE 365 where infiltration devices are proposed
- Calculation demonstrating no increase in proposed surface water runoff rates and volumes up to the 1 in 100 plus climate change storm event compared to existing rates and volumes.
- Demonstrate that the drainage system will be able to contain up to the 1 in 30 storm event without flooding and any flooding in the 1 in 100 plus climate change storm event will be safely stored on site

Reason

To prevent the increased risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site

## **CONTAMINATION**

We have also assessed the application in terms of contamination risk to groundwater. We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. 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.

We strongly advise that the assessment of the contamination of the site is carried out prior to agreeing the surface water drainage details, as this will show where infiltration is acceptable.

### **Contamination Condition 1**

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason:

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

The applicant has supplied sufficient information concerning the potential risks to the underlying 'Godalming Lower Greensand' groundwater body and the nearby River Wey (refer to the Thames River Basin Management Plan on our website) in the Environmental Statement but now needs to focus on parts 3 and 4 of the proposed condition if the development is to be deemed 'sustainable development'. These will require, among other things, the submission to the planning authority of a remedial options appraisal, including a verification plan (refer to the advice below).

Advice to applicant:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the [Environment Agency Guiding principles for land contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

**Contamination Condition 2:**

Prior to the construction phase of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason:

This condition will ensure that there is documentary, scientific evidence to show that all unacceptable risks to the environment have been mitigated sufficiently and that the development will be in accordance with paragraphs 120 and 121 of the National Planning Policy Framework (NPPF).

**Contamination Condition 3:**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

To prevent the introduction to groundwater of hazardous substances in contaminated soils or pollution from non-hazardous pollutants in contravention of the Groundwater Regulations 2009 and Environmental Permitting Regulations 2010.

**Advice to applicant:**

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

	<p>Comments received in relation to additional information:</p> <p>We have no comments on traffic and junction improvements. We also have no comments on the air quality assessment as the development does not include industries that we regulate.</p> <p>We have no additional comments on flood risk, our previous comments and condition recommendations still apply.</p>
Natural England (NE)	Not yet received – to be reported orally
Surrey Wildlife Trust (SWT)	Not yet received – to be reported orally
Campaign to Protect Rural England (CPRE)	<p>1. CPRE welcomes this application which it believes is a vast improvement on previous proposals for the redevelopment of this important site. In particular we believe:</p> <ul style="list-style-type: none"> <li>a) The proposals are likely to meet local aspirations for the site to be re-developed in a way that is respectful of the character of Godalming as an historic market town. Especially we welcome the proposal to have lower rise buildings which are less massive and overbearing in appearance with diverse roof lines. However the size of the buildings on the highest part of the site rising to 5 storeys is, in our view, not appropriate to this site. We prefer earlier recommendations that the buildings should generally be limited to 3 storeys in height.</li> <li>b) The design is of a high standard which will be valued by the local community</li> <li>c) Unlike the earlier proposals (and notwithstanding the views of the Planning Inspector and the former Secretary of State) the scale and location of the buildings is much more suitable for this ancient town and appear from the indicative drawings acceptable in the context of other buildings in the vicinity of the development and the town generally.</li> <li>d) The decision not to include commercial activities within the site but have only housing is desirable in particular to support the commercial viability of the High Street.</li> <li>e) The inclusion of open space within the development is important to ensure the development is in keeping within a small country town. However it will be essential that proper maintenance arrangements are put in place to prevent the open space becoming run down. We think consideration could be given to retaining the open space within the development as public space (see also our comment under 3 below) with perhaps a small 'garden rate' paid by the flat owners to ensure its upkeep.</li> <li>f) The mix of housing is justifiable (subject to our comment below regarding affordable housing) and the density is acceptable. CPRE believed that the earlier proposals amounted to over-development of the site.</li> </ul>

2. CPRE remains concerned that, apparently for financial reasons, the developer feels unable to include any affordable housing on this site. This is disappointing as the site clearly is, in many respects, very suitable for affordable housing being close to already existing services, public transport and schooling. The lack of affordable housing, therefore, makes no contribution to what is understood to be the need for such housing – a need which is much more pressing than demand for market housing. Furthermore, the absence of any affordable housing runs counter to the emerging Core Strategy and will make it more difficult for the Council to meet the need for affordable housing. As was found in relation to the Shackleford Mushroom Farm re-development, any developer can probably advance financial arguments to support a contention that inclusion of affordable housing renders the development unsustainable. We therefore urge an attempt to address this issue. One possible way of doing so would be to allow the part of the site owned by Waverley to be added to the development site at a cost to the developer sufficient to justify a requirement that some small scale affordable housing be included in the overall scheme. This would be entirely justifiable in terms of social inclusion.
3. From CPRE's viewpoint, however, it would also seem preferable to use part of the existing car park site as a green open space available for the children at the Nursery School as well as the occupants of Victoria Road and other housing. It also seems to us that the exclusion of the car park site is difficult to justify solely on the ground that it provides car parking for Council workers. The planning guidance was that the site be developed as a whole. However, CPRE has reservations with regard to the indicative scale of the building on the car park site if it were to be added to the development.
4. Although the underground parking requires excavation which could expose the pollution on the site, we note that it is considered that most of the polluted ground can be treated on site and that steps can be taken to minimise the risk of damage resulting from earlier degradation of the site.

**This is a good scheme and it has our support.**

We attach an extract from our letter to the developers last November which explains our reasoning and are pleased to note that in a number of respects our concerns have been met.

Extract from a letter to the developers' agents of September 2011.

*"our further comments are as follows:-*

1. *We remain very concerned that inability to include the contract car park within the proposed development is a serious drawback for the reasons noted in our letter to you of 8 July. We repeat them here:*
  - a) *Car parking is a very poor use of the site except as a temporary use pending the redevelopment. The immediate area is already served sufficiently by Waitrose, Homebase and Sainsbury's car parks.*

b) As the area is immediately adjoining the school, the most appropriate use would be as open green space for the enjoyment of children at the School and the general public including the residents of Victoria Road.

c) The area would also be the most convenient entrance to the site and the underground car park and the green space above the entrance would be significantly enhance the attraction of the site and ensure that the rural 'feel' of Godalming is maintained.

d) Failure to include the car park site will seriously detract from the developers' ability to deliver a scheme for the site which all can support.'

2. Residents of Victoria Road are understood to be at some risk of losing the small amount of green space at the Catteshall Road end of Victoria Road and the provision of alternative green space is therefore all the more important.
3. We remain strongly against a lower (second) floor of car parking below ground which would increase the need for removal of subsoil believed to be polluted and increase costs considerable. Perhaps further temporary car parking for Council workers could be found at the large site at Langham Park which has remained fallow for many years and was to have provided some affordable housing.
4. Affordable housing is we think still an important issue. If the present cost of acquiring the site from the present owners (Flambard and the Police authority) is so high that affordable housing is uneconomic to build, we suggest that the Council would fulfil its social obligation to provide for those in housing if it made the car park available at a low price which enabled at least some affordable or lower cost housing to be provided on this site. The price of purchase should, in our view, in any event allow for compliance with affordable housing.
5. CPRE is anxious that as much as possible of the tree line above the development be visible. It is difficult to visualise this from the sketches so far provided and we hope that the roof line can be sufficiently varied to allow for views towards the development not to block out the trees above – an important feature of Godalming's rural setting. The generally lower roof line compared to the Flambard scheme will clearly make this more likely.
6. As noted above, access for vehicles to the site is very problematic if everything has to be delivered along Catteshall Lane. Access to the underground car park from Flambard Way appears the only viable route and makes use of the present car park site essential. We would like to see most of the site above ground open for pedestrian use rather than for car parking.
7. Our members who viewed the plans thought the designs suitable in the setting of an old market town such as Godalming and were attached to the indication that the houses would be in a more traditional style with a more modern design for the blocks of flats"



Thames Water	<p>Waste Comments</p> <p>Thames Water would advise that with regards to sewerage infrastructure we would not have any objection to the above planning application.</p> <p>Surface Water Drainage</p> <p>With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason – to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>
Health and Safety Executive (HSE)	Not yet received – to be reported orally
Design Council /CABE	Thank you for consulting us on this scheme. Unfortunately, due to limited resources, we are unable to review this proposal. However, as you may know, there are a number of affiliated design review panels around the country with a remit to focus on significant schemes in their region. We have been in contact with South East Affiliated Design Review Panel at Kent Architecture Centre to suggest that they consider putting this scheme before their panel. This referral does not guarantee that the affiliated panel can review your scheme.
SCC Education Department	Not yet received – to be reported orally
The National Trust	Not yet received – to be reported orally
English Heritage	Not yet received – to be reported orally
Guildford Borough Council	Not yet received – to be reported orally
Police Architectural Liaison Officer	It is believed that there should be a Section 106 application made on this site due to the potential increase of crime and incident impacts on the levels of local Policing in a normally small Town. This should be an application for Additional CCTV and monitoring equipment, partnering the existing mobile system. In addition planning conditions relating to Lighting and Bicycle storage are recommended.
DISCASS	None received.
Sport England	Thank you for consulting Sport England. Please be advised that Sport England has no comment to make regarding this application.

Southern Gas Networks	<p>Southern Gas Networks (SGN) acknowledges receipt of your notice for your intention to carry out work at the above location. We enclose an extract from our mains records in the location of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those proposals together with a comprehensive list of precautions for your guidance. This plan shows only those pipes owned by SGN in its role as Licensed Gas Transporter (GT). Gas pipes owned by other GTs and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections etc, are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issues.</p> <p>You will note the presence of our Low/Medium/Intermediate Pressure gas main in the proximity to your site. No mechanical excavations are to take place above or within 0.5m of the Low pressure and medium pressure system and 3 metres of the intermediate pressure system. You should where required confirm the position of mains using hand dug trial holes.</p> <p>A colour copy of these plans and the gas safety advice card should be passed to the senior person on site in order to prevent damage to SGN plant and potential direct or consequential costs to your organisation.</p> <p>Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services", must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. In addition please follow the advice given on the gas safety card.</p> <p>It must be stressed that both direct and consequential damage to gas plant can be dangerous both for your employees and the general public, repairs to any such damage will incur a charge. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.</p>
County Rights of Way Officer	I cannot see any that Public Rights of Way will be affected by this development. The County Council therefore has no objection to raise from a public access point of view.
County Archaeologist	<p>The site lies just outside the designated Area of High Archaeological Potential for the historic settlement of Godalming. This area may contain limited evidence relating to the origins of the settlement, although is more likely to have remains relating to its later expansion. Some limited prehistoric evidence may be present also.</p> <p>The archaeological assessment included within the EIA reinforces these points, although it is noted that the early focus for settlement in</p>

	<p>the area was towards the western end of the present town, and that evidence for Saxon activity was recovered during works across the road from the application site. Of primary importance, however, would appear to be the incidence of modern construction activity on the site. Both through observation of the site conditions, relative levels and study of borehole information, it is concluded that the vast majority of the site will likely have been truncated away by modern construction activity. The overall conclusion of the assessment is that whilst the archaeological potential of the area remains fairly good, this site in particular will have been damaged beyond the point whereby archaeological material of any significance will survive. No further archaeological work is recommended.</p> <p>I am satisfied that the assessment has covered the salient points in reaching this conclusion and agree with the overall recommendation that no further work is required. Therefore, it is not necessary to attach any archaeological conditions to any planning permission that may be granted. I have no archaeological concerns.</p>
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Internal consultations

Council's Head of Housing	Not yet received – to be reported orally
Council's Environmental Health Officer (Air Quality)	<p>Comments in relation to additional information:</p> <p>These comments are made in respect of air quality matters related to addendum (June 2012) to planning application WA/2012/0453.</p> <p>The clarification of outstanding matters related to Air Quality issues has been in principle accepted. However, this Service still has concerns related to suitability of the site.</p> <p>The Addendum states that this development will introduce a number of new receptors to the area where air pollution is already exceeding the annual mean objective level for NO<sub>2</sub>. As recommended by the findings of the latest USA report (approved by Defra in July 2012) this area is subjected to Detailed Assessment study that might result in extension of the existing AQMA.</p> <p>Given the proximity of existing AQMA in Godalming and the scale of the exceedance of the Government's air quality objectives for NO<sub>2</sub> at the proposed site, any development in this location will be considered as unsolicited.</p> <p>The measures proposed by the Applicant would unlikely sufficiently mitigate the impacts of the pollution on new residents and an AQMA would still need to be declared in this locations (As consulted with Defra Air Quality Helpdesk on 13<sup>th</sup> of July 2012). The AQMA is declared on the basis of concentration of pollution at the façade of the building and not on the basis of indoor air quality.</p> <p>Therefore, I have to repeat my previous comments, that purely on air quality grounds this Service would resist a development of this scale, in this location on the basis of the potential introduction of new receptors into an area of poor air quality. However, if there are significant overriding factors and the development is permitted this</p>

Service would strongly recommend conditions to mitigate the air quality impact of the development. The following measures would be recommended for consideration:

To agree with the developers a Low Emission Strategy (LES) for the development during both construction and operational phase in accordance with the Good Practice Guidance – “Low Emission Strategies – using planning system to reduce transport emissions”.

A LES is defined as a package of measures to help mitigate the transport impacts of the development. In this case the measures may include a requirement to install electric charging points at each residential property (to encourage the uptake of low emission vehicles), consideration of the emission standards and/or fuelling options for heavy duty vehicles operated from the commercial development along with the introduction of a travel plan and an offset contribution to support, for example local air quality initiatives.

In order to minimise the risk to nuisance/disturbance to neighbouring residential property during demolition and construction work it is recommended:

- no burning of materials on site.
- Due to close location of AQMA the hours of construction activity (include delivery and dispatch) should exclude peak times and be limited to 10:00-16:00, Monday to Friday, 09:00 – 13:00 Saturday with no activities on Sundays and bank holidays.

If the Applicant does not commit to implementation of further mitigation measures in line with the Low Emission Strategy Guidance the Applicant is asked to provide a section 106 contribution towards Air Quality Improvement Actions.

This approach and proposed mitigation measures are in line with the National Planning Policy Framework, that states:

- Point 30 “ *Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.*

and further .. “ *local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable models to transport*”.

- Point 35: “ *Plans should protect and exploit opportunities for the use of sustainable models for the movement of goods or people. Therefore, development should be located and designed where practical to: ... - Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. – incorporate facilities for charging plug-in and other ultra-low emission vehicles...*”

	<ul style="list-style-type: none"> <li>• Paragraph 109: “ <i>The planning system should contribute to and enhance the natural and local environment by, ... preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air water or noise pollution or land instability.</i>”</li> <li>• Paragraph 120 “ <i>...To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Were a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or land owner</i>”.</li> <li>• Paragraph 124 “ <i>Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and cumulative impacts on air quality from individual sites in location areas. Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local air quality action plan</i>”.</li> </ul> <p><b>Low Emission Strategy</b></p> <p>In 2010 Defra published good practice guidance prepared by the Low Emission Strategy Partnership – “ Low Emission Strategy: Using the Planning System to Reduce Transport Emissions”. This has been incorporated as part of the Local Air Quality Management (LAQM) Technical Series.</p>
<p>Council’s Environmental Health Officer (Contaminated Land)</p>	<p>Contaminated land</p> <p>We have reviewed the Environmental Statement Volume 1 and Chapter E Soil and ground conditions. We note that the supporting site investigation and risk assessment reports are the same as those submitted for the previous application WA/2011/0281.</p> <p>We have attached the detailed comments made by our external Consultants regarding the previously submitted reports as they remain highly relevant. I would like to draw particular attention to the following points:</p> <ul style="list-style-type: none"> <li>• The addition of private garden areas to the scheme has not been addressed in the risk assessments provided to date</li> <li>• The reports state repeatedly that basement car parking or hardstanding will cover this site; this does not tally with the provision of public and private garden areas</li> </ul>

- The removal of large volumes of contaminated soils from the site to facilitate the provision of basement car parking is likely to result in potentially significant odour and dust issues and a large volume of HGV movements
- The potential use of bioremediation to treat / pre-treat material at the site has been briefly highlighted in Chapter 1 of the ES, paragraph L4.5 page: 75. This is likely to require a permit issued by the Environment Agency
- Industry best practice and guidance with regards to human health risk assessment methods and tools have been updated since the 2007 reports. We would expect to see these updates reflected in all future reports submitted.

It is important that the following detailed condition is attached to any grant of permission due to the complexity of the further assessment and works required at the site.

**Planning Condition**

Development shall not begin until a scheme to deal with contamination of the site has been submitted to and accepted in writing by the Local Planning Authority. The above scheme shall include:

- (a) Additional site investigation shall be carried out by a competent person to determine the nature and extent of any further contamination. This investigation will be carried out in accordance with a protocol submitted to and approved by the local authority.
- (b) A Remediation Action Plan (RAP) based upon the Environmental Statement submitted, the site investigation reports detailed therein and the additional investigations. This shall include an Environmental Management Plan showing how contamination (in soil, aqueous, gas or vapour form) will be managed during the development without causing harm to human health or the environment both during construction and once the site is developed. The RAP shall be written in accordance with a protocol which shall be submitted to and accepted by the Local Planning Authority.
- (c) The RAP shall be fully implemented (either in relation to the development as a whole, or the relevant phase, as appropriate) in accordance with:
  - an implementation plan submitted to and accepted by the Local Planning Authority.
  - A monitoring and maintenance plan submitted to and accepted by the Local Planning Authority
  - A discovery strategy dealing with unforeseen contamination discovered during construction;

- A validation strategy validating the works undertaken

Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until the measures approved in the scheme have been fully implemented and completed

**Reason:** To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally.

**Informative:**

For the avoidance of doubt, the following definitions apply to the above condition relating to contaminated land:

**Remediation Action Plan:** This plan shall include details including but not limited to: -

- (i) Identification of the feasible remediation options for each relevant pollutant linkage;
- (ii) detailed evaluation of the options;
- (iii) development of the remediation strategy;
- (iv) statement and explanation of remediation objectives, i.e. what the remediation needs to achieve, for each relevant pollutant linkage;
- (v) derivation of remediation criteria against which compliance with remediation objectives for each relevant pollutant linkage can be measured;
- (vi) technical and scientific basis of the strategy;
- (vii) requirement for preparatory works;
- (viii) effectiveness of combining remediation options, where required;
- (ix) proposed site zoning and phasing of remediation;
- (x) verification of remediation and monitoring requirements;
- (xi) constraints and limitations to remediation;
- (xii) timescales required for remediation options to become fully effective;
- (xiii) assessment of requirements for environmental permits, licences etc.;
- (xiv) expected durability of the proposed remediation;
- (xv) measures to prevent pollution of controlled waters being caused by remediation activities at the site;
- (xvi) measures to prevent deterioration of air quality by remediation activities at the site;
- (xvii) measures to prevent noise nuisance by remediation activities at the site;
- (xviii) measures to reduce vibration by remediation activities at the site;
- (xix) measures to prevent and control pests and vermin at the site;
- (xx) measures to be implemented such that excavated waste material can be reused on the site

**Implementation Plan:** This plan shall include details including but not limited to:-

- (i) Remediation objectives for each relevant pollutant linkage;
- (ii) Remediation criteria for relevant pollutant;
- (iii) Overall site remediation criteria;
- (iv) Remediation methodology, i.e. what is to be done by way of remediation;
- (v) Phasing of the remediation works and approximate timescales for each phase;
- (vi) Site preparation and operational constraints;
- (vii) Site procedures for managing the remediation works in a manner that will not cause pollution or nuisance;
- (viii) Discussion of permitting requirements and proposals for obtaining the appropriate permits e.g:
  - waste management site licence
  - exemption from waste management licensing
  - mobile treatment licence
  - abstraction licence or consent
  - discharge consent
  - Groundwater Regulations authorisation
  - flood defence consent
  - other permits
- (ix) Details of how any variations from the Implementation Plan that have the potential to impact on identified receptors (including any areas of unexpected contamination encountered) will be dealt with during the site works.
- (x) Construction details of proposed monitoring boreholes
- (xi) Cross-reference to the Verification Plan and, if required, Monitoring and Maintenance Plan for the site.
- (xii) Plans \*showing:
  1. areas to be remediated
  2. proposed locations and phasing of remediation works
  3. areas to be used for stockpiling segregated contaminated and clean, site derived and imported materials
  4. location of areas to be remediated in relation to any proposed development
  5. proposed monitoring locations

\*All plans must be large scale, to scale and with a north point.

**Monitoring and Maintenance Plan:** This shall include but not limited to:

- (i) Scope and explanation of site monitoring (this is taken to include sampling for ease of reference) and/ or maintenance work required following completion of site works
- (ii) Statement and justification of end- point for the site monitoring programme
- (iii) Proposed monitoring assessment criteria and reasons for their selection
- (iv) Measures for ensuring that the required monitoring and/ or maintenance is undertaken
- (v) Schedule of maintenance activities required to ensure that



measures undertaken to remediate relevant pollutant linkages continue to be effective

- (vi) Schedule of monitoring required
- (vii) Construction details of monitoring boreholes or other type of monitoring installation
- (viii) Method of collecting, preserving and transporting samples to the analytical laboratory
- (ix) Type and suitability of monitoring equipment to be used
- (x) Plans showing proposed monitoring point locations
- (xi) Description of chemical analyses required, to be undertaken in accordance with the MCERTS performance standard for soils
- (xii) Laboratory quality assurance and control requirements

**Discovery strategy:** Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed.

The strategy shall include but not limited to details of:

- (i) supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
- (ii) a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction;
- (iii) a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction.

**Validation strategy:** This shall include but not limited to: -

- (i) Scope of remediation works to be undertaken and any design details required to inform the Verification Plan.
- (ii) Description of what constitutes completion for the remedial works and how completion will be verified.
- (iii) Data gathering requirements to demonstrate that site remediation criteria are achieved for each relevant pollutant linkage, such as:
  - sampling and monitoring strategy, including:
    - validation testing of excavations to remove contaminated materials
    - validation testing of materials excavated, treated and deposited at the site
    - validation testing of materials imported as 'clean fill'
  - post-completion verification testing of the remediated area
  - background water quality testing in groundwater and nearby surface waters
  - water quality testing of any treated groundwater and surface waters
  - site sampling and monitoring methods and frequency
  - how on and off-site observations will be recorded
  - explanation and schedule of chemical analyses, to be

	<p>undertaken in accordance with the MCERTS performance standard for soils</p> <ul style="list-style-type: none"> <li>• laboratory quality assurance and control requirements</li> </ul> <p>(iv) Performance testing required, e.g. for contaminant barriers and capping layers</p> <p>(v) Plans showing proposed sampling and monitoring point points</p> <p>(vi) Explanation of how compliance with discharge consents, abstraction licences, etc. will be demonstrated</p> <p>(vii) Proposed actions in case:</p> <ul style="list-style-type: none"> <li>• test results and monitoring data show that the remediation activities will not achieve the remediation criteria derived for relevant pollutant linkages</li> <li>• site works vary from those anticipated in the Implementation Plan</li> </ul> <p>(viii) Timing for preparation of the Verification Report, particularly if any remediation activities will extend beyond substantial completion of the main site works. All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology.</p>
<p>Council's Environmental Health Officer (Nuisance)</p>	<p>1. Identified Environmental Services issues relevant to Planning</p> <p>Possible disturbance to adjacent dwellings from:-</p> <ul style="list-style-type: none"> <li>• Noise and dust from demolition/construction</li> <li>• Lighting of bonfires on site</li> <li>• Floodlighting construction/demolition site</li> <li>• Accumulation of waste on the site</li> </ul> <p>2. Recommendation (with conditions if appropriate):</p> <p><u>Hours of working during construction period</u>  The use of the premises shall be restricted to the hours of 08:00 to 18:00 Mondays to Fridays, and 08:00 to 13:00 on Saturdays, and the premises shall not be used at any time on Sundays and Bank or Statutory Holidays.</p> <p>Reason: In the interests of the amenities of adjoining residents</p> <p><u>No burning</u>  No trade refuse shall be burnt or otherwise disposed of on the site</p> <p>Reason: In the interest of protecting the appearance of the area and local residents from unreasonable noise and smells.</p> <p><u>Lighting scheme</u>  No floodlighting or other form of external lighting scheme shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting,</p>

	<p>which is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance that does not change its details.</p> <p>Reason: In the interests of visual amenity and/or highway safety.</p> <p><u>Dust</u> The commencement of the development shall not take place until a programme- for the suppression of dust during the demolition of existing buildings and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.</p> <p>Reason: In the interests of residential amenity.</p> <p><u>Informative – Construction/Demolition Noise</u> The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works can be made to the Environmental Protection Team of the Council.</p>
Council's Refuse and Recycling Officer	Proposals should reflect the current service within Waverley.

## Representations

43 representations of objection have been received, plus 2 representations of support, in addition 3 representations making general observations have been received. They are summarised as follows

<b>Objections</b>	<b>Support</b>
Height of the proposed development Design Density (overly dense) Traffic Congestion Adverse visual impact Lack of affordable housing Insufficient parking provision Impact upon the residential amenities of the residents of Victoria Road Impact on Listed Building and Conservation Area Pollution /Health implications Sewerage Insufficient information relating to cycle ways	Deliver family houses Development will be a landmark

## 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 decisions 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 carries limited weight.

The key determining issues are:

- Whether the application overcomes the previous reasons for refusal for application WA/2007/1390, and those of the subsequent applications WA/2009/1674 and WA/2011/0281
- Compliance with the National Planning Policy Framework 2012
- Compliance with the Planning Brief and Policy TC6 of the Local Plan
- Environmental Impact Assessment
- 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

## Planning Considerations

### **Whether the application overcomes the previous reasons for refusal for application WA/2007/1390, and those of the subsequent applications WA/2009/1674 and WA/2011/0281**

The current application is a materially different scheme to that proposed under references WA/2007/1390, WA/2009/1674 and WA/2011/0281. It follows on from pre-application discussions with Officers and was the subject of a public consultation exercise carried out on 16<sup>th</sup> and 17<sup>th</sup> September 2011. The key differences between the current scheme and the previous schemes are as follows:

1. A reduction in the overall quantum of development;
2. Residential development only with no commercial units;
3. Reduction in the height of the development, with a maximum height of 5 storeys;
4. Single layer of basement car parking, compared to the two previously proposed;
5. Altered design to incorporate smaller apartment blocks interspersed with town houses.

Whilst the current application is materially different to the previous schemes, the previous history remains highly material in the consideration of this scheme. The key test for Members is whether the development is acceptable in its own right, and also whether it overcomes the Council's previous objection to the development upon the site cited for applications references WA/2009/1674 and WA/2011/0281, and those of the Secretary of State under WA/2007/1390.

## **Environmental Impact Assessment**

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment'.

An ES is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before the development is allowed to go ahead. An EIA must describe the likely significant effects and (including where appropriate impacts on air, water, and soil quality before, during and after the proposed development) mitigating measures envisaged.

## **Cumulative Impacts**

The cumulative indirect and direct effects of the current application with those of neighbouring past, present, and reasonably foreseeable developments (at the time of the submission of current application, have been assessed by the applicant.

It is considered that the ES has adequately explained the environmental implications of the proposed development and the proposed mitigation measures are acceptable. Officers are therefore satisfied that the likely cumulative effects of the various developments have been satisfactorily addressed.

## **Compliance with the Planning Brief and Policy TC6 of the Local Plan**

### **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 height, 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.

In assessing the previous proposals (references WA/2009/1674 and WA/2011/0281), the Council concluded that the development failed to comply with the planning brief due to its overall design and visual impact. The overall design of the proposed development in the current submission is materially different to that previously refused and must be acceptable against the guidance of the planning brief in its own right. However, the reasons for refusal for the previous schemes are a highly material consideration and Members must therefore consider whether the proposal overcomes those previous reasons for refusal and the conclusions of the Secretary of State.

Whilst the planning brief is a material consideration, it should be noted that the Planning Brief provides guidance and is not intended to be prescriptive or to dictate the final evolution of design for the site, as noted by the Inspector for the 2007 appeal at paragraph 54 of his report. It should also be noted that the Secretary of State, in her decision for reference WA/2007/1390, indicated that 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.

## 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;

In refusing the previous scheme in 2007, the SoS attached significant weight to the design, scale and character of the development, and its importance in reflecting local distinctiveness. This was reinforced by the decisions for applications reference WA/2009/1974 and WA/2011/0281. 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 complaint 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;

In addition to off-site highway improvement works proposed by the applicant an Infrastructure Contribution of £63,360 (plus £3,960 monitoring fee) towards a Travel Plan, together with a contribution of £16,830 towards cycle way improvements has also been offered.

- 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 that 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 separate headings below.

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

In considering the 2007 scheme, the SoS 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. However, the previous schemes (references WA/2009/1674 and WA/2011/0281) included a reason for refusal relating to overlooking of residential properties in Victoria Road as it was considered that the juxtaposition of the end block would be such that there would be an unacceptable loss of privacy to these properties. This relationship had not existed in the appeal scheme. The proposed scheme is materially different from the previous schemes in terms of its design and a discussion of the impacts of the scheme upon the amenities of adjacent occupiers 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. In the 2009 application, the Environment Agency raised objection to the scheme regarding ground water flooding, stating that an initial review of information provided indicated that groundwater flooding is a potential issue that may be exacerbated by the proposed development. Subsequently, on the advice of the Council's independent flood risk expert, the application was refused on the basis that it had not been satisfactorily demonstrated how the groundwater flood risk to existing and new residents would be managed.

Prior to the submission of the 2011 scheme, the applicant's flood risk expert, RPS, sought to resolve the issue of groundwater flood risk with the Council's own expert, Mott McDonald. Officers considered that the additional information provided within application reference WA/2011/0281 satisfactorily resolved issues of flood risk, and this did not form a reason for refusal for this application. However, the current scheme is materially different from the previous scheme, both in terms of its design and quantum, and as such an assessment of the scheme on its merits is made separately under the following section of the report entitled 'Flood risk'.

It is acknowledged by officers that the current application is not for a mixed-use development, being solely residential in nature; however, it is considered that the current proposal would not prejudice the development of the remaining section of the Key Site in a way envisaged by objective of Policy TC6 to see a mixed use development. Furthermore, it is acknowledged that if approved the proposal would result in the loss of industrial/warehouse units and a community facility (the Former Police Station); however, Policy TC6 does not envisage the replacement of the industrial/warehouse units in the redevelopment of the site and this community facility has in any event been replaced within Waverley Borough Council Offices. As such, and given that the proposal would not prejudice the future development of the remaining section of the site for other uses officers consider that the proposal is in general accordance with Policy TC6 of the Local Plan.

## **Design considerations**

The National Planning Policy Framework outlines, in paragraph 56, that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. The Framework emphasises that it is important to plan positively for the achievement of high quality and inclusive design for

all development including individual buildings, public and private spaces and wider area development schemes. Planning policies and decisions should aim to ensure, *inter alia*, that developments:

- Function well and add to the overall quality of the area, not just for the short terms but over the lifetime of the development;
- Establish a strong sense of place;
- Respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

The NPPF outlines that whilst design policies should not be overly prescriptive, and should not impose architectural styles or particular tastes, it is proper to seek to promote or reinforce local distinctiveness.

This approach is commensurate with the criteria outlined within the 2002 Development Brief for the site, and also within the relevant local plan policies. In particular, Policies D1 and D4 of the Local Plan 2002 outline that the Council will ensure that development is of a high quality design which integrates well with the site and complements its surroundings. Further, Policy TC6 reinforces the need for the redevelopment to improve the townscape and to be of a high quality design and complementing the scale of character of the town.

The proposed development seeks a materially different design approach and a smaller quantum of development to that proposed in the preceding three schemes for the site. However, the assessments of the design of these schemes is a highly material consideration and aside from being acceptable in its own right, Members must consider whether the proposal overcomes the objections raised to the previous schemes in respect of design.

In considering the 2007 scheme, the Secretary of State 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”.

Following the SoS’s dismissal of this application, the applicant sought to overcome her concerns by re-designing the proposals. The applicant sought to achieve a high quality design for the site by using a firm of well regarded, established architects, and also sought the advice of the former Commission for Architecture and Built Form (CABE), which is now part of the Government’s advisory Design Council.

The proposed scheme for the 2009 and 2011 schemes was comparable in bulk, height and massing to that proposed in application reference WA/2007/1390, albeit with a lower height along Flambard Way. Whilst the Council felt that the proposals remained objectionable in these respects, in light of the Secretary of State’s decision it was considered that to pursue an objection on these grounds could be considered unreasonable, should the decision to refuse planning permission be refused.



However, notwithstanding this point, the Council considered that the design of the scheme did not overcome the harm identified by the SoS in relation to the townscape and failed to reflect local distinctiveness through its design. It was concluded that the proposal would cause material harm to the local market town character of Godalming as follows:

- The architecture would be seen in isolation and would not visually integrate or harmonise with the existing character or context of this part of the town;
- The design had a generic resemblance to other blocks of flats elsewhere in the country and failed to reinforce local distinctiveness, character and sense of place;
- The corner tower element did 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 would be out of character with the area and would fail to have a positive visual relationship with adjoining development, and;
- 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.

Following the refusal of the 2009 scheme, a new developer approached the Council with a view to developing an acceptable scheme for the site. The current application is a result of those discussions and has been the subject of a rigorous design process and community consultation.

Members must therefore make an assessment as to whether the design of the new scheme is acceptable in its own right, and also whether it overcomes the previous reasons for refusal cited by both the Secretary of State for the 2007 scheme and the Council for applications reference WA/2009/1674 and WA/2011/0281.

The style of architecture proposed is of a traditional form and appearance which is considered to be appropriate in the context and setting of the town centre. It would also reflect the design and form of more recent, 'stand alone' buildings in the immediate vicinity, namely the 'Waitrose' supermarket to the north of the site, 'Homebase' and 'Sainsbury's' stores on Woolsack Way and the residential development at Felicia Court. Whilst it is acknowledged that the height of the North and South blocks of apartments would make them large and dominant buildings in the context of the surrounding townscape, it is considered that the design proposed includes a good level of articulation and definition of form, which will assist in reducing the bulk of these parts of the development. Officers consider that the reduction in height from the eight storeys proposed in the 2009 and 2011 schemes to five storeys represents a visual improvement, and that subject to high quality and robust materials and detailing would result in a high quality and locally distinctive development at the two most prominent corners of the development site.

It is acknowledged that the depth of the apartment blocks would result in the introduction of some areas of flat roof. However, the majority of the roofscape would be pitched and would conceal the flat roof sections from view at street level. Whilst there may be some glimpses of the flat roofs from the surrounding hillsides, particularly on the apartment blocks, these would not be the dominant roof form and overall the development would have a traditional pitched roof appearance, reflecting the prevailing vernacular character. In addition, it is considered that the treatment of the elevations of the proposed development would respect traditional proportions and balance in design, using features such as gables, entrances and window types and forms which respond to and reflect the

surrounding built character. In order to ensure that these important architectural elements are detailed correctly, further large-scale details should be secured through conditions, should permission be granted.

Turning to the layout of the scheme, it is considered that the adopted approach of perimeter development of the site which addresses access through the important road frontages of Flambard Way and Catteshall Lane would ensure activity appropriate to this edge of town location. Officers consider that the two apartment blocks would be appropriately located at key visual nodes in the townscape and would act both as focal points and landmarks upon approach to the site. It is considered that the development along the Flambard Way frontage would complete the desired built enclosure of the street scene, which is already partially achieved by The Atrium (Phase I) and the Wharf Nursery. In this respect it is considered that, the development would enhance the appearance of this local part of the town, which has previously been blighted by the former police station and other vacant parts of the site.

Whilst it is acknowledged that the higher elements of the proposed scheme, and particularly the upper floors and roof of the proposed apartment blocks, would be visible in medium and long distance views of the site, it is considered that the development would positively contribute to these well-established views in and around the site. Subject to high quality detailing of the most prominent elements of the scheme, which could be controlled through the imposition of a condition, Officers consider that the scale, form, architectural style, height and massing of the proposed development would be acceptable, in accordance with Policies D1, D4 and TC6 of the Local Plan, and in accordance with the NPPF 2012.

### **Impact upon Conservation Area and setting of Listed Building**

Although the application site is not located within a Conservation Area, nor does it contain a Listed Building, the Council is mindful of the requirements of Sections 16 and 72 of the Planning Listed Buildings and Conservation Areas Act 1990, and whilst not directly relevant in the determination of this application have nonetheless informed the assessment of the proposal.

Section 16 of the Planning Listed Buildings and Conservation Areas Act 1990 states that the local planning authority shall have special regard to the desirability of preserving the setting of a listed building..

Section 72 of the Planning Listed Buildings and Conservation Areas Act 1990 states that in the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The National Planning Policy Framework outlines in paragraph 131 that when determining planning applications, local planning authorities should, amongst other things, take account of the desirability of new development making a positive contribution to local character and distinctiveness. Further, the Framework continues in paragraph 137 that proposals preserve those elements of the setting of a heritage asset, or make a positive contribution to or better reveal the significance of the asset, should be treated favourably.

Policy HE8 of the Local Plan is considered consistent with this approach, and 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 2007 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."

As part of the consultation for the 2009 and 2011 scheme, residents submitted a photographic representation of how the development could be viewed from Godalming High Street and Conservation Area. The agents subsequently submitted their own photomontage of the High Street impact, which indicated that the development would be visible from the High Street.

As a result of this new information, in considering the 2009 scheme, Officers disagreed with the Secretary of State's conclusion that the proposal would not be visible from the Conservation Area, and as part of the assessment for that scheme commissioned their own expert review of the submitted photo-montages. The Council's expert, GMJ Design, concluded that it was not possible to fully determine whether the methodologies used were reliable in producing an accurate representation of the proposal when viewed from the Conservation Area. As such the decisions for the 2009 and 2011 schemes included the following reason for refusal:-

"The scale, bulk, height and built form of the proposed development adjacent to the town centre are 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."

The key test for Members is therefore whether the current scheme would preserve or enhance the character of the Conservation Area and setting of the adjacent Listed Building, and also whether the proposal overcomes the reason for refusal cited for the 2009 and 2011 schemes.

Officers have sought advice from a local urban design and historic environments expert, John Davey, who has reviewed the scheme in light of the potential impact of the development in this respect. Officers have also requested the applicant to reproduce the photomontage taken from the High Street, and have had this independently scrutinised by a photographic expert (GMJ Design). The assessment of GMJ Design will be reported orally to the meeting.

It is considered that views of the development from the High Street Conservation Area would be restricted owing to the reduction in height to 5 storeys at the apex of the site at the junction of Catteshall Lane with Flambard Way. However, there would be some views of the site from Wharf Street and from Bridge Street, across the Waitrose supermarket car park. Having regard to the design of the proposals it is considered that any views from these vantage points would be of low significance. Whilst it is inevitable that the proposal

would alter the setting and approaches to this part of the Conservation Area, it is considered that the proposals would remove parts of the existing damaging townscape that the site currently affords and would result in a positive impact upon the character of the town centre.

Officers acknowledge that any redevelopment of the Key Site would result in an impact upon the Old Steppe House, which is a Grade II Listed Building located to the south west of the site, on the corner of Brighton Road. However, given the locally distinctive design of the proposals, together with the separation distances between the proposed south block and the Listed Building, it is considered that any impact would not be significant and the setting of this heritage asset would be preserved.

Finally, it is recognised that there may be some long distance and oblique views of the proposals from the Wey Navigation Conservation Area, to the north east of the site. However, given the distances involved, together with the enhanced visual appearance of the site once it is redeveloped, it is considered that the proposals would preserve the character of this designated area.

Having regard to the design, form, scale and height of the proposals, Officers consider that whilst the proposals would be visible from some vantage points in the town centre Conservation Area, the impact would be a positive one and the setting of this area and other heritage assets adjacent to the site would be enhanced by the removal of the existing buildings and their replacement with buildings more appropriate to the townscape and vernacular character. In this respect, the proposal is considered to comply with Policies HE3, HE5 and HE8 of the Local Plan and the guidance of the National Planning Policy Framework.

### **Housing mix and density**

The National Planning Policy Framework 2012 outlines in paragraph 50 that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Local Plan 2002 is considered consistent with this approach and 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.

The 2007 scheme proposed a mix of 44.9% one bedroom units, 45.3% two bedroom units and 9.8% three bedroom units. In reaching her conclusions in paragraph 30 of her decision, the Secretary of State agreed with the Inspector that this would represent an appropriate mix and type of dwellings, and that the location of the site offered a realistic

and appropriate choice of transport access. Both the 2009 and 2011 schemes proposed a similar mix of dwellings, with 26.4% one bedroom, 63.2% two bedrooms and 10.4% three bedrooms, totalling 89.6% 2 bedroom units or less and 100% 3 bedrooms or less. For these schemes the site would have had 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.

Whilst the 2009 and 2011 schemes would have resulted in a high density of development on site, it was concluded that the site is considered sufficiently well served by public transport and is closely related in terms of location to the town centre. It was therefore considered that the proposed density could be accommodated on site, and that the mix and size of dwellings proposed complied with criteria a) to c) of Policy H4. These decisions remain highly material in the consideration of the current proposals.

The current application proposes the following mix of dwellings on site:

Number of bedrooms	Number of units proposed	% mix
1-bedroom	65	47.5%
2-bedroom	35	25.5%
3-bedroom	11	8%
4-bedroom	26	19%
Total	137	

The proposed development would represent a density of 124.5 dwellings per hectare. This density would be high and exceed the guidance of 30-50 dwellings per hectare as set out in Policy H4. However, this density would be less than that considered acceptable in the previous schemes. Policy H4 does allow for higher densities in areas which are easily accessible and close to existing transport nodes, which reinforces the guidance of national policy that local planning authorities should adopt localised density requirements dependent on site specific circumstances.

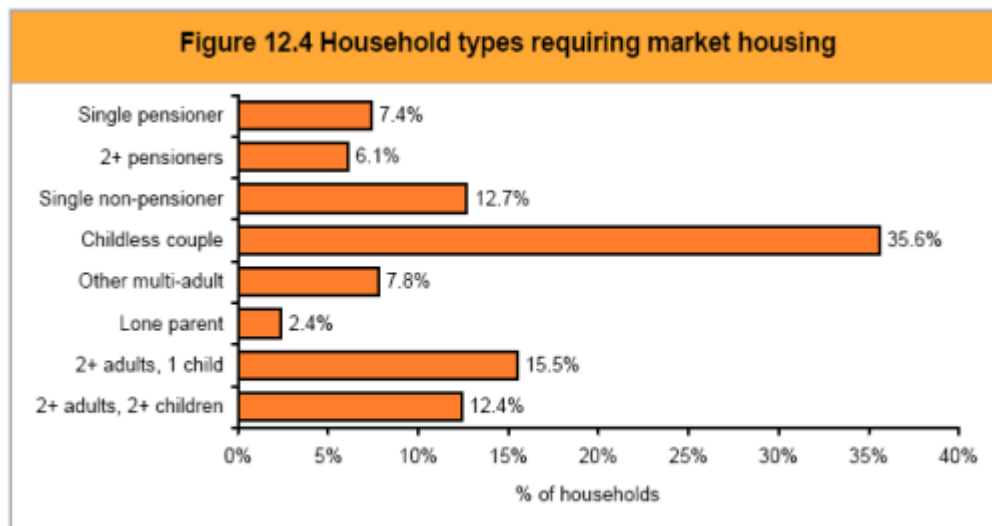
The site is adjacent to the town centre of Godalming, in close proximity to transport nodes and services and facilities and as such is considered to provide a sustainable location for housing, and as such it is considered that the use of the site for housing should be maximised. Officers are also mindful of the contamination clean-up costs which would be incurred in any redevelopment of the site, and that in order to off-set this, a high quantum of development would be required in order for the scheme to be financially viable.

Having regard to the constraints of the site, together with its location adjacent to the town centre and the previous decisions for the site, it is considered that the density of the proposal would be acceptable in this location, in accordance with Policy H4 of the Local Plan and the guidance of the NPPF 2012.

The emerging policies in the LDF Pre-Submission Core Strategy are not prescriptive about house type and size, unlike Policy H4 of the Waverley Borough Local Plan 2011. However, it does say that new proposals should reflect the evidence in the Strategic Housing Market Assessment (SHMA). The SHMA 2009 found that the market demand is as follows:

Bedrooms	Net Market Demand
1	71(19%)
2	146 (38%)
3	31 (8%)
4+	134(35%)
Total	382

The household survey also identifies the profile of household types requiring market housing that was at that time specifically required by PPS3. It shows that the largest group are childless couples (35.6%). Pensioner households make up around 14%.



Source: Waverley Borough Council household survey (2007)

As such Officers consider that the high proportion of 1 and 2 bedrooms proposed in the application could meet the demand for housing single people and childless couples in line with the requirements identified in both the SHMA and the Waverley Borough Council Household Survey 2007, as such it is considered that the proposal would be acceptable in accordance with the NPPF 2012.

### Neighbouring amenity

The National Planning Policy Framework identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within Council's SPD for Residential Extensions. 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.

In considering the 2007 scheme, the Secretary of State agreed with the Inspector and concluded that the proposals would not result in any material harm by way of loss of light, overbearing form or loss of privacy/overlooking. However, the 2009 scheme proposed a materially different relationship to that considered previously, and introduced windows to the elevation directly adjacent to the rear gardens of the properties to the west of Victoria Road. In determining application reference WA/2009/1674, Officers raised concern that the proposal, by virtue of increased overlooking, would represent material harm to the amenities of the occupiers of Victoria Road. The following reason for refusal was given for WA/2009/1674:

*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.*

Subsequently, the applicant has sought to overcome this reason for refusal and submitted revised plans to the Council, which showed screening to the balconies at first floor level, with the internal layout of the block re-configured to allow for obscurely glazed windows serving stairwells and bathrooms only to this elevation. These amendments were considered by the Council's Area Planning Committee on 14<sup>th</sup> July 2010, and Members resolved that the amendments would not satisfactorily overcome the reason for refusal by creating further harm to amenity and not adequately addressing perceived overlooking. Nonetheless, these changes were included in the revised application reference WA/2011/0281, but formed a reason for refusal for this application, pursuant to Members' resolution.

The previous reason for refusal relating to overlooking is a material consideration. However, the current scheme is materially different from that previously proposed and must be assessed afresh in light of current guidance and policy. As the scheme proposed is materially different from that previously considered by the SoS and the Council, Members must also consider whether the current proposals would result in any further harm by way of overbearing form or loss of sunlight or daylight which would lead them to a different conclusion in these respects.

Paragraph 5.31 of the submitted Planning Statement states that the current application preserves residential amenity by virtue of the siting and orientation of buildings and also through the location of fenestration, with particular reference to the omission of balconies adjacent to the properties in Victoria Road. Paragraph 5.32 continues that the layout of the proposal has been designed around a 'perimeter block' principle, and that the 'back to back' relationship created by the crescent of properties adjacent to Victoria Road would provide a relationship comparable with those found in other residential developments in Godalming and other urban areas. The applicant therefore concludes that taken as a whole, the changes introduced to the scheme in light of the previous reasons for refusal would ensure that the development accords with policies D1, D4 and TC6 of the Local Plan in respect of residential amenity.

The proposed development would involve the construction of a two storey dwelling with accommodation in the roof adjacent to the rear gardens of Victoria Road. In order to address the previous reasons for refusal the applicants have altered the design of the development from that previously refused. The change comprises the removal of balconies and the introduction of traditional windows. In addition the height of the development has been reduced to two storeys instead of the previous three storeys. Officers consider that the proposed scheme addresses the previous reason for refusal, and notwithstanding that would in its own right not have a detrimental impact on the residential amenities of the occupiers of Victoria Road by reason of loss of privacy through being overlooked or by loss of amenity by representing an overbearing form of development.

Consideration must also be paid as to the impact of the proposed development upon the amenities of the residents to the south of the development site, in South Hill, and to the north-west, in Felicia Court. As noted previously, the development proposes a reduced quantum of development and as such its overall height across the site is reduced in comparison with the three previous schemes. In considering those proposals, both the Secretary of State, the Inspector and the Council found that the proposals would not result in any materially harmful impacts to the amenities of these residents by way of overbearing form, material loss of light or loss of privacy. Having regard to these decisions, together with the reduced height of the development, it is considered that the proposals would not adversely affect the amenities of these properties would therefore accord with Policies D1, D4 and TC6 of the Local Plan and the SPD for Residential Extensions.

It is acknowledged that during the construction phase of the proposed development there could be some impact on the amenities of the occupiers of residential properties near the application site; these impacts could emanate from construction activity noise and dust; the storage of waste products on site; any lighting to be used on site; and any fires/burning of waste on site. In order to control these impacts a number of planning conditions have been suggested.

### **Provision of amenity and play space**

The National Planning Policy Framework outlines in paragraph 69 that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Planning policies and decisions should aim to achieve places which promote:

- Opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

This guidance is reinforced by Policy H10 of the Local Plan 2002 which 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.

In the 2007 scheme, 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.

Both the 2009 and 2011 schemes included the provision of 3,793 sqm of private, communal and public amenity space, including balconies, courtyards and roof terraces. It was proposed that all of the properties would have access to either private or shared amenity space, comprising a balcony, private garden or shared courtyard area. No objection was raised by Officers with regard to the provision of amenity space in these schemes and these decisions remain highly material in considering the current proposal.

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 400sqm with a buffer between it and the boundary of the nearest residential property. This buffer zone would include footpaths and planted areas.

The proposal does not include any equipped play space on site but instead has offered a contribution of £56,489.25 for the provision of off-site play space. The inclusion of garden spaces to front and rear of the town houses is welcomed and it is considered that the proposals would provide a sufficient amount of private residential amenity space for the future occupants of the site. The proposed apartments would include balcony spaces, and whilst these would provide limited useable space it is considered that the central open green space would provide an area of communal recreation space within the site. The location of the site adjacent to the town centre and the quantum of development required to make the scheme financially viable imposes restrictions on the amount of recreational space which could be provided. In addition, it is considered that there are additional recreational spaces available in close proximity to the site e.g. the Bury's field, Lammas Land and the Wey Navigation, which would provide opportunities for recreation and leisure for residents. Moreover, it is to be borne in mind that the Inspector, supported by the SoS did not raise the issue of either private or shared amenity space in their respective reports / decision, in the 2007 scheme.

The proposal is therefore considered to provide sufficient private and communal amenity spaces for the residents of the development, in accordance with Policy H10 of the Local Plan and the guidance of the NPPF 2012.

### **Trees and landscaping of the site**

Paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

In considering the previous schemes for the site, it was acknowledged that that the general amount and type of landscaping and planting proposed would represent a general

increase in the value of the visual amenities of the site, and appropriate landscaping would be welcomed.

At present, the site is relatively bare of planting, and Officers consider that any gain in additional trees would be desirable. 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 acknowledged that the increased space within the centre of the site and provision of a set back for buildings lines, from both roadside frontages along Catteshall Lane and Flambard Way, would enable an enhanced landscape design that effectively softens the harsh building lines that this scale of development proposes.

Officers have considered the limited space which would be provided along Flambard Way for tree planting. It is noted that opportunities for structural tree planting that would have a significant positive impact on the character of the street scene remain limited, as with the previous schemes. Whilst it would have been preferable to incorporate space for additional trees with greater landscape significance along this frontage, Officers recognise the constraints of the site and the quantum of development required in order to create a financially viable scheme for the site.

As such, and on the balance of considerations, it is considered that the redevelopment of the site would represent a net benefit to the landscape and immediate street scene and that suitable landscaping could be incorporated into the scheme to enhance the visual appearance further. It is therefore considered that if permission were to be granted, conditions could be included to ensure that a detailed landscaping and landscape management and maintenance plan are submitted and agreed.

## **Housing supply**

The National Planning Policy Framework sets out in Paragraph 47 that local planning authorities should use their evidence bases to ensure their local plan meets the full needs for market and affordable housing in the borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Further, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

Paragraph 50 Of the National Planning Policy Framework directs that in order to deliver a wide choice of high quality homes, widen opportunities for homes ownership and create sustainable, inclusive and mixed communities, local planning authorities should: *inter alia*

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and

Waverley Borough Council is required by the South East Plan to provide for at least 5,000 new homes in Waverley in the period from 2006 to 2026, with an annual average of 250

dwellings. The Government outlined its intention to abolish regional plans through the Localism Act 2010, but is yet to formally revoke them. As such the South East Plan 2009 remains a material consideration in assessing the proposed scheme.

It is acknowledged that the 2002 Planning Brief for the site identified that the proposals for the wider site should include mixed use development, which possibly incorporates a residential element. In considering the 2007 scheme, the Secretary of State concluded that the achievement of a high quality mixed use development appropriate to the setting was of paramount importance, and that the position on housing land supply was not an overriding consideration. Subsequently, in assessing the 2009 and 2011 schemes, it was considered that the provision of a range of residential units of varying size would make a valuable contribution to local residential stock, and it was concluded that these schemes were acceptable in terms of meeting housing supply needs.

However, the current scheme is materially different to those considered previously in that it seeks a purely residential scheme, with no commercial units. In addition, since the time of the previous application in 2011, the Council has published its LDF Pre-submission Core Strategy and the National Planning Policy Framework has been published. The NPPF outlines that local planning authorities should identify their own housing targets, on an evidenced based process. The draft Core Strategy proposes a slightly lower annual average of 230 homes per annum over the plan period. The main reasons for this approach are as follows:

- Waverley is not within an identified growth area or other sub-regional area in the South East Plan. It is within the 'rest of Surrey' category where indicative housing figures were originally 220 per annum;
- The 2005 evidence base for the South East Plan was based on an assessment of the potential to accommodate growth in the settlements and on any other suitable rural brown-field land, which were heavily reliant on estimates of future supply from unidentified sites. However, the Government's stance regarding windfall sites has since changed with the adoption of the NPPF, and local planning authorities may now make an allowance for windfall sites in their five year supply, if there is compelling evidence to suggest such sites have consistently become available and will continue to do so;
- At the time of the 2005 evidence base being prepared, Waverley was delivering housing in excess of its allocation. At this time, PPG3 was in place, which encouraged densities of 30-50 dwellings per hectare. However, with the publication of PPS3, this minimum density requirement was removed from national planning policy, as was the inclusion of 'garden land' within the definition of 'previously developed land'. As such, the Council changed its approach to harmful 'back-land' development and as a result, reliance upon intensification and infilling of urban sites is not likely to match that at the time of the preparation of the evidence base; and
- There are major developments planned in neighbouring authorities that will meet some of the housing needs arising in the Borough.

In April 2011, the Council published its Strategic Housing Land Availability Assessment (SHLAA) which identifies the Godalming Key Site as being a potential urban area which could provide 138 houses out of the required 2,886 homes over the plan period (2011 – 2028). Whilst the inclusion of the site in the SHLAA does not necessarily imply that planning permission will be granted for residential development, or preclude the site being considered for other purposes, it is a material consideration that the site could provide a significant amount of the identified housing requirements for the Borough.

Having regard to the need to provide housing in the Borough, together with the decisions for the 2007, 2009 and 2011 schemes, it is considered that the proposals for residential development on the site would be acceptable in accordance with the NPPF 2012.

### **Affordable housing**

The National Planning Policy Framework 2012 outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H5 sets out the local requirements for affordable housing and 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 137 new homes on the Godalming Key Site generates a requirement for 25% affordable housing under Policy H5, which equates to 35 affordable homes (if rounded up from 34.25).

At the time of the 2007 scheme, the applicant did not provide any on-site affordable housing but did offer a commitment to build 38 affordable homes at Langham Park. The Secretary of State concluded that whilst the site would not include any affordable housing she concluded that the scheme would not be viable if affordable housing were to be included.

Subsequently, in the consideration of the 2009 and 2011 schemes, a confidential viability appraisal was submitted to evaluate the case for providing affordable and other community benefits. The Council commissioned an independent scrutiny of this appraisal by the DV (the commercial arm of the Valuation Office Agency), who concluded that taking into account the current market conditions for both sales and cost, the proposed development would not be viable should S106 contributions, including affordable housing, be provided. The applicant did, however again offer a commitment to build the 38 homes at Langham Park. The Council agreed with the conclusions of the DV, subject to an overage clause being included in a legal agreement to secure contributions should there be an improvement in market conditions.

The current proposal does not provide any on site affordable housing, and no contribution has been offered towards off-site provision. The applicant has again argued that the provision of affordable housing on the site would not be viable, given the constraints and contamination clean-up costs associated with the proposals, and has submitted a confidential viability report. Officers have sought independent scrutiny of this report from the DVS; and the DVS agree with the applicant's findings. The Viability Statement along with the report from the DVS are contained within Exempt Appendix A. Having regard to the DVS's conclusions Officers consider an objection to lack of affordable housing on site or a contribution towards off-site provision would not be justifiable.

## **Viability**

A Viability Statement has been submitted by the applicant to evaluate the case for the scheme. Part of 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.

In order to assess the acceptability of the development in terms of the amount of Section 106 and Section 278 monies and absence of affordable housing, the Viability Statement has been independently assessed by the DVS.

The DVS concludes that on the basis of their assessment of the Viability Statement, they are of the view that the proposed scheme with all private units is viable, but if any affordable units were required the scheme would not be viable. In addition the DVS recommend that the proposal from County Homes (Key Site) Limited for a contribution of £300,000 for both Section 106 and Section 278 monies is reasonable..

Officers accept the findings of the DVS.

## **Highway considerations, including access and parking**

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements local authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limit the significant impact of the development.

Since the time of the previous application (reference WA/2011/0281), Surrey County Council has issued its 'Vehicular and Cycle Parking Guidance' (January 2012) which has been commended to the 11 local planning authorities in Surrey and acts as a basis for use in local guidelines as part of their Local Development Framework. This guidance superseded the County Council's 2003 guidance. The Council intends to fully adopt the County Council's guidance in relation to non-residential development, cycle parking provision, disabled parking and school parking. The Council is in the process of producing its own parking guidelines for residential development, which take account of the guidance of the County Council but which also reflect local requirements within the Borough. The Draft Waverley Borough Council Parking Guidelines (May 2012) are currently the subject of public consultation and it is anticipated that they will be formally adopted shortly. These standards are therefore a material consideration in the assessment of the current application. However, limited weight can be attached to them at this early stage in the process.

In considering the 2009 and 2011 schemes, the Council raised concern that the crossing facilities across Flambard Way were insufficient to accommodate the increased demand arising from the development. This formed a reason for refusal for these applications. However, no objection was raised to the proposal in terms of the number of parking spaces proposed, nor to vehicular access being taken from Catteshall Lane.

The current application proposes 199 basement car parking spaces, serving 135 units.

The proposed car park would be accessed via a new entrance on Catteshall Lane. In addition to car parking spaces 125 cycle spaces would be provided. The table below sets out the number and type of parking spaces:

Type of space	Number to be provided
Car	199
Disabled	3
Bicycle	125

### Basement Car Park Layout



Pedestrian access to the site is proposed from two points along Flambard Way, at either end of the central block of town houses, and at two points on Catteshall Lane, between the South Block and houses 1-7 and to the south of the proposed vehicular access to the underground car park.

Two lay-bys are proposed to serve the development - one at the top of Catteshall Lane adjacent to the South Block, and one to the south east of Flambard Way adjacent to the North Block. In addition to the basement car park, 17 car parking spaces would be provided to the south of Catteshall Lane, adjacent to the site. A shared cycle way and footway are proposed along Flambard Way, leading to a toucan crossing at the junction of Catteshall Lane and Flambard Way.

A Transport Assessment has been provided as part of the Environmental Statement (ES). The assessment outlines the proposed development in relation to national, regional and local transport policies.

The Transport Chapter within the ES concludes that the site is located in an excellent location close to many local facilities which are all within acceptable walking distance from the site, and as such the site will benefit from many trips using non-car modes.

Local residents have requested the introduction of a shared surface to the top of Catteshall Lane; this has issue has been raised with both the developer (Country Homes) and Surrey County Council Highways. It is unlikely that such a provision could be insisted upon on the grounds of essential needs relating to highway safety.

A Travel Plan has not been submitted with the application, but the applicant has offered a contribution of £63,360 (plus monitoring fee) towards a Travel Plan. A formal response of The County Highway Authority has not yet been received; their comments will be reported orally; however, no overriding objections are envisaged.

In addition to the contributions towards a Travel Plan and cycle improvements, the applicant has also offered improvements to the junction of Catteshall Lane and Woolsack Way, to the north of the site. The proposals include removing the existing mini-roundabout and making this a priority junction, with increased signage. The County Highway Authority has not objected to this part of the proposal, which would be captured separately in an agreement pursuant to S278 of the Highways Act 1980 (as amended).

The comments from the County Highway Authority are awaited and shall be reported orally to the committee; however, in the absence of those comments it is considered by Officers, given the level of pre-application discussions in relation to the proposed off-site highway improvement works, the previous comments of the Highway Authority on larger planning applications, and the comments of the SoS in the previous appeal determination; that it is not expected that there should be any overriding objection from the County Highway Authority in relation to this proposal.

### **Contamination on site**

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner

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, engineer sing 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, it is concluded that a range of contaminants including metals, ammonia, sulphate, phenols, cyanide and hydrocarbons, have been confirmed in soils and 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. The full details of the remediation scheme would be controlled through planning conditions.

The Council's Land Contamination Officer has been consulted and has no objections to the proposal subject to the imposition of suitable planning conditions to secure the details, and implementation of a remediation scheme.

## **Biodiversity**

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

In considering the previous applications, it was concluded that the applicant had satisfactorily demonstrated that the biodiversity of the site would be conserved by the proposals, subject to conditions to ensure enhancements of the ecological value of the site.

The applicant has submitted a biodiversity report relating to the site, which builds upon the assessment undertaken in respect of the 2009 planning application.

Surrey Wildlife Trust (SWT) and Natural England (NE) have been consulted on the proposals and their formal comments have not been received. Any comments will be reported orally to the meeting; however, it is not envisaged that either SWT or NE will raise objections to the scheme given the context, location and previous uses of the site.

## **Effect upon Special Protection Areas**

The application site is located within the 5km buffer zone of the Wealden Heaths SPA.

Having regard to the distance to the Wealden Heaths SPA and the standing advice from Natural England, Officers consider that there would be no likely significant effect on this SPA due to the availability of alternative recreational opportunities in the area to divert people from its use.

Having regard to the information contained within the Environmental Statement Officers consider that an appropriate assessment under Article 6(3) of the Habitats Directive is not necessary.



## **Air Quality**

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of *inter alia* (c) 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; (d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances; In the same vein *Policy D2* states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular *inter alia* (a) development, which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The application site is located approximately 400m from the Godalming Air Quality Management Area. Given the proximity of the AQMA the applicant has included within their Environmental Impact Assessment a section on Air Quality, covering the impact of the proposed development on air quality during both the demolition and construction, and the operational phases. The Assessment has been assessed by the Council's Environmental Health Officer (Air Quality) and that Officer recommends the imposition of a number of planning conditions if planning permission is granted.

## **Sustainability / Climate Change**

On meeting the challenge of climate change, paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability to and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to:

- Comply with Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable;
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 99 of the NPPF states that Local Plans should take account of climate change over the longer term, including factors such as flood risk, and changes to biodiversity and landscape.

Policy D3 of the Local Plan relates to the minimisation in the use of non-renewable resources.

Policy NRM11 of the South East Plan requires large scale developments to provide at least 10% of their energy from decentralised and renewable or low carbon sources.

A report by Midland Energy Services accompanies the planning application. It is proposed that the development would achieve the provision of a minimum of 10% renewable energy supply by the use of ground source heat pumps. If planning permission is granted, Officers consider that suitable conditions should be imposed to secure this.

## **Flood risk**

Paragraph 103 of the NPPF 2012 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. The Technical Guidance which accompanies the NPPF outlines, in Table 1 that for sites in Flood Zone 1, development proposals comprising one hectare or above should take account of vulnerability to flooding from other sources as well as from river and sea flooding, and also the potential to increase flood risk elsewhere.

In considering the 2009 scheme, the Council concluded that it had not been satisfactorily demonstrated how the ground water flood risk to existing and new residents would be managed, which formed a reason for refusal of that application. It was considered that the technical data for the 'extreme flood event' were not accurately modelled and did not reflect a reasonable 'worst case scenario' upon which the ground water flood risk could be accurately predicted.

Subsequently, and prior to the 2011 submission, the applicant's flood risk expert, RPS, worked with the Council's appointed expert, Mott MacDonald, with a view to revising the modelling to present an accurate and reasonable ground water flood risk model. The applicant prepared a revised quantitative ground water model in order to assess the risk of groundwater levels exceeding ground levels at the site, and therefore causing groundwater flooding. In this model, the groundwater levels on site were predicted to rise by a maximum of 0.4metres at the south of the southern site boundary. RPS therefore considered the predicted permanent rise in groundwater elevation small and negligible, and did not warrant any mitigation measures on site with regards to groundwater flood risk.

The Council's consultant reviewed this model, and advised that the following changes should be made:

1. Use of maximum historically recorded groundwater elevation data from early 2007 rather than averaged elevations to better represent a concave water table geometry;
2. Representation of the variation in hydraulic conductivity of the saturated strata beneath the site rather than use of a single hydraulic conductivity value;
3. Derive improved calibration of the model, and
4. Undertake sensitivity analysis.

The applicant subsequently revised and recalibrated the model to take account of the convex shape of the site's water table, which resulted in a more accurate model of the site and its permeability. The revised model showed that groundwater levels around the site were predicted to rise by a maximum of 0.6m once the cut of wall for the underground car

park had been constructed. In addition to this model, RPS also simulated an extreme flow event to demonstrate the event of water levels in the River Wey rising by twice the historically recorded maximum level. This model indicated that the predicted minimum depth to groundwater was greater than the current baseline shallowest and the applicant's consultant therefore concluded that the predicted rise in groundwater levels remained small and negligible. The Council's expert agreed with this conclusion.

This additional information was provided within two addendum reports by RPS to Chapter F of the Environmental Statement for application reference WA/2011/0281. In this application, it was concluded that the scenarios modelled could be accepted as an indication that groundwater flooding at the site is not predicted. As such, the Council was satisfied that the proposal overcame the previous reason for refusal relating to ground water flood risk, and that the proposal complied with the requirements of PPS25: Development and Flood Risk and Policy D1 of the Local Plan 2002.

The current application is materially different from the previous schemes for the site, in that a lower quantum of development is proposed for the site, and consequently, the scale of basement car parking required has been reduced to one storey from two. The key test for Members to consider is whether the proposal would result in increased flood risk to the site or to adjacent properties on the basis of the submitted information.

The applicant has provided a revised Flood Risk Assessment in Chapter F: Hydrology, Flood Risk, Water Quality and Water Resources of the Environmental Statement. This chapter concludes that the site is located in Flood Zone 1 and therefore has a low probability of fluvial flooding, with less and 1 in 1000 annual probability of river flooding in any year. Further, due to the distance and topography between the site, the River Wey and the drainage channel the sources of fluvial flooding would not pose a flood risk to the site. The chapter also concludes that no secondary sources of flooding have been identified, there are no historic records of the site flooding, and that there are no existing or planned flood defence measures that protect the site from flooding.

The FRA also considers the potential impact of the site on surface water run-off rates, and proposes mitigation measures to attenuate surface water run-off. The report proposes an attenuation volume of 368sqm (based on the pre-development 1 in 2 year run-off rate of 12.0l/s) be provided to restrict surface water run-off. The FRA therefore concludes that the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere.

The Environment Agency has been consulted on the application and has commented regarding surface water run off into the River Wey and fluvial flooding. The EA initially queried where the attenuation storage for the 368sqm of surface water would be located. The applicant has provided an additional drawing (No. SHF.197.001.D.001.A) which shows storage areas to the north east and south west of the central green space in the centre of the proposed development. The EA has confirmed that on the basis of the additional drawing, the scheme is considered acceptable in terms of surface water and fluvial flooding, subject to a condition requiring the submission of a surface water drainage scheme prior to the commencement of development.

In respect of other forms of flooding, the EA has not considered other localized forms of flooding, such as groundwater and sewer flooding. The Council has sought the view of an independent expert, Mott MacDonald, in relation to the submitted FRA and groundwater flood risk. Following an initial review of the FRA, in a letter dated 12/06/2012 Mott

MacDonald commented that details of the proposed cut-off wall are unclear from the information reviewed, and the location is not clearly shown on the basement plans and site sections. Clarification was therefore sought from the applicant as to the location and design of the cut-off wall.

The applicant's agent, Enzygo, provided further information in respect of the issues raised by the EA and Mott MacDonald in a letter dated 29/06/2012, and confirmed in an email dated 18/07/2012 that the proposed cut-off wall would comprise a secant pile wall with a nominal minimum thickness of 1 metre and a depth of 15 metres. This arrangement would be the same as that proposed for the former applications (reference WA/2011/0281). The Council's consultant has confirmed that this information, together with the information contained within Chapters E (Soil and Ground Conditions) and F (Hydrology, Flood Risk, Water Quality and Water Resources) of the ES, satisfactorily demonstrates that the development would not increase the risk of ground water flooding, and that the proposal is acceptable from a flood risk point of view.

### **Infrastructure Contributions**

Policy D13 of the Local Plan 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. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements". Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. At the time of the previous application, guidance upon the content of legal agreements was provided by Circular 05/05. This has now been cancelled. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

The three tests as set out in Regulation 122(2) require s106 agreements to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The Council adopted a SPD on Infrastructure Contributions in April 2008. The policy requires developments which result in a net increase in dwellings to contribute towards infrastructure improvements in the borough. This was in place at the time of the 2009 permission.

The SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development. However, the PIC is generally appropriate for smaller schemes and is a starting point for more major developments. In this case, in view of the scale and nature of the development, the various contributions were the subject of negotiations between the Council and the applicant. These formed part of a bespoke legal agreement.

As stated above the applicants have submitted a Viability Statement produced by Country Homes (Key Site) Limited (Exempt Appendix A) with their planning application justifying the absence of affordable housing provision and the provision of combined Section 106 and Section 278 contributions of £300,000 broken down as follows:

Section 106 Monies	
£56,489.25	Off-site play
£63,360	Travel Plan (plus £3960 monitoring fee)
£16,830	Cycle improvements

The off-site highway improvement works (the remaining Section 278 monies) would also be provided at the developer's expense in conjunction with a Section 278 agreement with the County Highway Authority.

Having regard to the developer's costs, on viability grounds, the proposed contributions are considered to be acceptable to adequately address the requirements of Policies D13 and D14 of the Local Plan, for the site.

The legal agreement has not been completed at the time of the preparation of the report; as such the recommendation is to approve the planning application subject to the applicant entering into the legal agreement. An oral report will be made on this matter.

### **Crime and Disorder**

S17 (1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities in exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Paragraph 69 of the National Planning Policy Framework 2012 highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities, to this end planning policies and decisions should aim to achieve places which promote *inter alia* safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The comments of the Police Architectural Liaison Officer have been assessed and his requirements with regards to suggested conditions could be imposed if planning permission is granted. However, given the viability of the scheme in relation to Section 106 monies, the request for Section 106 monies for CCTV is considered unreasonable. Notwithstanding this, Officers consider that the proposed increase in activity at this location near to the Town Centre and the knock-on increased levels of natural surveillance could have a positive impact on crime reduction through the provision of visual deterrence.

## **Time Period for Permission**

Members will be aware that the default time period for implementation is 3 years. The Government advises that planning authorities should consider longer than 3 year time periods if justified on planning grounds. Officers consider that in this instance a 5 year time period is justified.

## **Financial Considerations**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for Committee/decision maker.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling, Total of £198,650 per annum for six years.

## **Human Rights**

Article 8 of the European Convention on Human Rights provides that:

1. Everyone has the right to respect for his family life, his home and his correspondence
2. There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others

It is considered that the proposed development would not infringe these rights of the applicant.

Article 14 states that the enjoyment of the rights and freedoms set forth in this convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 14 is not a stand alone right and provides protection from discrimination when a person is enjoying the other rights set out in the Act e.g. when enjoying the right to a private and family life under Article 8.

The assessment of this application has been carried out without prejudice or discrimination and it is considered the proposal would not interfere with Human Rights.

## **Equality Act considerations**

The Equality Act 2010 states in Section 49 that:

“A public authority must, in the exercise of its function, have due regard to the need to-

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and those who do not share it.”

The Council’s consideration of the proposed application is considered to comply with these duties.

## **Conclusion**

Members will be aware of the extensive planning history of this site. The Council has consistently resisted developments on the grounds of poor design and inappropriate height, bulk and massing. The current application has been the product of pre-application discussion and community engagement.

Officers consider that the current proposal would represent the redevelopment of this contaminated site in a sustainable location, and that the proposal would assist in meeting the supply of housing required in the area at a density commensurate with the location of the site near to the Town Centre. Officers also consider that the proposal would bring broader regeneration and infrastructure benefits.

In relation to Local Plan Policy TC6, it is acknowledged that Policy TC6 seeks to encourage a particular vision of mixed use development. The application is at variance with the mixed use objective of the policy inasmuch as the proposal promotes a solely residential development. However, Officers consider Policy TC6 to be supportive not mandatory, and in any event the application would not prejudice the development of the remaining section of the Key Site to be developed in a way so as to meet the aspirations of Policy TC6. As such, Officers consider that the proposal is in general accordance with Policy TC6.

In relation to design, Officers consider that the style of architecture proposed is of a traditional form and appearance which is considered to be appropriate in the context and setting of the town centre. Whilst it is acknowledged that the height of the North and South blocks of apartments would make them large and dominant buildings in the context of the surrounding townscape, Officers consider that the design proposed includes a good level of articulation and definition of form, which would assist in reducing the bulk of these parts of the development. Officers consider that the reduction in height from the eight storeys proposed in the 2009 and 2011 schemes to five storeys represents a material visual improvement, and that subject to high quality and robust materials and detailing would result in a high quality and locally distinctive development at the two most prominent corners of the development site.

In addition, Officers acknowledge that the higher elements of the proposed scheme, and particularly the upper floors and roof of the proposed apartment blocks, would be visible in medium and long distance views of the site. However Officers consider that the

development would positively contribute to these well-established views in and around the site. Subject to high quality detailing of the most prominent elements of the scheme, which could be controlled through the imposition of a condition, Officers consider that the scale, form, architectural style, height and massing of the proposed development would be acceptable.

Having regard to the design, form, scale and height of the proposals, Officers consider that whilst the proposals would be visible from some vantage points in the Town Centre Conservation Area, the impact would be a positive one and the setting of this area and other heritage assets adjacent to the site would be enhanced by the removal of the existing buildings and their replacement with buildings more appropriate to the townscape and vernacular character.

Officers consider that the high proportion of 1 and 2 bedrooms proposed in the application could meet the demand for housing single people and childless couples in line with the requirements identified in both the SHMA and the Waverley Borough Council Household Survey 2007. As such, it is considered that in housing mix terms the proposal would be acceptable in accordance with the NPPF 2012.

The current proposal does not provide any on site affordable housing, and no contribution has been offered towards off-site provision. The applicant has submitted that the provision of affordable housing on the site would not be viable, given the constraints and contamination clean-up costs associated with the proposals, and has submitted a confidential viability report. Officers have sought independent scrutiny of this report from the DVS; and the DVS agrees with the applicant's findings. As such Officers consider that an objection to lack of affordable housing on site or a contribution towards off-site provision would not be justifiable in this particular case.

Importantly, the assessment is one of a balance of issues. The Council's long standing objective to achieve a development of suitable height and massing on this site could only be achieved by a reduction in the quantum in development and the number of units. Clearly, this reduction has had an impact upon viability. The lack of affordable dwellings is to be balanced against the benefit of the achievement of a development of a more suitable design and massing.

In relation to the impact of the development on the highway network, the comments from the County Highway Authority are awaited and shall be reported orally to the meeting; however, in the absence of those comments it is considered by Officers that, given the level of pre-application discussions in relation to the proposed off-site highway improvement works, the previous comments of the Highway Authority on larger planning applications, and the comments of the SoS in the previous appeal determination; that it is not expected that there should be any overriding objection from the County Highway Authority in relation to this proposal.

In relation to the impact of the proposal on both residential and environmental amenities; Officers consider that the imposition of suitable planning conditions would avoid, reduce, and if possible, offset any adverse effects of the development.

In relation to environmental impact, and having regard to the assessments submitted, Officers are satisfied that the proposals have been designed to either avoid or control adverse environmental effects or to provide measures to alleviate or compensate for them, where they would occur. The likely effects of the proposed redevelopment on people, as



well as on the built and natural environment, in isolation and in combination with other developments, are therefore acceptable.

Given the above, and acknowledging the design changes to the proposal following previous refusals, Officers consider that the proposal is, on balance, in general accordance with the aims and objectives of the development plan.

### **Recommendation**

That having regard to the environmental information contained in the application, the accompanying Environmental Statement and response to it, together with the proposals for mitigation of environmental effects, and subject to considerations of views of outstanding consultees and subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) planning permission be GRANTED subject to conditions.

1. Condition

The Development hereby permitted shall be begun before the expiration of five years from the date of this permission

Reason

To comply with Section 91(1) of the Town and Country Planning Act 1990 (as amended)

2. Condition

The development shall be carried out strictly in accordance with the following plans and documentation.

#### Plan numbers

HCG832-11175	1	Site Location Plan
HCG832-11175	03 Rev B	Site Plan Ground Floor
HCG832-11175	04 Rev B	Site Plan First Floor
HCG832-11175	05 Rev B	Site Plan Second Floor
HCG832-11175	06 Rev B	Site Plan Third Floor
HCG832-11175	07 Rev B	Site Plan Fourth Floor
HCG832-11175	08	Site Plan Roof Plan
HCG832-11175	09 Rev A	Proposed Site Sections AA - BB
HCG832-11175	10	Proposed Site Sections CC - DD
HCG832-11175	11	Proposed Site Section EE
HCG832-11175	12 Rev A	Proposed Flambard Way and Catteshall Lane Street Elevations
HCG832-11175	13 Rev B	Proposed Victoria Road Street Elevation
HCG832-11175	37	Basement Floor Plan Catteshall Lane Houses
HCG832-11175	38	Ground Floor Plan Catteshall Lane Houses
HCG832-11175	39 Rev A	First Floor Plan Catteshall Lane Houses
HCG832-11175	40	Second Floor Roof Plan Catteshall Lane Houses
HCG832-11175	41	Basement & Ground Floor Plans Flambard Way Houses
HCG832-11175	42	First, Second Floor & Roof Plan Flambard Way Houses

HCG832-11175	43	Basement Floor Plans Courtyard Houses
HCG832-11175	44	Ground Floor Plans Courtyard Houses
HCG832-11175	45	First Floor Plans Courtyard Houses
HCG832-11175	46	Second Floor Plans Courtyard Houses
HCG832-11175	47	Roof Plan Courtyard Houses
HCG832-11175	48	Basement Plan South Block
HCG832-11175	49 Rev A	Ground Floor Plan South Block
HCG832-11175	50 Rev A	First Floor Plan South Block
HCG832-11175	51 Rev A	Second Floor Plan South Block
HCG832-11175	52 Rev A	Third Floor Plan South Block
HCG832-11175	53 Rev A	Fourth Floor Plan South Block
HCG832-11175	54	Roof Plan South Block
HCG832-11175	55 Rev B	Basement & Ground Floor Plan North Block
HCG832-11175	56 Rev A	First & Second Floor Plan North Block
HCG832-11175	57 Rev A	Third & Fourth Floor Plan North Block
HCG832-11175	58	Roof plan North Block
HCG832-11175	59 Rev B	Elevations Catteshall Lane Houses
HCG832-11175	60 Rev B	Elevations Flambard Way Houses
HCG832-11175	61 Rev B	Elevations Courtyard Houses
HCG832-11175	62 Rev B	Elevations (Sheet 1) South Block
HCG832-11175	63	Elevations (Sheet 2) South Block
HCG832-11175	64 Rev A	Elevations North Block

### Documents

- Design and Access Statement (including Heritage Statement – reference number: 158/10/JMC – February 2012
- Planning Statement – reference number: 158/10/DBB – February 2012
- Environmental Statement, Non-Technical Summary – reference: 158/10/JMC – February 2012
- Sustainability Statement – K:Clients/Country Homes Surrey/Godalming/MES energy Statement – Godalming – dated 14/03/2012
- Statement of Community Involvement – 158/10/JMC – February 2012
- Environmental Statement: Volume 1 – reference 158/10/JMC – dated February 2012
- Environmental Statement – Volume 2 Chapter B: Landscape and visual impact
- Environmental Statement – Volume 2 Chapter C – Townscape assessment and heritage statement.
- Environmental Statement – Volume 2 Chapter D: Traffic and Transportation
- Environmental Statement – Chapter E: Soil and ground conditions – February 2012
- Environmental Statement – Volume 2 Chapter F: Hydrology, flood risk, water quality and water resource.
- Additional Flood Risk Assessment – dated 29<sup>th</sup> June 2012 and received 2<sup>nd</sup> July 2012
- Environmental Statement – Volume 2 Chapter G: Noise – dated February 2012
- Environmental Statement – Volume 2 Chapter H: Archaeology
- Environmental Statement – Volume 2 Chapter I: Socio-economic and community impacts.
- Environmental Statement – Volume 2 Chapter J: Air Quality

- Addendum to Environmental Statement: Air Quality – dated June 2012 and received 2<sup>nd</sup> July 2012
- Environmental Statement – Volume 2 Chapter K: Daylight and sunlight
- Environmental Statement – Volume 2 Chapter L: Construction
- Road Safety Audit – reference: 51160E18 – dated June 2012 and received 2<sup>nd</sup> July 2012

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy D1 and D4 of the Waverley Borough Local Plan.

3. Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

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

4. Condition

No development shall take place until a detailed landscaping scheme to include hard and soft landscaping and street tree planting has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

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

5. Condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground and finished floor levels of the building(s) hereby permitted. The development shall be carried out in strict accordance with the approved levels.

Reason

In order to ensure that the proposed development does not prejudice the amenities of neighbouring properties or the appearance of the locality and to accord with and Policies D1 and D4 of the Waverley Borough Local Plan 2002.

6. Condition  
The existing accesses from the site to Catteshall Lane, Woolsack Way and Flambard Way shall be permanently closed prior to the first occupation of the development hereby permitted, and any kerbs, verge, footway, fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason

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

7. Condition  
No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars and cycles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated use.

Reason

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

8. Condition  
No development shall take place until a Method of Construction Statement, to include details of:-

- (a) parking for vehicles of site personnel, operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials;
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones

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

Reason

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

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

- (i) control of noise;
- (ii) control of dust, smell and other effluvia;
- (iii) control of surface water run off;
- (iv) proposed method of piling for foundations;
- (v) hours during the construction and demolition phase, when delivery vehicles or vehicles taking away materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

10. Condition

No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank or public Holiday, nor on any other day except between the following times:

- Monday to Friday – 10.00am to 4.00pm

Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason

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

11. Condition

No construction work in connection with the development shall take place on any Sunday or Bank or public Holiday, nor on any other day except between the following times:

- Monday to Friday – 10.00am to 4.00pm
- Saturday – 9.00am to 1.00pm

Unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason

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

12. Condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Infiltration tests in accordance to BRE 365 where infiltration devices are proposed.
- Calculation demonstrating no increase in proposed surface water runoff rates and volumes up to the 1 in 100 plus climate change storm event compared to existing rates and volumes.

- Demonstration that the drainage system will be able to contain up to the 1 in 30 storm event without flooding and any flooding in the 1 in 100 plus climate change storm event will be safely stored on site.

Reason

To prevent the increased risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to accord with Policy D1 of the Waverley Borough Local Plan and the NPPF 2012.

13. Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

To prevent the introduction to groundwater of hazardous substances in contaminated soils or pollution from non-hazardous pollutants in contravention of the Groundwater Regulations 2009 and Environmental Permitting Regulations 2010 and to accord with Policy D1 of the Waverley Borough Local Plan and the NPPF 2012.

14. Condition

Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be complied with by the developer whenever the said operations are carried out.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic or cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002.

15. Condition

No development shall commence until details of facilities to be provided for the storage of refuse and recycling bins, including compaction facilities, have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details no variation from the approved details shall take place unless first agreed in writing by the Local Planning Authority.

Reason

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

16. Condition

Prior to the commencement of development hereby permitted, details of predicted energy use of the development and the generation of on-site renewable energy shall be submitted to and approved in writing by the Local Planning Authority. These details will demonstrate how energy efficiency is being addressed, benchmark data

for predicted energy use of the whole development without renewable technologies, and details of how on-site renewable technologies will be installed to provide a minimum of 10% of the total energy requirements. Such details as may be approved shall be implemented and become operational on the first occupation of the development and thereafter be retained and maintained unless otherwise first agreed in writing by the Local Planning Authority.

Reason

To maintain and enhance the quality of the environment and to comply with Policy NRM11 of the South East Plan 2009.

17. Condition

Prior to occupation of the development hereby permitted a street lighting scheme, to include details of luminance levels, shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed and become operational in accordance with the approved details, prior to the occupation of the development and be retained thereafter otherwise first agreed in writing by the Local Planning Authority.

Reason

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

18. Condition

Development shall not commence until a drainage strategy detailing any on site drainage works, such as a sewer diversion and any alterations to the design of the underground car park, has been submitted to and approved by the LPA in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewerage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the local area in accordance with Policy D13 of the Waverley Borough Local Plan 2002.

19. Condition

Prior to the occupation of the development hereby permitted, the sustainable design and construction measures relating to water conservation and harvesting, waste minimisation, biodiversity, use of locally sourced materials and recycling shall be carried out in direct accordance with the approved details.

Reason

To maintain and enhance the quality of the environment and to comply with Policy D3 of the Waverley Borough Local Plan 2002.

20. Condition

An Open Space / Landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the

occupation of the development or any phase of the development. The landscape management plan shall be carried out as approved.

Reason

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

21. Condition

No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to provide: -

- (a) secure cycle parking, safe pedestrian and cycle routes;
- (b) information for residents and visitors regarding public transport, walking and cycling.

The approved details shall thereafter be permanently maintained.

Reason

In order to comply with the aims of the National Planning Policy Framework 2012.

22. Condition

A detailed Travel Plan that sets out how the applicants intend to reduce reliance on the private motor car shall be submitted to and approved in writing by the Local Planning Authority, after consultation with the County Highway Authority within three months of the date of this permission. The Travel Plan shall deal with the following key issues:

- a) Appointment of a Travel Plan Coordinator and notification in writing to the Local Planning Authority of the name of holder of that post;
- b) Measures to promote and facilitate public transport use;
- c) Maps, timetables and fare information to be updated regularly;
- d) Measures to promote walking and cycling, including a measure to hire out bicycles;
- e) Promotion of car sharing and practices, including the use of coaches and mini-buses, and on site facilities that reduce the need for travel;
- f) Monitoring and review mechanisms.

The agreed Travel Plan shall be fully implemented within 3 months of the date of the approval of the Travel Plan by the Local Planning Authority and not thereafter varied unless first agreed in writing by the Local Planning Authority. If the Travel Plan has not been implemented in accordance with the approved details, within six months of the date of this permission, all the caravans/mobile homes shall be removed from the site and the land reinstated to agricultural land unless otherwise agreed in writing by the Local Planning Authority.

Reason

To promote sustainable modes of travel in compliance with Policies M1 and M2 of the Waverley Borough Council Local Plan 2002.



23. Condition  
No development shall commence until details of street furniture, to include litter bins and benches have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

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

24. Condition  
No development shall commence until details of bat boxes and bird boxes have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In order to preserve and enhance the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

25. Condition  
The development shall not be occupied until details of the management and use of the existing/proposed parking spaces upon the site have been submitted to and agreed in writing by the Local Planning Authority and only the approved details shall be implemented.

Reason

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy M2 (Movement Implications) of the Waverley Borough Local Plan 2002.

26. Condition  
Prior to the occupation of the development hereby approved space shall have been laid out within the site in accordance with the approved plans for car parking spaces.

Reason

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to better accord with the principles of the National Planning Policy Framework 2012 Policies M2 (Movement Implications of Development) and M14 (Car Parking Standards) of the Waverley Borough Local Plan 2002.

27. Condition  
No development shall commence until details of air ventilation, lighting and surveillance to the underground car park have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

In the interest of the amenity of existing and proposed residents in compliance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

28. Condition  
No floodlights or other forms of external lighting shall be installed within the communal areas or private terraces, other than that approved as part of this development, without the prior permission, in writing, of the Local Planning Authority.
- Reason  
In order to minimise light pollution from the proposed development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.
29. Condition  
No development shall commence until details to provide charging points for electric cars within the car parking areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason  
In order to comply with the aims of the National Planning Policy Framework 2012.
30. Condition  
No development shall take place until a Low Emission Strategy covering measures to reduce transport emissions during the construction and operational phases of the development, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy shall be written in conjunction with *DEFRA Low Emissions Strategies - using the planning system to reduce transport emissions. Good Practice Guidance January 2010* and *the control of dust and emissions from construction and demolition -Best Practice Guidance November 2006* or the latest guidance at the time of writing the strategy. The development shall be carried out in accordance with approved Strategy.
- Reason  
In order to minimise air pollution from the proposed development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.
31. Condition  
Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include:
- (a) Additional site investigation shall be carried out by a competent person to determine the nature and extent of any further contamination. This investigation will be carried out in accordance with a protocol submitted to and approved by the Local Authority.
  - (b) A Remediation Action Plan (RAP) based upon the Environmental Statement submitted, the site investigation reports detailed therein and the additional investigations. This shall include an Environmental Management Plan showing how contamination (in soil, aqueous, gas or vapour form) will be managed during the development without causing harm to human health or the environment both during construction and once the site is developed. The RAP shall be written in accordance with a protocol which shall be submitted to and accepted by the Local Planning Authority.

- (c) The RAP shall be fully implemented (either in relation to the development as a whole, or the relevant phase, as appropriate) in accordance with:
- an implementation plan submitted to and approved by the Local Planning Authority;
  - A monitoring and maintenance plan submitted to and approved by the Local Planning Authority;
  - A discovery strategy dealing with unforeseen contamination discovered during construction;
  - A validation strategy validating the works undertaken.

Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until the measures approved in the scheme have been fully implemented and completed.

Reason

To ensure that a satisfactory strategy is put in place for addressing contaminated land, making the land suitable for the development hereby approved without resulting in risk to construction workers, future users of the land, occupiers of nearby land and the environment generally.

32. Condition

No trade refuse shall be burnt or otherwise disposed of on the site

Reason

In the interest of protecting the appearance of the area and local residents from unreasonable noise and smells in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

33. Condition

No floodlighting or other form of external lighting scheme shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, which is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance that does not change its details.

Reason

In the interests of visual amenity in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

34. Condition

The commencement of the development shall not take place until a programme- for the suppression of dust during the demolition of existing buildings and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

Reason

In the interests of residential amenity in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

35. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any subsequent Order or statutory provision re-enacting or revoking the provisions of that Order), no window or dormer window, other than those expressly authorised by this permission, shall be added to any property hereby approved unless expressly authorised by the Local Planning Authority.

Reason

In order to protect the residential amenities of nearby residents and to accord with policy.

36. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no garages, outbuildings or other extensions or enlargement (including additions to roofs) shall be to the dwelling houses hereby permitted, or any detached building, without the express permission in writing of the council.

Reason

The further extension of these dwellings or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area.

37. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of the dwelling houses hereby permitted without the express permission in writing of the council.

Reason

In the interests of visual amenity and the character of the area.

38. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no structures or means of enclosure shall be erected on the site which is the subject of this permission / no hard surface shall be provided on the land the subject of this permission

### **SUMMARY OF REASONS FOR GRANTING PERMISSION**

The development hereby granted has been assessed against policies CS1, CS2, CS4, CS5, CS7, CS14, CS16, CS17, CS19, CS20 and CS21 of the Pre-Submission Core Strategy (July 2012), policies CC1, CC6, CC7, H3, H4, H5, T4, T5, NRM5, NRM11, BE6, TC2, S6 of the South East Plan (2009), policies D1, D2, D3, D4, D8, D9, D13, D14, C12, H4, H5, H10, HE8, HE15, CF1, CF2, IC2, TC6, M2, M4, M5, and M149 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework. It has been concluded that the development would represent the redevelopment of this contaminated site in a sustainable location, in a quality design, which would assist in meeting the supply

of housing required in the area at a density commensurate with the location of the site near to the Town Centre. Officers also consider that the proposal would bring broader regeneration and infrastructure benefits. It is acknowledged that there would be some impact on amenities during the construction phase of the development; however it is considered that any harm caused could be mitigated by way of appropriate conditions and is therefore considered to comply with Policies D1 and D4 of the Waverley Borough Local Plan 2002. The development would not cause material harm to residential amenity, or highway or pedestrian safety and is considered to be compliant with Policy M2 of the Local Plan. Regard has been had to the environmental information contained in the application (including upon, noise and vibration, air quality, flood risk, ecology and likely effect upon the Special Protection Area) and the Environmental Statement and responses to it, together with proposals for mitigation of environmental effects and material planning considerations, including consultee responses and third party representations. It has been concluded that the proposal would not result in any harm that would justify refusal in the public interest

### **Informatives:**

#### **1. Construction/Demolition Noise**

The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works can be made to the Environmental Protection Team of the Council.

#### **2. Advice to applicant:**

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to our website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) for more information.

### **3. Surface Water Drainage**

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777

### **4. Southern Gas Networks**

Southern Gas Networks (SGN) acknowledges receipt of your notice for your intention to carry out work at the above location. We enclose an extract from our mains records in the location of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those proposals together with a comprehensive list of precautions for your guidance. This plan shows only those pipes owned by SGN in its role as Licensed Gas Transporter (GT). Gas pipes owned by other GTs and also privately owned may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections etc, are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issues.

You will note the presence of our Low/Medium/Intermediate Pressure gas main in the proximity to your site. No mechanical excavations are to take place above or within 0.5m of the Low pressure and medium pressure system and 3 metres of the intermediate pressure system. You should where required confirm the position of mains using hand dug trial holes.

A colour copy of these plans and the gas safety advice card should be passed to the senior person on site in order to prevent damage to SGN plant and potential direct or consequential costs to your organisation.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services", must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour

or contractors) working for you on or near gas apparatus. In addition please follow the advice given on the gas safety card.

It must be stressed that both direct and consequential damage to gas plant can be dangerous both for your employees and the general public, repairs to any such damage will incur a charge. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

## **5. Contaminated Land**

For the avoidance of doubt, the following definitions apply to condition 31 above relating to contaminated land:

### **a) Remediation Action Plan**

This plan shall include details including but not limited to: -

1. identification of the feasible remediation options for each relevant pollutant linkage
2. detailed evaluation of the options
3. development of the remediation strategy
4. statement and explanation of remediation objectives, i.e. what the remediation needs to achieve, for each relevant pollutant linkage
5. derivation of remediation criteria against which compliance with remediation objectives for each relevant pollutant linkage can be measured
6. technical and scientific basis of the strategy
7. requirement for preparatory works
8. effectiveness of combining remediation options, where required
9. proposed site zoning and phasing of remediation
10. verification of remediation and monitoring requirements
11. constraints and limitations to remediation
12. timescales required for remediation options to become fully effective
13. assessment of requirements for environmental permits, licences etc.
14. expected durability of the proposed remediation
15. measures to prevent pollution of controlled waters being caused by remediation activities at the site
16. measures to prevent deterioration of air quality by remediation activities at the site
17. measures to prevent noise nuisance by remediation activities at the site
18. measures to reduce vibration by remediation activities at the site
19. measures to prevent and control pests and vermin at the site
20. measures to be implemented such that excavated waste material can be reused on the site

### **b) Implementation Plan**

This plan shall include details including but not limited to:-

1. remediation objectives for each relevant pollutant linkage
2. remediation criteria for relevant pollutant
3. overall site remediation criteria
4. remediation methodology, i.e. what is to be done by way of remediation
5. phasing of the remediation works and approximate timescales for each phase
6. site preparation and operational constraints
7. site procedures for managing the remediation works in a manner that will not cause pollution or nuisance

8. discussion of permitting requirements and proposals for obtaining the appropriate permits, e.g:
  - waste management site licence
  - exemption from waste management licensing
  - mobile treatment licence
  - abstraction licence or consent
  - discharge consent
  - Groundwater Regulations authorisation
  - flood defence consent
  - other permits
9. Details of how any variations from the Implementation Plan that have the potential to impact on identified receptors (including any areas of unexpected contamination encountered) will be dealt with during the site works.
10. Construction details of proposed monitoring boreholes
11. Cross-reference to the Verification Plan and, if required, Monitoring and Maintenance Plan for the site.
12. Plans showing:
  - areas to be remediated
  - proposed locations and phasing of remediation works
  - areas to be used for stockpiling segregated contaminated and clean, site derived and imported materials
  - location of areas to be remediated in relation to any proposed development
  - proposed monitoring locations

\*All plans must be large scale, to scale and with a north point.

c) Monitoring and Maintenance Plan

This shall include but not limited to:

1. Scope and explanation of site monitoring (this is taken to include sampling for ease of reference) and/ or maintenance work required following
2. completion of site works
3. Statement and justification of end- point for the site monitoring programme
4. Proposed monitoring assessment criteria and reasons for their selection
5. Measures for ensuring that the required monitoring and/ or maintenance is undertaken
6. Schedule of maintenance activities required to ensure that measures undertaken to remediate relevant pollutant linkages continue to be
7. effective
8. Schedule of monitoring required
9. Construction details of monitoring boreholes or other type of monitoring installation
10. Method of collecting, preserving and transporting samples to the analytical laboratory
11. Type and suitability of monitoring equipment to be used
12. Plans showing proposed monitoring point locations
13. Description of chemical analyses required, to be undertaken in accordance with the MCERTS performance standard for soils
14. Laboratory quality assurance and control requirements



d) Discovery strategy

Care should be taken during excavation or working of the site to investigate any soils which appear by eye or odour to be contaminated or of different character to those analysed. The strategy shall include but not limited to details of:

1. supervision and documentation of the remediation and construction works to ensure that they are carried out in accordance with the agreed details;
2. a procedure for identifying, assessing and neutralising any unforeseen contamination discovered during the course of construction
3. a procedure for reporting to the Local Planning Authority any unforeseen contamination discovered during the course of construction

e) Validation strategy

This shall include but not limited to: -

1. Scope of remediation works to be undertaken and any design details required to inform the Verification Plan
2. Description of what constitutes completion for the remedial works and how completion will be verified.
3. Data gathering requirements to demonstrate that site remediation criteria are achieved for each relevant pollutant linkage, such as:
  - sampling and monitoring strategy, including:
    - validation testing of excavations to remove contaminated materials
    - validation testing of materials excavated, treated and deposited at the site
    - validation testing of materials imported as 'clean fill'
  - post-completion verification testing of the remediated area
  - background water quality testing in groundwater and nearby surface waters
  - water quality testing of any treated groundwater and surface waters
  - site sampling and monitoring methods and frequency
  - how on and off-site observations will be recorded
  - explanation and schedule of chemical analyses, to be undertaken in accordance with the MCERTS performance standard for soils
  - laboratory quality assurance and control requirements
4. Performance testing required, e.g. for contaminant barriers and capping layers
5. Plans showing proposed sampling and monitoring point points
6. Explanation of how compliance with discharge consents, abstraction licences, etc. will be demonstrated
7. Proposed actions in case:
  - a. test results and monitoring data show that the remediation activities will not achieve the remediation criteria derived for relevant pollutant linkages
  - b. site works vary from those anticipated in the Implementation Plan
8. Timing for preparation of the Verification Report, particularly if any remediation activities will extend beyond substantial completion of the main site works. All of the above documents, investigations and operations should be carried out by a qualified, accredited consultant/contractor in accordance with a quality assured sampling, analysis and recording methodology.