

SCHEDULE "A1" TO THE AGENDA FOR THE
JOINT PLANNING COMMITTEE
20TH MARCH 2013

Applications 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	WA/2012/1592 Homes & Communities Agency 08/10/2012	<u>Outline application for demolition of existing buildings and redevelopment of land adjoining Milford Hospital, Tuesley Lane to provide 104 new (Class C3) residential units, works to 12 existing residential units (The Crescent), works to Allison House and staff cottages to provide 4 (Class C3) residential units and access. This application is accompanied by an Environmental Impact Assessment (EIA) at Land Adjacent To Milford Hospital (Upper Tuesley), Tuesley Lane, Godalming GU7 1UE (as amended by bat and dormice surveys received 11/12/2012, email dated 30/1/2013, plans received 01/03/2013, 06/02/2013 and 08/02/2013 and letters dated 07/12/2012 and 18/01/2013).</u>
Committee:		Joint Planning Committee
Meeting Date:		20/03/2013
Public Notice		Was Public Notice required and posted: Y
Grid Reference:		E: 496150 N: 141854
Parish:		Busbridge/Witley
Ward :		Bramley, Busbridge and Hascombe Milford
Case Officer:		Mrs H Hobbs
16 Week Expiry Date		27/01/2013
Neighbour Notification Expiry Date		16/11/2012

Neighbour Notification
Amended/Additional Expiry Date 22/02/2013

RECOMMENDATION

That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation, subject to the applicant entering into an appropriate legal agreement to secure the provision of: affordable housing; highway and transport improvements; additional car parking; education, libraries, playing pitches, recycling and sport & leisure infrastructure contributions; provision of public art and information/interpretation boards; the maintenance and management of open spaces, orchard, woodland, LEAP and SANG; Network Rail contributions for level crossing improvements; and community facility contributions; and subject to conditions, permission be GRANTED

Introduction

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access. As such, the applicant is seeking a determination from the Council on the principle of the proposed residential development and associated access. If outline permission is granted, the details of the proposal would be submitted subsequently under “reserved matters”.

The Upper Tuesley site (land adjacent to Milford Hospital), which forms a redundant part of the Milford Hospital site, was part of a large portfolio of NHS properties that were identified as surplus and were transferred to English Partnerships through the Hospital Sites’ Programme in 2005. English Partnerships became part of the Homes and Communities Agency (HCA) on the 1st December 2008. The HCA is the national housing and regeneration agency for England. The HCA combines the land and property expertise of English Partnerships, the Housing Corporation’s track record of delivering affordable homes and the Academy for Sustainable Communities’ knowledge of creating and renewing high quality places.

The site is located off Tuesley Lane, between the village of Milford and the town of Godalming, and lies adjacent to Milford Hospital, an operational stroke rehabilitation hospital in the ownership of the Surrey Primary Care Trust (PCT). The PCT element of the site will remain operational for the foreseeable future. The area declared surplus to the PCT’s requirements extends to 12.8 hectares. It contains 16 existing dwellings together with a three storey former nurses’ accommodation of approximately 925 sqm and a range of mainly single storey buildings extending to some 4,560 sqm and

some 1,030 sqm storage and workshop space. The majority of the buildings still standing are in poor condition and await demolition.

The Upper Tuesley site lies in a rural area within the Metropolitan Green Belt, about 2 km (1.25 miles) to the south of Godalming Town Centre. There are footpath links from the site into Godalming to the north and to Milford Station approximately 0.5 miles to the south west. The site is predominantly relatively flat. However, it becomes steeply sloping on the southern boundary. It is currently accessed from Tuesley Lane which is an unlit road, running roughly north south between Godalming and Milford.

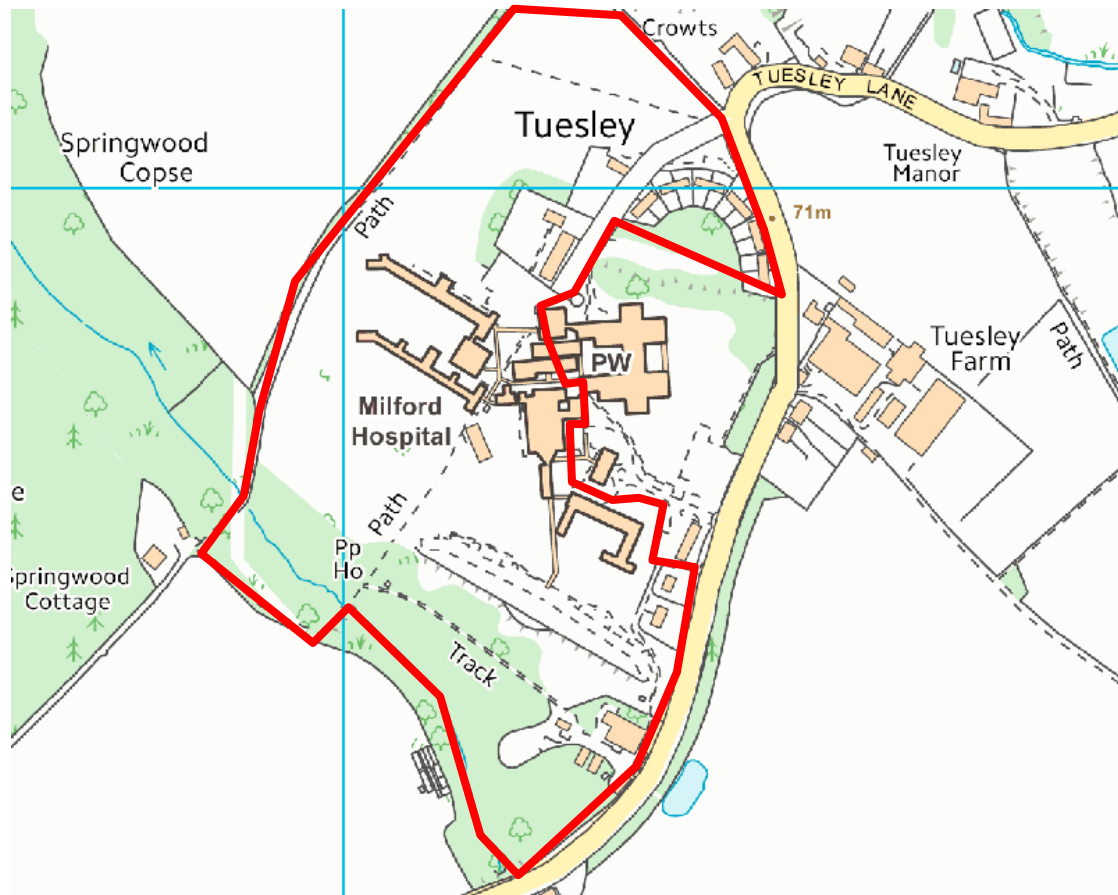
Milford Hospital opened in 1928, and the earliest part of the hospital dates from this time, with supplementary buildings added in the 1970s and 1980s. The hospital complex was originally constructed as a specialist chest hospital, but the virtual eradication of tuberculosis-related diseases led to its conversion into a specialist day surgery and elderly persons' rehabilitation unit. Those operational changes have resulted in a gradual reduction in the suitability and need for the site's long-stay recuperation wards.

In the last 25 years, a number of the original long-stay wards have been demolished. As recently as 1995, a large block located on the southern edge of the complex was removed. Some of the vacant staff houses on the Tuesley Lane frontage have also been demolished, most recently in 1997, whilst many others elsewhere on the site, lie vacant, including two substantial blocks of nurses accommodation. The purpose-built PCT elderly persons' rehabilitation unit was opened in 1985 on the site of the original ward.

The site is not within a Conservation Area and none of the buildings have statutory listed status nor do any appear on WBC's list of buildings of local merit. However, English Heritage has stated that the site could be of local importance and therefore some buildings could be deemed to be undesignated heritage assets. Twelve semi-detached cottages, known as the Crescent, are located on the north-east corner of the site and are occupied.

The surrounding area comprises active agriculture (including a large soft fruit farm), residential locations and small towns and villages which cater for the daily needs of the local population.

Location Plan



Site Description

The site is located on the western side of Tuesley Lane between Godalming and Milford and comprises land declared surplus to the requirements of the Primary Care Trust (PCT) to the north, east and south of Milford Hospital, which will remain for the foreseeable future as a hospital. The site extends to some 12.8 ha and includes 16 existing dwellings together with a three storey former nurses' accommodation of approximately 925 sq. m and a range of mostly single storey buildings extending to some 4,560 sq. m and some 1,030 sq. m. of storage and workshop space. The majority of the existing buildings are in a poor state of repair.

Vehicular access to the site is at the north eastern end of the site from Tuesley Lane. The hospital has a separate vehicular access although the northern access is used by ambulances as an access to a parking area currently used by staff and by The Hoppa Bus.

The site includes an open grassed area in the northern part of the site, a belt of trees in the north eastern part, The Crescent of twelve existing dwellings to the north east, former hospital buildings in a poor state of repair, an old

orchard in the south eastern part of the site and an area of woodland in the southern part of the site either side of a stream.

There is a public footpath (Public Footpath 161) from Milford Station, the route of which crosses the stream near the south western corner of the site and follows the western boundary of the site before changing direction and crosses the grassed area of the site to join Tuesley Lane close to the existing northern access from the site to Tuesley Lane. There is also public footpath (public footpath 167) along the northern boundary of the site which links Tuesley Lane with Portsmouth Road.

To the north of the site there are residential properties fronting Tuesley Lane and a wooded area designated as a Site of Nature Conservation Importance (SNCI).

To the west of the site are a field and woodland. To the east, beyond the area retained for the hospital, are Tuesley Farm House and the farm buildings as well as a number of cottages. Tuesley Farm is a soft fruit farm and its land also extends to the south of the application site.

The northern part of the site is a relatively flat area of grassland. To the south and south east are the majority of the redundant buildings on the site. The application form gives the gross internal floor space of these buildings as 6191.9 sq. m.

There is a crescent of houses known as The Crescent comprising 12 semi detached dwellings in the north eastern corner of the site. These dwellings will be retained. Land immediately to the south of these dwellings is included in the application site.

The southern part of the site includes terraces and slopes in a southerly direction towards an area of ancient woodland and the tributary of the River Ock which is at the southern end of the site.

Within the site there is not only an area of ancient woodland but also mature trees concentrated in the centre of the site and an old orchard (to be retained) towards the south western corner of the site.

Proposal

Outline planning permission is sought for the demolition of existing buildings and redevelopment of land adjoining Milford Hospital, Tuesley Lane to provide 104 new (Class C3) residential units, works to 12 existing residential units (The Crescent), works to Allison House and staff cottages to provide 4 (Class C3) residential units and access and diversion of Public Footpath 161 Busbridge. The application reserves all matters for future consideration, except access.

At the time of submission and in accordance with Articles 3 and 4 of the Town and Country Planning (Development Management Procedure) (England)

Order 2010 (DMPO) required that where layout is a reserved matter, the application for outline planning permission shall state the approximate location of buildings, routes and open spaces included in the development proposed; and, where scale is a reserved matter, the application for outline planning permission shall state the upper and lower limit for the height, width and length of each building included in the development proposed. The DMPO has since been amended to alter these requirements but they were in force at the time of submission.

The applicant has submitted illustrative plans detailing that the proposed dwellings would be constructed in a cluster formation served by a central spine road, which would traverse the site from the proposed access point at the southern corner of the site to the proposed access point at the northern corner.

The applicant has stated that the scale parameters of the proposed dwellings would be between 5m and 9m in width, 7m and 20m in length and between single storey and three storeys in height.

The application proposes that 48 of the total of 120 dwellings will be affordable; this figure includes the existing 12 dwellings in the Crescent.

The application submission includes:-

- Design and Access Statement;
- Environmental Assessment;
- Environmental Management Plan;
- Extended Phase 1 Habitats Survey;
- Parameter plans for land use, buildings to be demolished, building height, transport and movement and open space;
- An illustrative Masterplan;
- Planning Statement;
- Flood Risk Assessment;
- Open Space Assessment;
- Transport Assessment;
- Affordable Housing Statement;
- Consultation Statement;
- Sustainability Statement;
- Arboricultural Development Statement;
- Heads of terms / draft S.106

The proposal would include the following details:

- Of the total of 120 dwellings on the site 40% (48 dwellings) would be affordable housing. This figure includes the existing 12 dwellings in The Crescent which would be affordable.
- Average density would be 18.5 dwellings per ha.
- The form of housing would vary across the site to provide a range of sizes, types and tenure.

- High quality architecture would be encouraged;
- Affordable housing would be indistinguishable from market housing.
- Affordable housing would be pepper potted across the site.
- A mix of heights is proposed ranging from single storey to three storey.
- Areas of open space would be provided on the site including a swathe of space through the centre of the site incorporating a Local Equipped Area of Play (LEAP) and the retention of the orchard and ancient woodland at the southern end of the site.



Illustrative layout for proposed development

Relevant Planning History

WA/2001/0529	Outline application for the redevelopment of site with the erection of 125 new dwellings together with associated vehicular access, landscaping and means of enclosure following demolition of certain existing buildings.	Withdrawn 06/12/2001
WA/2000/0446	Outline application for the redevelopment of site with the erection of approximately 150 dwellings together with associated works following demolition of certain existing buildings.	Withdrawn 21/03/2001
WA/1998/0101	Construction of new car park and installation of low lying bollards (as amended by plans and letter dated 20/03/98).	Full Permission 14/04/1998

Planning Policy Constraints

Major Developed Site
Green Belt – outside defined settlement area
Public Footpaths 161 and 167
Potentially Contaminated land
Flood zone 2
Flood zone 3
Ancient Woodland
Wealden Heaths I SAC 2km buffer zone
Wealden Heaths I SPA 5km buffer zone

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
- D5 Nature Conservation
- D6 Tree Controls
- D7 Trees, Hedgerows and Development
- D8 Crime Prevention
- D9 Accessibility
- D13 Essential Infrastructure
- D14 Planning Benefits
- C1 Development in the Green Belt outside Settlements
- C3 Surrey Hills Area of Outstanding Natural Beauty and Area of Great Landscape Value

C7	Trees, Woodlands and Hedgerows
C10	Local Nature Reserves, Sites of Nature Conservation Importance and Regionally Important Geological and Geomorphological Sites
C11	Undesignated Wildlife Sites
HE15	Sites and Areas of High Archaeological Potential
H4	Density and Size of Dwellings
H10	Amenity and Play Space
IC12	Working from Home
CF1	Retaining Existing Community Facilities
CF2	Provision of New Community Facilities
HE8	Conservation Areas
LT11	Walking, Cycling and Horseriding
RD6	Major Developed Sites
M1	The Location of Development
M2	The Movement Implications of Development
M4	Provision for Pedestrians
M5	Provision for Cyclists
M9	Provision for People with Disabilities and Mobility Problems
M10	Public Transport and Interchange Facilities
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):-

SP5	Green Belts
CC1	Sustainable Development
CC2	Climate Change
CC3	Resource Use
CC4	Sustainable Design and Construction
CC6	Sustainable Communities and Character of the Environment
CC7	Infrastructure and Implementation
H1	Regional Housing Provision 2006-2026
H3	Affordable Housing
H4	Type and Size of New Dwelling
H5	Housing Density and Design
T1	Manage and Invest
T4	Parking
NRM1	Sustainable Water Resources, Groundwater and River Water Quality Management
NRM4	Sustainable Flood Risk Management
NRM5	Conservation and Improvement of Diversity
NRM9	Air Quality
NRM10	Noise
NRM11	Development Design for Energy Efficiency and Renewable Energy
BE6	Management of the Historic Environment
S6	Community Infrastructure
T7	Rural Transport

BE1 Management for an Urban Renaissance

Policies of the Local Development Framework pre-submission Core Strategy:-

CS1	Location of Development
CS2	The Amount and Location of Housing
CS3	Sustainable Transport
CS4	Infrastructure and Community Facilities
CS5	Affordable Housing
CS7	Housing Type and Size
CS13	Leisure, Recreation and Cultural Facilities
CS15	Landscape Character
CS16	Townscape and Urban Design and the Heritage
CS17	Biodiversity and Geological Conservation
CS19	Sustainable Design and Construction
CS20	Renewable Energy Development
CS21	Flood Risk Management

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 Secretary of State for Communities and Local Government has indicated that orders authorising the abolition of the RSS will be laid in the House of Commons on 25th March 2013; However, 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. The Council approved the Core Strategy for submission on 22nd January 2013 and it was formally submitted for Examination on 31st January 2013. As it stands only limited weight can be given to the emerging Core Strategy. However, this will increase as the Core Strategy progresses through Examination.

On the 27th March 2012, the Government published its National Planning Policy Framework (NPPF). Section 38(6) of the Planning and Compulsory Purchase Act 2004 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.

Guidance:

- The National Planning Policy Framework (2012)
- Upper Tuesley (land adjacent to Milford hospital) Development Brief (July 2012)
- Technical Guidance to the National Planning Policy Framework (2012)
- Surrey County Council Vehicular and Cycle Parking Guidance (2012)
- Waverley Borough Cycling Plan SPD (2005)
- Draft Waverley Borough Council Parking Guidelines (2012)
- Planning Infrastructure Contributions SPD (2008)
- Density and Size of Dwellings SPG (2003)
- Surrey Design Guide (2002)
- Strategic Housing Land Availability Assessment (2010) and update (2011)
- Strategic Housing Market Availability Assessment (2009)
- Affordable Housing Viability Assessment (2009) Addendum 2010 and update 2012
- Strategic Flood Risk Assessment (2010)
- Technical Note: Transport Measures to support growth Identified in the Waverley Borough Core Strategy 2012
- Climate Change Background Paper (January 2011)
- Interim Position on Infrastructure Delivery Plan (January 2011) IDP 2012
- Waverley Borough Council Open Space, Sport and Recreation (PPG17) Study 2012
- Draft Settlement Hierarchy 2010 and factual update 2012

Consultations and Town/Parish Council Comments

County Highway Authority	<p><u>Informative Note for LPA Case Officer and Applicant:</u></p> <p><u>1. Relevant Local and National Policy:</u></p> <p>National Policy: The National Planning Policy Framework (2012) acknowledges that transport policies have an important role to play in facilitating sustainable development, however it also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The Highway Authority is satisfied that the proposed package of transport mitigation measures does improve accessibility to the site by non-car modes of travel, therefore the planning application does meet the transport sustainability requirements of the National Planning Policy Framework.</p> <p>Local Policy: The Upper Tuesley Development Brief SPD established the principle of residential development on this site</p>
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and laid out what would be required should any planning application be submitted. The original Transport Assessment (TA), and subsequent revisions, have established to the satisfaction of the Highway Authority that the proposed development is in accordance with the requirements of the SPD and the relevant Local Plan policies.

2. Existing and Proposed Traffic Generation:

The site has a lawful C2 planning use and this is a material planning consideration that the Highway Authority has to recognise when assessing the transport impact of the development proposal. It is normal practice to discount vehicle trips that could be generated by a lawful use of a site, from the vehicle trips that could be generated by the proposed development. Any net increase in trips is then used to assess the impact on the local highway network. In this instance, because of residents' concerns, the Highway Authority has ensured that the methodology used in the TA is particularly robust and realistic;

- The existing trip generation is based on the volume of existing redundant hospital buildings located on the site, which equates to 8,000sqm or 40 hospital beds and a 100 bed staff nursing home. The Highway Authority has not accepted for example, a private hospital C2 use on which to base the existing trip generation, given this use could generate more than 2000 two-way vehicular movements per day. It is important to note that the existing use of the site has the potential to generate this number of vehicular movements without the need to obtain planning permission. The Highway Authority therefore cannot question the viability of this site operating under its lawful use.
- The existing and proposed trip generation assessments are based on trip rates obtained from the TRICS database. The Highway Authority has assessed the assumptions used by the applicant to calculate the trip rates and is satisfied that they provide a realistic comparison to the application site.
- It is normal practice for any development to consider the amount of traffic that the site can generate without the need for planning consent. If the existing redundant hospital buildings were brought into use as 40 hospital beds and a 100 bed staff nursing home, a certain level of traffic would enter and leave the site and use the local road network. The Highway Authority has compared this existing potential trip generation with the proposed residential trip generation, during the peak AM (8:00-9:00) and PM (17:00-18:00)

periods on the local highway network. This assessment shows that the development once constructed could create an increase in traffic flows (23 vehicles) in the morning peak hour and an increase in traffic flows (44 vehicles) in the evening peak hour, when compared to the likely C2 use detailed above. It has been previously established in the Upper Tuesley Development Brief SPD, that the daily traffic generation for the proposed residential development should not exceed the daily trip generation for the existing lawful use. The assessment of the daily trip generation shows that the existing lawful use (8,000sqm or 40 hospital beds and a 100 bed staff nursing home) could generate 570 daily trips and the proposed residential use could generate 571 daily trips.

- The DfT document 'Guidance on Transport Assessment' advises that the existing traffic flows should be taken into account when estimating the potential changes to traffic using the site. In this instance, within the context of the volume of traffic on the surrounding highway network, the increase in trips in the AM peak would be marginal and in the PM peak could have a slight impact on highway safety and capacity. An assessment on this basis would have given the Highway Authority limited scope to secure a comprehensive package of highway mitigation measures. In contrast, the approach agreed with the applicant was to undertake a transport assessment that provided a worst-case scenario for the residential C3 use. This scenario assumes that the site does not have an existing lawful use, therefore the proposed trip generation figures have not been discounted to account for any existing potential trip generation. The methodology used to assess the impact of development traffic on the local highway network is therefore very robust, and has enabled the Highway Authority to secure a comprehensive package of transport mitigation measures.

3. Development Traffic Distribution:

The applicant has assumed that 20% of traffic will access the site via the northern section of Tuesley Lane. The applicant states that this distribution is based on 2001 Census journey to work distribution data for the Milford Ward. The Highway Authority has undertaken sensitivity analysis on this distribution assumption, using data obtained for other Godalming wards. Based on this analysis the Highway Authority does consider that the 20% assumption is likely to underestimate the proportion of development traffic arriving and departing the site via Godalming.

The Highway Authority has assessed the impact of 40% of development generated traffic using the northern section of Tuesley Lane during the AM and PM peak periods, when background and development traffic flows are at their highest. It is considered that this 40% proportion of traffic travelling via the northern section of Tuesley Lane is a more realistic assumption. Analysis of the data using a 40% assumption shows that;

- In the AM peak period (8-9), existing background traffic volumes are 300 vehicles travelling north and only 30 vehicles travelling south on the stretch of Tuesley Lane north of the hospital. There is therefore a high degree of 'tidal flow' in the northerly direction. Development traffic in the AM peak would mirror this pattern, with 16 vehicles departing the site and 6 vehicles arriving at the site via the northern section of Tuesley Lane.
- The AM peak development trips would likely result in an average increase of 1 vehicle travelling northbound every 4 minutes and 1 vehicle travelling southbound every 10 minutes.
- In the PM peak period (17.00-18.00), existing background traffic flows are much lower than AM peak, with approximately 20 vehicles travelling north and 40 vehicles travelling south on the stretch of Tuesley Lane north of the hospital. As expected, the estimated development traffic generation would mirror the southerly tidal flow, with 17 vehicles arriving at the site and 10 vehicles departing the site via the northern section of Tuesley Lane.
- The PM peak development trips would likely result in an average increase of 1 vehicle travelling northbound every 6 minutes and 1 vehicle travelling southbound every 4 minutes.

Based on this analysis, the Highway Authority considers the impact of development traffic going north from the site could cause an inconvenience to highway users but would not have a severe impact on highway safety or capacity. It is accepted that the narrow alignment of this stretch of highway does disrupt the free flow of traffic, and on occasions vehicles have to reverse short distances to passing places to enable oncoming vehicles to pass, but this is an existing situation. There are no transport models available that can accurately model the capacity of single-track rural lanes. Recent preliminary research into the issue by Somerset County Council was inconclusive, but emphasised that capacity of these types of roads will vary significantly, with the tidal flow of traffic and number of passing places being particularly important factors. In this instance, given that development traffic in the peak periods would mirror the

distribution of background traffic flow, and there are a number of stretches where vehicles can pass each other, it is not considered that that development traffic would severely exacerbate congestion on this stretch of highway. It is also worth noting that the review of the accident data shows no significant existing safety problems for this stretch of Tuesley Lane.

Development traffic in the peak periods travelling north into Godalming would quickly dissipate onto the surrounding highway network, continuing along Tuesley Lane towards Godalming town centre, turning right onto roads towards Busbridge or left along Shackstead Lane. It is acknowledged that queuing and delays already can occur on Shackstead Lane during peak periods. This is caused by on-street parking which narrows the width of the carriageway, restricting two-way movement in some places. Development generated traffic could have a marginal impact on the existing flow of traffic on Shackstead Lane, but it is not considered that development traffic would have a severe impact on highway safety or capacity.

4. Traffic Flow Data:

The Highway Authority has interrogated the applicant's traffic survey methodology and is satisfied that the data is robust for the purposes of assessing the impact of development traffic on the highway network. In particular, survey data from Church Road/Station Lane and Church Road/Portsmouth Road junctions was undertaken on 24 May, therefore taking account of the increase in movements associated with the Tuesley Lane fruit farm during the summer months. Tuesley Lane background traffic flows are significantly higher during the AM peak compared to the PM peak. The Highway Authority note that AM peak data for Tuesley Lane was collected on 10 January, when all schools in the area were fully operating, therefore it is considered that the level of background traffic surveyed is robust.

5. Cumulative Impact of Development:

The TA process does consider where appropriate the cumulative impact of development on the highway network, for development that is either subject to the planning consultation process or been granted planning permission. The planning application for 12 dwellings on Holloway Hill was refused planning permission by Waverley BC (WA/12/0548), so should not be considered in the TA. Notwithstanding this, a development of this scale would not normally be included in any cumulative impact assessment. Formal proposals for future development at Godalming College

have not yet come forward, so it would not be reasonable for the Milford Hospital TA to consider the impact of that potential development. However, if the Godalming College development comes forward, their TA work would need to consider the traffic associated with the Milford Hospital Development.

6. Development Layout:

The Highway Authority will assess the internal layout of the site when details are submitted with any reserved matters application for the site.

7. Highway/Transport Mitigation Package:

It is important to note that the robust analysis provided by the developer has enabled the Highway Authority to secure a much more substantial package of Section 278 & S106 mitigation, than would strictly be the case had only the net increase in vehicular movements been considered.

The package of measures is mostly concentrated on the highway network south of the site, in recognition that 60% of development traffic would travel on the highway network south of the site. With regard to highway capacity, the modelling work demonstrates that development traffic would have a severe impact at the Station Lane/Church Road junction, therefore mitigation measures have been proposed at this location, to help alleviate congestion and improve safety for pedestrians. With regard to highway safety, it is likely that a significant proportion of children from the development would attend Rodborough School, therefore mitigation measures have been provided to improve safety for children walking/cycling to the school. It is important to note that the key sustainability improvement provided by the development is improving the cycling/walking link between the site and Milford Railway Station.

The highway mitigation package also seeks to reduce the existing level of background traffic using the northern section of Tuesley Lane. The TA work has shown that approximately 122 vehicles in the AM peak travelling north on Tuesley Lane is 'Through Traffic', using Tuesley Lane instead of the Portsmouth Road to travel between Milford and Godalming. The mitigation package therefore focuses on traffic management on Tuesley Lane/Station Lane, which will increase journey times on this route between Milford and Godalming, thereby making it a less attractive option for all traffic, particularly in the busier AM peak period. The highway works south of the site will therefore help to alleviate the impact of development traffic using the northern section of Tuesley Lane.

The mitigation package does provide for some traffic management improvements on the narrow northern section of Tuesley Lane, but it is important to note that opportunities to deliver major improvements on this narrow lane are very limited and would likely result in significant detriment to this historic rural lane. Specific details on the measures to be provided will be finalised post any planning permission granted, but it is acknowledged they will need to be sympathetic to the unique character of the lane.

The Highway Authority considers the mitigation package will deliver the following improvements;

- Improve pedestrian safety at the Station Lane/Church Road junction and help alleviate the impact of additional development traffic on the operation of the junction.
- Improve pedestrian safety at the Rake Lane/Station Lane junction, particularly for school children by lowering the speed limit and providing a safe crossing point.
- Introduce traffic management measures, in consultation with Rodborough School, to improve safety for school children walking along Rake Lane.
- Provision of safe and attractive cycling/walking link between the application site and Milford Railway Station, making travelling by train to work a viable option for residents.
- Reduce attractiveness of Tuesley Lane being used as a through route between Milford and Godalming by reducing speed limits and thereby also improving safety.
- Improving safety at the bend in the carriageway adjacent to the northern site access, where the TA identified there is currently an accident 'hot-spot'.

The applicant is also providing a financial contribution towards passenger transport infrastructure and public footpath improvements, to encourage the use of public transport and walking by residents. The Highway Authority has considered that the scale of development proposed could not sustain a commercial bus service between the site and the surrounding areas. However, it is understood that the applicant will be making a financial contribution to the Waverley hoppla Community Transport Service.

Section 3 above details the robust approach the Highway Authority has undertaken to consider the impact of development

traffic going north (left) from the site during the peak AM and PM periods. Development generated traffic is likely to have a marginal impact on the highway network south of Godalming town centre, which could cause inconvenience to highway users, but this impact is not considered to meet the tests for further works or financial contributions as set out in the National Planning Policy Framework (2012).

Overall, in accordance with the requirements of the Upper Tuesley Development Brief, it is considered that the very robust transport mitigation package will preserve or enhance highway safety, help manage traffic capacity and encourage the use of public transport, walking and cycling.

The proposed development has been considered by THE COUNTY HIGHWAY AUTHORITY who :

recommends an appropriate agreement should be secured before the grant of permission to secure the following:

Section 278 Highway Works:

Before first occupation of the development the applicant shall provide the following highway mitigation measures:-

1. Station Lane/Church Road junction capacity and pedestrian safety improvement scheme, comprising dedicated left and right turn lanes on Station Lane and pedestrian crossing west of the junction.

2. Pedestrian Safety/Traffic Management Improvements on Rake Lane, comprising:

-Rake Lane speed limit review/implementation of new speed limit.

-Pedestrian safety/traffic management measures between Rodborough School and the Rake Lane/Station Lane junction.

-Provision of Footway on south side of Rake Lane/Station Lane junction.

-Pedestrian Crossing facility (Dropped Kerbs and Tactile Paving), south of the Rake Lane/Station Lane junction.

3. Station Lane/Tuesley Lane (southern section) traffic management improvements, comprising:

-Shared footway for pedestrians and cyclists between the site and Milford Station.

-Speed Limit Review on Station Lane and Tuesley Lane and implementation of new speed limit.

-Localised carriageway narrowing on Tuesley Lane and associated lining and signage to discourage through traffic.

-Removal of parking bays on Tuesley Lane outside the existing hospital.

4. Northern section of Tuesley Lane (between northern site access and Minster Road), comprising:

-Speed Limit Review and implementation of new speed limit.

-Traffic management and safety measures.

-Provision of anti-skid surfacing on bend adjacent to northern site access and associated safety gateway feature.

An index linked transport contribution of £133,270 payable prior to first occupation to deliver the following:

1. Improvements to bus stop infrastructure on Portsmouth Road, including pedestrian accessibility improvements.

2. Improvements to Public Rights of way No's. 39 & 167, between the site and bus stops on Portsmouth Road, and ROW No. 161 between the site and Milford Railway Station.

The Highway Authority also recommends the following conditions are imposed on any permission granted:

1 - Before any other operations are commenced the modified northern vehicular access to Tuesley Lane shall be constructed broadly in accordance with Parsons Brinckerhoff's Drawing No, Figure 4 Rev D, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Policy: Policy M2 of Waverley Borough Council's Local Plan 2002.

2 - Before any other operations are commenced the proposed

southern vehicular access to Tuesley Lane shall be constructed broadly in accordance with Parsons Brinckerhoff's Drawing No. Figure 3 Rev. D, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Policy: Policy M2 of Waverley Borough Council's Local Plan 2002.

3 - The existing accesses from the site to Tuesley Lane made redundant by the development shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority. All redundant sections of footway and kerbing shall be fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Policy: Policy M2 of the Waverley Borough Council's Local Plan 2002.

4 - 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 for cars 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 purpose.

Reason: The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

Policy: Policies M2 and M14 of Waverley Borough Council's Local Plan 2002.

5 - No development shall start 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:-
(i) measures for traffic management, and
(ii) timing and delivery works required to construct the new accesses

(e) provision of boundary hoarding behind any visibility zones has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Policy: Policy M2 of the Waverley Borough Council's Local Plan 2002

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

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Policy: Policy M2 of the Waverley Borough Council's Local Plan 200.

7 - 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 integral cycle parking for every dwelling.
- (b) Electric vehicle charging points in line with Surrey County Council's Parking Guidance.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Policy: Policies M5 and M10 of the Waverley Borough Council's Local Plan 2002.

8 - Prior to the commencement of the development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan, based on Parsons Brinckerhoff's

Framework Travel Plan August 2012 (amended January 2013), to include the provision of information to new residents and shall include the following items:

- (a) A 'travel information leaflet' to be provided in the welcome pack for new residents when they move into their dwellings.
- (b) Provision of transport and travel information to residents (e.g. regular emails and/or setting up a web-based travel plan page for the site); and
- (c) Cycle purchase assistance vouchers.

The implementation of the travel plan and the ongoing provision of information and management of the travel plan web-page will be the responsibility of the site management company.

Reason: The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users.

Policy: Policies M2, M5 and M10 of Waverley Borough Council's Local Plan 2002.

Highway Informatives:

1. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

2. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.

3. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.

4. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highway Service Group.

5. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The

applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: <http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/ordinary-watercourse-consents>

6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

7. Pedestrian inter-visibility splays of 2m by 2m shall be provided on each side of the residential accesses and parking courts, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

8. The Highway Authority advises that the proposed estate road(s) are of insufficient public utility to warrant adoption as highway maintainable at public expense.

9. When access is required to be 'completed' before any other operations, the Highway Authority will normally agree that wearing course material and in some cases edge restraint may be deferred until construction of the development is virtually complete, provided all reasonable care is taken to protect public safety.

10. H(Inf)17 - The applicant is advised that Public Footpath No. 161 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

11. H(Inf)23 - The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

12. The applicant is advised that in providing each dwelling with

	<p>integral cycle parking, the Highway Authority will expect dedicated integral facilities to be provided within each dwelling for easily accessible secure cycle storage/garaging.</p>
<p>Busbridge Parish Council</p>	<p>1. General</p> <p>Busbridge Parish Council has considered the application for the development of Tuesley hospital and our objections to the development going forward are focused on three main areas.</p> <p>In order these are:</p> <ul style="list-style-type: none"> • Traffic • Loss of parking • The draft Construction Environmental Plan (CEMP). <p>2. Traffic Concerns</p> <ul style="list-style-type: none"> • The biggest single issue for the Milford Hospital development, which has not been adequately addressed and which was the subject of much anxiety in the recent consultation, is traffic. • Of particular concern is the likely large percentage of cars that will leave the development and use Tuesley Lane north bound to access schools (Busbridge Infant and Junior), Godalming College and Godalming town centre shops and supermarkets (Waitrose and Sainsbury's are both in Godalming). This is a very restricted and narrow Lane which (particularly on the hill beside Ladywell Convent) where cars frequently are unable to pass. We have similar concerns regarding Hambledon Road which is an alternative route and is similarly narrow. • There are two assumptions in the submission which we believe are wholly wrong: <ul style="list-style-type: none"> • That either 100% or 80% of the traffic leaving the development will head south along Tuesley Lane. • That journey times are quicker going via Milford station than Tuesley Lane north heading towards Godalming. • Taking each of these in turn: <ul style="list-style-type: none"> • It does not seem reasonable or appropriate to assume that traffic patterns based on 2001 census data (when the hospital was a fully operational site) are either relevant or appropriate as a model for the new development. Indeed we believe it is highly likely that the majority of traffic will seek to use Tuesley Lane north heading for the facilities

identified above. It is not a likely scenario we believe that the majority of traffic will head towards the much smaller facilities in Milford.

- We do not believe that a judgement can be made or evidence submitted based on the journey time of a single trip on one day.
- At the very least we would expect multiple journeys to have been made at different times of day and a mean journey time calculated.
- In addition, this argument ignores the issue of miles travelled and the economics of shorter journey distances.
- Many householders will be seeking to reduce the miles travelled due to the cost of petrol and therefore are most likely to use Tuesley Lane north bound to access the facilities in Godalming.
- Apart from an inadequate evidence base and wrong assumptions, we believe that the solution put forward to address the issue, namely the erection of two “no left turn” signs from the development is almost laughable. The likelihood that this would either be observed or adequately policed is, we believe, highly unlikely.
- The suggestion of incorporating 30mph signs on Tuesley Lane north is almost incidental as it is not possible for traffic to travel at speeds greater than this due to its narrowness of the road and blind bends.
- This is very disappointing given that this issue has been flagged time and again in consultation.
- We also believe that the issue of the junction at Station Lane and Church Lane will require addressing as part of the development and not at some point in the future.
- It is also worth noting that Tuesley Lane will be heavily impacted by the proposed Godalming College development, which will come before Waverley Borough Council early in the New Year.
- It is important that the combined effects of both developments are considered and not taken in isolation.
- The HCA application has not considered the combined effects of another 40 to 50 properties using the same

road.

- The proposals are contrary to:

The WBC Supplementary Planning Document – Sustainable Transport Options.

The minutes of the WBC Community Overview and Scrutiny Committee minutes of 12 Mar 12 (O34.1 and 34.4)

3. Bus Access

On the matter of pedestrian access to buses, the application suggests that a 10 minute walk across country to the A3100 is a realistic proposition for householders in the new development.

This ignores the fact that for a very large proportion of the year the footpath is submerged in water (where the river Ock crosses) and cannot be used.

This issue is not addressed nor is a solution proposed in the application.

This is an omission which suggests not all the relevant facts are being presented.

2. Parking

- The hospital has the capacity for 52 beds; and is used by outpatients Monday to Friday.
- There are 25 parking spaces for hospital staff and provider organisations at the back of the hospital, on land that belongs to HCA that is due to be part of the development, which are not replaced as part of the proposals.
- Provision to relocate these parking spaces should be made by HCA.
- It is important that such spaces are not lost.
- The developer should give due consideration to making available alternative parking specifically for hospital usage. Inside the hospital boundaries, there is already insufficient parking for all staff, visitors and day patients.

3. Construction Environmental Management Plan

- Whilst we accept this is a draft submission it appears to be an “off the shelf” version and is wholly inadequate for

	<p>the circumstances at Milford Hospital.</p> <ul style="list-style-type: none"> • The fact that the site will be surrounded on three sides by an operational, specialist rehabilitation hospital with many in-patients for whom a restful setting is an important part of recovery is completely ignored. • The first section only describes the site as a “former hospital”. The outline traffic plan makes no concession to the hospital’s existence except to mention the probable removal of the overflow parking on Tuesley Lane. • The air quality management plan only lists the hospital as being of high sensitivity less than 20 metres from the site. • The outline noise and vibration plan completely ignores the existence of the hospital. • We believe that the CEMP needs a complete re-write to fully take into account the needs of the hospital. <p>4. Conclusion</p> <p>Busbridge Parish Council has major concerns over the proposals for access and egress to the development which have been a key concern through the entire consultation process, and which the application itself fails to address.</p>
<p>Hambledon Parish Council</p>	<p>Hambledon Parish Council has reviewed the outline planning application and comments as follows.</p> <p>The provision of 120 new homes, of which 40 per cent would be affordable, is to be welcomed. This is an attractive scheme which would contribute to Waverley’s housing needs but as presently construed in not, in our view, sustainable development.</p> <p>There appear to be flaws in the transport assessment. It includes inaccurate information about bus services; predicates additional traffic on the basis of that currently generated by Milford Hospital; assumes that residents would make maximum use of enhanced footpaths and new cycle ways; and proposes that all traffic should exit the site via Station Lane and Milford. Are these assumptions realistic given that two cars per household is currently the norm and that people now expect to use their cars, as opposed to walking or cycling, for nearly all their essential journeys?</p>

	<p>The extra traffic that the site can realistically be expected to generate will put an enormous strain on all the surrounding lanes, including those in Hambledon (and particularly Station Lane/ Hydestile Crossroads/Hambledon Road/Malthouse Lane/Lane End) which would become a significant alternative route for those needing to avoid the congestion that will inevitable occur at Milford during peak hours. For Hambledon, therefore, the transport assessment is a recipe for blight rather than sustainability. A mitigating factor would be the introduction of bus services, carefully tailored to residents’ time and destination requirements and to encourage maximum use; but this would be no more than a partial solution. Additional access roads should also be considered.</p> <p>The outline planning application suggests a (non-site specific) contribution for mitigating the impact of the residential development that total just under £500k. We strongly recommend that the development should be on a “not for profit” basis and that the 72 houses (60 per cent of the total) that will be available for sale on the open market should be a mix of small to medium family – as opposed to executive homes. If this were the case, and assuming a value of c.£100,000 per unit, the residual value of the site would be approximately £7.2m. This could be used to provide essential infrastructure and amenities: without these the development will never achieve the sustainability credentials claimed for it in the outline planning application.</p> <p>As an absolute minimum, appropriate transport and educational infrastructure needs to be put in place. The provision of a new road linking the site to the Milford/Godalming road appears so far to have been ruled out on cost grounds: if a proportion of the residual value were made available for transport infrastructure, this decision could be revisited. The possibility of finding a suitable and reasonably adjacent, off-site location for additional primary school facilities should also be investigated.</p> <p>Hambledon Parish Council has now considered the additional transport information but the view is that this appears to do nothing to address either the Parish Council’s previously expressed concerns or its suggestions for mitigating the strains that transport generated by the development would place on the existing infrastructure. Perhaps this could be duly noted. On the assumption that the Committee meeting on 20 March will be open to public speaking, Hambledon Parish Council would like to make representation.</p>
Godalming	

Town Council	Godalming Town Council has not commented on the application.
Natural England	<p data-bbox="480 309 986 342">European Protected Species (EPS)</p> <ul data-bbox="528 383 699 416" style="list-style-type: none"> <li data-bbox="528 383 699 416">• Dormice <p data-bbox="480 448 1404 589">The survey effort for this species is regarded as sufficient. We note that nests or partial nests were found in three of the dormice survey tubes indicating a small or low density population.</p> <p data-bbox="480 629 1404 882">Natural England does not object to the proposed development on the basis of the information available to use. Our advice is that the proposed development is likely to affect dormice through disturbance of the EPS or damage or destruction of a breeding site or resting place. We are satisfied, however, that the proposed mitigation would maintain the population identified in the survey report.</p> <p data-bbox="480 922 1404 1064">We advise that the production of a Landscape and Ecological management Plan (LEMP) and the mitigation and enhancement measures (as listed in section 4.2 of the above Report) should be attached to the planning permission as conditions.</p> <ul data-bbox="528 1104 644 1137" style="list-style-type: none"> <li data-bbox="528 1104 644 1137">• Bats <p data-bbox="480 1169 1404 1386">The preliminary site assessment as presented in the Bat Survey Report concludes that the development site provides suitable foraging and roosting habitat for several species of bat. Roosting and likely breeding have been confirmed for common pipistrelle bats. Overall the site is considered to be of moderate conservation significance for the local bat population.</p> <p data-bbox="480 1426 1404 1756">Natural England considers that the survey effort, broad mitigation approach and further survey recommendations contained within the Report, at this preliminary stage appear sufficient. The recommended further surveys will inform a detailed bat mitigation strategy and any future European Protected Species Mitigation Licence Applications (please see below advice on licensing for more information on this aspect). Please re-consult Natural England when the further survey effort as detailed in the report has been completed.</p> <ul data-bbox="528 1796 699 1830" style="list-style-type: none"> <li data-bbox="528 1796 699 1830">• Badgers <p data-bbox="480 1861 1404 2029">Badgers and their setts are protected under the Protection of Badgers Act 1992. We note that an active sett has been recorded within the development site boundary. It is proposed, following further surveying, that this sett may need to be closed under this application. In this circumstance, plans for artificial</p>

sett creation are detailed within the ES. Please note that badgers must be found to be successfully utilising the artificial sett of their own 'free will' before any existing sett is closed. Any closure of badger setts will require a licence obtained from Natural England.

- **Designated Landscapes**

Natural England welcomes the Landscape and Visual Impact Assessment (LVIA) present within the ES for this proposal. We can confirm that the LVIA has been undertaken using the most recent and best practice guidelines available.

We welcome the division and separate assessment of 'landscape' and 'visual' impacts within the LVIA. We also welcome the consideration of the Local Character Area (LCA) of Wealden Greensand, and note that a number of elements in the proposed development are in line with characteristics that define this LCA, e.g. hedgerows and conservation of traditional orchards.

We note that, in total, eleven viewpoints have been considered, and that these were agreed with the Local Authority before the LVIA was undertaken (e.g. page 153). The viewpoints represent a range of sensitive areas and receptors, including public roads and public footpaths. We assume that the photographic Figures, presented with the LVIA, have been obtained using a 50.0 mm lens with an 8.0 mm aperture. However this is not stated on the Figures. We would also like to draw your attention to the results of the LVIA, as summarised in Table 11.2 of the ES. Viewpoint 2 (close distance view from Tuesley Lane adjacent to the listed buildings north-east of the site) is predicted to have an 'Adverse' effect through all stages of the development proposal, including post year 15 after completion, as is viewpoint 4 (public footpath 167), and viewpoint 7 (north corner of site adjacent to footpath 167). The Council should consider the impacts upon these viewpoints and the sensitivity of the receptors at these points, as there is a predicted residual adverse valency (cumulative impact) at these points, even with mitigation considered.

We note the Zone of Theoretical Visibility (ZVT) extends to 3km, and the 'worst case scenario' has been used for building height, i.e. eleven metres. However, we would expect to see a further map / Figure showing the 'visual envelope' which would depict, through colour coding, the extent of the land from which the development can be seen.

Natural England has concerns that the Surrey Hills Area of Outstanding Natural Beauty (AONB) has not been included in the LVIA. We note that there are a range of high topographical

points (extending to 120-140m Above Ordnance Datum sloping upwards to the south-west of the site) located within 3km of the centre point of the site (see Figure 3). We note that these high points lie within the Surrey Hills AONB, which is located 1.5km away from the centre of the proposal. Natural England therefore has concerns over the visibility of the proposed development from high topographical areas within the AONB e.g. Hascombe Hill, Hydon Heath, Hydon Hill, The Hurtwood, Hambledon and so on. It is a possibility that these areas have been screened out in pre-application discussions with the Council, however, if they have not already been consulted, we recommend that the AONB Unit are consulted for any views that they may have on the proposed development. This is to ensure that the proposal is in line with the objectives within the AONB management plan. If appropriate, the LVIA could be extended to include these areas if there is found to be a degree of sensitivity. If residual significant adverse effects are predicated, mechanisms such as development re-design and screening could be employed as mitigation measures in the proposal for the designated landscape.

- **Other advice**

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- **local sites (biodiversity and geodiversity)**

We note that the proposal lies close to a number of Local Wildlife Sites (LWS). We also note that a number of these may be hydrologically linked to the proposed development site. Natural England however does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust or other recording society and a local landscape characterisation document, in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application).

- **Licensing EPS – general**

Please note, a licence is required in order to carry out any works that involve certain activities such as capturing the animals, disturbance, or damaging or destroying their resting or breeding places. Note that damage or destruction of a breeding site or resting place is an absolute offence and unless the offences can be avoided through avoidance (e.g. by timing the works

	<p>appropriately), it should be licensed. In the first instance it is for the developer to decide whether a species licence will be needed. The developer may need to engage specialist advice in making this decision. A licence may be needed to carry out mitigation work as well as for impacts directly connected with a development.</p> <p>Natural England's view on this application relates to this application only and does not represent confirmation that a species licence/s (should one be sought) will be issued. It is for the developer to decide, in conjunction with their ecological consultant, whether a species licence/s is/are needed. It is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive, and if so, whether the application would be likely to receive a licence. This should be based on the advice we have provided on likely impacts on favourable conservation status and Natural England's guidance on how we apply the 3 tests (i.e. no alternative solutions, imperative reasons of overriding public interest and maintenance of favourable conservation status) when considering licence applications.</p>
<p>Surrey County Council Senior Countryside Access Officer</p>	<p>The County Council must object to the application, as the plans indicate that a significant part of Public Footpath 161 Busbridge will be severely obstructed by the development footprint. In order for the county Council to withdraw its objection on these grounds, and for this development to proceed it will be necessary to process a legal order under s.257 of the Town and Country Planning Act 1990 to divert the legal route of the public footpath away from the proposed development. This order would need to be processed by your authority as the "competent authority" within the meaning of s.257(4) T&CPA 1990, and the resulting alternative route must be constructed to a standard acceptable to the satisfaction of the relevant area access Officer.</p> <p>However, the submission of the 'LDA Design' plan has provided a much clearer picture regarding exactly what the applicant's intentions are in terms of the proposed diverted route and dedications. Turning firstly to the diversion under the TCPA 1990 and referring to plan 3227_070_A; the County Council would expect to see the proposed route run from E-C not D-C. It is imperative that point E terminates at the junction with Tuesley Lane (as footpath 161 does currently) and not truncate with Footpath 167 Busbridge, as the plan currently seems to indicate will be the case. The County Council would require the diverted route to be provided with a width of 3mts.</p> <p>The County Council would not be able to accept dedications of the routes marked F-G or the three further short spur routes to</p>

	<p>the south of this, which connect with what will remain of the operational side of Milford Hospital. The hospital grounds still in use would be considered private property and all Public Rights of Way should start/finish at an area of public domain i.e. public road, area of public open space etc</p> <p>The County Council would like to upgrade the status of public footpath 161 to a cycle track as highlighted in our previous response. The plan from LDA has allowed us to rethink this proposal slightly. It appears that the applicant is intending to dedicate A-B-F to the junction with C-E as a public footpath. This is the route that we would now like to see improved rather than A-C as originally proposed. It provides greater scope in terms of the openness of the route and the width that could be provided etc when compared to A-C. It is assumed that the applicant would be intending to improve the route A-B-F to junction with C-E as a matter of course, as it runs directly through the middle of the site and facilitates access for future residents towards Milford Station. In order to ensure a smooth and swift dedication process between the County Council and the applicant, they should ensure that the route is laid out with a width of 3mts to an approved specification much the same as will be required for C-E as part of any confirmed diversion order.</p>
English Heritage	No objection
Surrey Hills AONB Planning Adviser	<p>The application site lies outside both the Surrey Hills AONB and the Area of Great Landscape Value but adjacent to the latter. Further, I do not consider the proposed redevelopment would harm views into or out of the AONB.</p> <p>The site is some distance from the nearest part of the AONB and the two do not read together from public viewpoints. The AGLV is on the other side of Tuesley Lane and although from some public viewpoints the site and AGLV are seen together, I do not consider that it could reasonably be argued that the proposed redevelopment would materially harm the character or setting of the AGLV. This is provided substantial tree and shrubbery cover is retained within the application site and the roofs and walls of the proposed buildings would be of mellow colours. New planting should be proposed that in time can take over from the existing tree and shrubbery cover.</p> <p>I note that the Waverley Local Plan designates the site as a Major Developed Site within the Green Belt (Policy RD6). Further that the supporting text to Local Plan Policy RD6 states that the site is suitable primarily for housing purposes. From an</p>

	<p>AONB aspect it is best that planned development sites such as this are developed as they have come forward through the development plan process and contribute to the Council's published identified housing supply. The main reason in this case is to substantiate the central thrust of the draft Core Strategy that the Council's housing requirements are to be met without having to resort to sites within the Green Belt (outside major developed sites), AONB and AGLV. The Surrey Hills Board very much supports the Council's draft Core Strategy.</p>
<p>County Archaeologist</p>	<p>The application site is large – over the 0.4 hectares which is recommended for archaeological assessment and possible evaluation under Policy HE15 of the Waverley Borough Council Local Plan. The Environmental Statement that has been produced in support of the application has a chapter on the Historic Environment. This document, produced by Oxford Archaeology, draws together currently available information to assess the potential for the site to contain significant heritage assets. The document reveals that there are no designated heritage assets on the site, although there is evidence that remnants of the pre-hospital historic landscape are present in the form of historic hedgerows, which I am pleased to see are being retained within the new development.</p> <p>The document also assesses the potential for as yet unknown assets, in the form of buried archaeological remains, as moderate due to the presence of prehistoric and later remains discovered in the vicinity of the site.</p> <p>The document concludes that an archaeological field evaluation should be undertaken to provide further information regarding the nature and extent of any potential archaeological remains. I agree with this conclusion, and also advise that a photographic record equivalent to English Heritage level 2 should be carried out to make a record of the hospital buildings in advance of demolition.</p> <p>In order to secure the archaeological investigation and recording, as well as any additional mitigation that may be required once the nature of the archaeological resource has been clarified, the following condition should be attached to any planning consent that may be granted;</p> <p>“No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority”.</p>
<p>Environment</p>	<p>We have no objection to the proposed development as</p>

Agency	<p>submitted, but wish the following conditions and advice to be taken into consideration:</p> <p>Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information relating to the management of surface water.</p> <p>The Shadwell Stream, which is an ordinary watercourse, flows to the south of the site through deciduous woodland. This area of woodland is to be retained, so there will not be any direct impacts on the stream through the development. There will be indirect impacts however, through increased public pressure, as the woodland will be part of a new SANG. Related to this, there will be a new footpath to facilitate access to the woodland. Therefore while we do not have any objections to the proposals on biodiversity grounds, we would ask that the footpath is constructed a minimum of 5m from the bank top of the stream.</p> <p>Condition 1</p> <p>The development hereby permitted shall not be commenced until such time as a scheme to improve the existing surface water disposal system has been submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.</p> <p>Condition 2</p> <p>No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the Shadwell Stream shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including footpaths, lighting, and formal landscaping, and could form a vital part of green infrastructure provision. The schemes shall include:</p> <ul style="list-style-type: none">• plans showing the extent and layout of the buffer zone.• details of any proposed footpaths, fencing, lighting etc.
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	<p>Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value. In this development, we would want to see the proposed new footpath a minimum 5m from the bank top of the stream. This is to retain a wildlife corridor along the riparian zone and also to protect the banks of the stream from erosion.</p> <p>This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on 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. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.</p> <p>Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.</p> <p>The agent for this application has been informed of our comments.</p>
Thames Water	<p>Waste Comments</p> <p>Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.</p> <p>"Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed".</p> <p>Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the</p>

	<p>Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.</p> <p>Water Comments The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommends the following condition be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.</p> <p>Supplementary Comments Infrastructure capacity problems are known or suspected, the developer will be required to finance an impact study.</p>
Surrey Wildlife Trust	Not yet received – to be reported orally
Network Rail	<p>The increase in traffic over the crossing changes the risk profile. However, it is due to be renewed to a full barrier crossing in 2018, which will engineer against some of the larger risks.</p> <p>In the meantime Network Rail would be looking at some smaller scale engineering mitigations, which for the most part will involve us liaising with Surrey Highways to carry out the works.</p> <p>Network Rail have been through our level crossing toolkit program which suggests mitigation measures. Many Network Rail have discounted as they will be covered by the renewal, but the below are suitable interim measures:</p> <p>Unfortunately Network Rail have not had time to speak with Surrey Highways yet, who would be able to provide us with more details costs. Network Rail will get on and speak the them, but have used a rough figure of £25k to cover these measures, based on estimated costs we have used before.</p> <ul style="list-style-type: none"> • Alter the level crossing approach surface so that it provides a greater indication to the road user that a crossing is ahead. Alteration to the crossing approach surface can include: <ul style="list-style-type: none"> ○ Ripple bars ○ Rumble strips

	<ul style="list-style-type: none"> ○ Rumblewave surfacing ○ Coloured surfaces ○ Antiskid surfacing ● Alterations to road approach speed profile. Amending (normally reducing) the road approach speed to a level crossing to reduce the risk of collision between vehicles and gates / trains ● Provision of tactile edges (and stop lines) on the footway at public vehicular crossings would assist crossing users with visual impairments. It could prevent them from straying onto the roadway and increases awareness of where to stop on approach to a crossing should the crossing be closed to road users. ● Red strip LEDs or Cat's Eyes on STOP lines. Install red strip LEDs or red cat's eyes along STOP lines to help to reduce a user's approach speed. This would provides highly visible red warning lights directly in the driver's line of sight. Ideally, lights would be interlocked with the level crossing warning lights. ● Improve sighting distance: Remove foliage and other obstructions. By cutting back vegetation and removing obstructions the sighting distances for users up and down the track and to signs / warning lights are lengthened. ORR emphasises the importance of optimum sighting distances, regardless of the protection provided at a crossing. ● Provide double yellow lines on the road approach to the crossing. Double yellow lines on the road approach to a crossing will deter users from parking in and around the crossing. This may provide a greater deterrent than double centre lines ● Extended census. Conducting censuses longer than the standard 'quicktime' census (30 minutes) will provide a more accurate understanding of the crossing utilisation. For example, extended censuses can be conducted over a 24hr period providing utilisation information for day and night time or at different times in the week to demonstrate weekly variations. ● Red light camera traffic enforcement (static). Provision of red light cameras at level crossings and prosecution of offenders will help reduce the potential for crossing violation, especially violations by users who: <ul style="list-style-type: none"> ○ Are unable to stop safely within time as the lights change (braking distance or tail-gated) ○ Fail to notice the lights ○ Refuse to stop because they believe they have sufficient time to cross before the train arrives
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Internal Consultations

<p>Council's Environmental Health</p> <p>(Contaminated Land)</p>	<p>Has reviewed the submitted report "Site Investigation of the central area of Milford Hospital, Home and Communities Agency, March 2012, Report reference 3511724, Parsons Brinckerhoff Ltd" and the earlier referenced report "Hospital site programme, Milford Hospital Godalming, Developers' information pack, Chapter 1 Geo-environmental, Scott Wilson Ltd August 2006".</p> <p>The reports identify several areas that will require more detailed assessment prior to commencement of construction at the site.</p> <p>The PB report references further works required to delineate made ground and elevated concentrations of lead in soils and testing around the former substation areas.</p> <p>The Scott Wilson report details an area of landfill in the south eastern section of the site and hydrocarbon impact from spillages / remediation activities associated with former above ground oils storage tanks. Further detail will be required regarding the identified areas of landfill in the south-eastern section of the site, specifically measures to delineate the landfilled area, a suitable ground gas assessment and measures to control the identified asbestos and hydrocarbons reportedly present in soil in the landfilled area. I note that the masterplan does not place any properties in this area but would expect a risk assessment and remediation plan regarding this area of presumed proposed open space / amenity.</p> <p>Full standard contaminated land conditions are recommended to be attached to the planning permission in order to clarify these identified issues.</p> <p>Model Planning conditions for development on land affected by contamination</p> <p>Unless otherwise required by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 1 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until Condition 4 has been complied with in relation to that contamination.</p> <p>1. <u>Site Characterisation</u></p>
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An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates in the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- a survey of the extent, scale and nature of contamination;
- an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock ,pets, woodland and service lines and pipes,
- adjoining land,
- ground waters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;
- an appraisal of remedial options, and proposal of the preferred option(s)

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

2. Submission of Remediation Scheme

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

3 Implementation of Approved Remediation Scheme

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

	<p>unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.</p> <p><u>4 Reporting of Unexpected Contamination</u></p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 2, which is subject to the approval in writing of the Local Planning Authority.</p> <p>Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 3.</p>
<p>Council's Environmental Health (Air Quality)</p>	<p>Having considered Section 8 of the Environmental Statement dated September 2012 by Parsons Brinckerhoff. The following comments and recommendations are made:</p> <ol style="list-style-type: none"> 1. Section 8.6 Mitigation and Enhancement Measures – <ul style="list-style-type: none"> • Recommends that a Condition requiring this section to be developed further to take account of the Mayor of London, London Councils' "The control of dust and emissions from construction and demolition" 2006. Specific regard should be made to Section 4.3 relating to a development of a Medium Risk Site (development of land between 1,000 and 15,000 square metres; developing between 10 – 150 properties; with the potential for emissions and dust to have an intermittent or likely impact on sensitive receptors) • The Condition should require that commencement of development shall not take place until a dust and emissions Method Statement (or an enhanced Dust Management Plan for the suppression of dust and control of emissions) during demolition of existing buildings and construction of the development has been submitted to

	<p>and approved in writing by the Local Planning Authority. The measures as approved shall be employed throughout the period of development unless any variation has been approved by the Local Planning Authority. The mitigation measures shall cover Sections 6, 7 and 8 of the above mentioned guidance.</p> <ul style="list-style-type: none"> • Reference to the use of vehicles and plant using ultra low sulphur diesel which meets the specification EN590:2004 and/or the after- fitting to vehicles/plant of devices that can reduce particulates should also be included. <p>2. Refers back to point 14 and 15 of the memo from the Councils' Air Quality Officer dated 03/05/2012 with reference to SO/2012/0003, and recommend that consideration should be given to the DEFRA good practice guidance "Low Emission Strategy: Using the Planning System to Reduce Transport Emissions" with a view to mitigating the impact of the development.</p> <ul style="list-style-type: none"> • Recommends a Condition requiring an agreement with Planning regarding this mitigation so that prior to the commencement of development a scheme detailing the provision of Electric Vehicle Charging Points within the development shall be first submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the scheme and maintained thereafter.
<p>Council's Environmental Health (noise, drainage, light, waste and bonfires)</p>	<p>The revised application appears satisfactory in that it sets out the proposed development and what issues will be addressed and how they will be managed. The comments made on the previous application about drainage have been addressed. They have advised that they will be following BS5228 regulations.</p>

Representations

The application was advertised in the newspaper on 26/10/2012, site notices were displayed around the site on 26/10/2012 and 2,550 neighbour notification letters were sent on 12/10/2012. Following a request for further information under Regulation 22 of the Town and Country Environmental Impact Assessment Regulations 2011 the application was re-advertised in the newspaper on 08/02/2013 by site notice on 08/02/2013 and further neighbour notification letters were sent out on 28/01/2013.

The Council has received a total of 158 letters of representation including comments from various local groups:

Rodborough School

We have already raised a number of concerns about the Upper Tuesley development with relation to road safety along Station Road and Rake Lane. These are:

- As a school we have been very successful in promoting sustainable ways to get to school. Cycling and walking have been our two focus areas and in the summer months up to 1/5 of our school population of 700 (once Year 11 has left) cycle to school. We would be strongly encouraging students from any prospective upper Tuesley development to cycle or walk to school as well. This will increase significantly the number of students on Rake Lane each morning and evening. Currently we have between 30 and 45 students walking or cycling down the lane.
- Any students that do get driven to school from Upper Tuesley will add to the already fairly chaotic traffic situation along Rake Lane.
- Residents of Upper Tuesley who wish to access Petworth Road or Haslemere Road for other reasons are going to use Rake Lane as the preferred cut through once again increasing car numbers along the lane.
- We have a packed programme of extracurricular events which take place after school. These end usually at 4.30. More students using Rake Lane in the winter time whether they be on foot or in cars will increase danger and exposure along the more poorly lit sections of Rake lane. Despite lighting improvements some sections are still very dark, notably along the first straight leaving school and down the dip towards the small bridge.

There are some key danger areas on this route. One is the crossing of Station Lane. Cars come at this crossing fast and trying to get across the road can be difficult. Then there are two sharp fairly unsighted bends as you go along the lane. Cars are more prone than ever to speed up whenever they can along the lane to gain time on their journey. Only this Wednesday (19th Dec) a student was struck by a speeding car and sustained a fractured arm. As students walk along the straighter section of the lane

	<p>after Rake Manor the vegetation is pushing out from the hedges forcing walkers into the middle of the road – again creating unexpected hazards for drivers as students are hit by branches and suddenly jump out. Finally, there are the lighting issues referred to above.</p> <p>In short we are concerned that more students coming to our school from the Upper Tuesley proposed development will mean more students walking and cycling to school AND more vehicle traffic using the same route. We do not wish to see an increase in accidents like the incident yesterday and think that careful consideration of the impacts on increasing car and foot/cycle numbers on the route from Milford Station to Rodborough School need to be carefully considered and properly planned for in any proposal that get accepted.</p>
Virgin Care	<p>Virgin Care provides a wide range of health services from Milford Hospital on behalf of the NHS Virgin Care assumed responsibility for running health services from Milford Hospital from 1st April 2012. We lease the site from NHS Surrey, and from April 2013 ownership of the site will transfer to NHS Property Services.</p> <p>We welcome the redevelopment of the old hospital buildings surrounding the site as this provides an opportunity to improve the environment for patients staff and visitors to Milford Hospital.</p> <p>Our services support and treat older people often suffering form multiple medical problems. Our aim is that following a period of treatment and rehabilitation patients are able to either maintain or resume their lives in the community. Services are provided from the site.</p> <p>We have the following observations on the planning proposals;</p> <ul style="list-style-type: none"> • Transport • Virgin Care supports the development of alternative modes of transport to and from the site apart from the private car. We welcome and support the development of: <ul style="list-style-type: none"> • Improved public transport of the site • Car sharing schemes • Traffic calming to reduce traffic schemes • Cycle lanes

- Improved pedestrian footpaths

We recognise, however, that the majority of patients and staff travel to the site by private motor car and the relative remoteness of the site means that this is likely to continue to be the main mode of transport.

- Parking for Patients and Staff visiting the Site
- The proposals will lead to significant loss of parking suitable for cars in the vicinity of the site. Our staff and patients currently use the parking facility at the rear of the site which is outside our demise, and also the parking places on the road at the front of the site.
- Parking within the site is inadequate because:
- There will be insufficient spaces following the removal of the rear car parking and the removal of the spaces at the front of the site.
- The internal road layout, surfaces and lighting are not sufficient to meet the needs of patients, carers and their families visiting the site
- We would like to discuss with both the planners and our landlords how accessibility to the site could be improved by:
- Providing a drop off/waiting bay for taxi cabs
- Providing covered cycle and motorbike, motor scooter parking space
- Improving pedestrian, cycle and motor vehicle access and egress to the site
- Increasing the number of car parking spaces within the site curtilage to compensate for the loss of on street parking and parking at the rear of the site
- Improving the quality of the existing environment through re surfacing, lighting and clear markings and sign posting
- Rear Access

	<ul style="list-style-type: none"> • The rear access road into the site is currently used by • Ambulances dropping off and collecting patients from the hospital wards • Deliveries to the hospital <p>It is important that this access road remains and is kept free from obstruction both during and following construction. We will also require some physical infrastructure to control access to the site at this point.</p> <ul style="list-style-type: none"> • Boundaries • The boundary line currently runs through a number of existing buildings. We are keen to understand what arrangements will be put in place to demolish buildings that are within our site and what remediation will take place following demolition. Boundary treatment – we wish to know what boundary treatment is proposed for buildings and landscape abutting our site-particularly height and type of boundary treatment. • Pedestrian Access • The planning application proposes the creation of pedestrian footpaths to the site. We are concerned that creating pedestrian access through the site would compromise the safety and security of both patients and our staff. For this reason we would resist the creation of pedestrian access. • Inconvenience and Disruption <p>Milford is a hospital site. Many of our patients are vulnerable and frail. It is most important that inconvenience and disruption to the provision of services from the site is kept to the absolute minimum. Where services to the site are to be disrupted as a result of changes to local infrastructure we expect to be consulted and to have an opportunity to develop appropriate contingency plans. We would appreciate it if construction planning could take this into account and particularly avoid noise and disruption late at night, early mornings and at weekends.</p>
NHS Surrey	Surrey PCT's concerns about the proposed Upper

Tuesley development, specifically relating to its impact on Milford Hospital were set out in an email dated April 2012. It was noted with concern, that one of the opening statements in the Development Brief (subsequently endorsed and adopted by Waverley Borough) was "Whilst the Brief addresses the setting and relationship of the redundant land and buildings with the operational hospital, the hospital land does not form part of this Brief". There are issues relating to the protection and sustaining of Milford Hospital's current ability to function effectively which should have been addressed at this stage, namely, essential services including the supply of electricity and effective drainage as well the significant impact on parking.

Comments about the hospital site were included within the Consultation Statement, including, to a degree, the comments contained within my previous email. Concerned that these comments/concerns have been dismissed for the most part, or at the least, not been given enough weight in the Council's response.

The Council's response to what they perceived as the "main issues" raised by the consultation, was quick to dismiss potential CIL contributions to the hospital on the basis that the PCT had disposed of its interest in the land and buildings on the development site. The Council must address the material point which is that although the PCT disposed of the development land, it has an ongoing duty and responsibility to ensure the ongoing functionality of an existing working hospital on its repainted land. As the hospital provides an important public service to Waverley residents, the Council should necessarily be interested in the protection of the efficient running of the hospital by using its powers at outline planning stage to limit the negative impact of any development on surrounding land, and ensure that where this is unavoidable that suitable steps are taken to adequately remedy this. In our last email we highlighted the areas where there was a realistic prospect of negative impact, which we would ask you to read in conjunction with the comments below:

Parking

There are three main issues here. The first stems from the potential withdrawal of the provision of overflow spaces on the development land (which the PCT

currently licenses from HCA). I note that in the full summary of consultation responses which annexed to the consultation statement there was a reference to concern over the lack of provision to relocate these spaces. This was dismissed by the Council as a landowner matter. However, we would argue that it is an important planning consideration for the reasons stated above and that pressure should be applied to the developer by the Council to maintain the provision at its current level on the development (or alternatively fund and build new provision on the hospital site). We would urge the Council to amend the HOT accordingly and apply a condition to any consents relating to the provision of parking.

The position relating to parking is exacerbated when considering the proposed loss of existing roadside parking in favour of traffic calming. Cars and lorries routinely use this wide area to park. The traffic calming in this respect may create a new problem.

The second issue relates to the realistic predication that the provision of residential parking within the development proposals will not satisfy resident (and visitor) demand., resulting in the unauthorised use of hospital parking spaces on the hospital site by residents of the development and their visitors. I note that this concern was also included within the full summary of consultation responses in which it was stressed that NHS parking should not be compromised. The Council noted the point. The PCT would be interested to know how the Council intends to deal with this issue at outline planning stage. You can appreciate from the hospital's point of view that preventing overflow parking from the development in hospital spaces would be incredibly difficult and costly to police. Clause 12.76 of the Council's Local Plan provides for a higher car parking provision than the 1.5 average per dwelling in exceptional circumstances, given the largely rural character of the area. We believe this situation would comprise an exceptional circumstance, especially where disruption to a working hospital is at stake and we would therefore urge the Council to give consideration to this in the light of the above. The Council should also revisit the potential for CIL funding in this regard.

The third issue relates to the part of Tuesley Lane which fronts the hospital, and which also currently provides essential overflow parking for the hospital.

This area would inevitably be subject to additional pressure from the development and result in even less scope for hospital users.

These three potential sources of significant pressure highlight a fundamental need for the issue of parking for Milford Hospital staff, users and visitors to be dealt with by the Council at outline planning stage.

Drainage

Refer to the comments in email of April 2012 relating to electricity and drainage serving both sites. Again, these points were acknowledged by the Council in the appendix to the consultation statement and were dismissed as “landowner matters”. Again we are concerned that a failure to address these fundamental areas at this stage, could result, in a dangerous impact on patient services, should power be lost, and at the least a serious disruption to services, should drainage be affected. In relation to the latter, we would also draw your attention to the comments made in an email from Thames Water, highlighting an “inability of the existing waste water infrastructure to accommodate the needs of this application”.

Access to Hospital

Ambulances and emergency vehicles access the rear of the hospital via existing access across the development site. Would stress the importance of retaining and upgrading this. Previously this was stated to be a landowner issue. We appreciate this but would expect that the Council would have an interest in ensuring the ease of access to and egress from the hospital for Waverley patients.

Design issues

Reiterate comments from the Brief consultation. The point made previously was misunderstood the design should embrace the existing hospital (particularly as the boundary line was incredibly close to some areas), and that the design of the development should therefore be sympathetic to it because of the presence and proximity. The comment previously made was interpreted that the hospital would be seen as unsightly from the development’s aspect, and the response stated steps that would potentially be taken to remedy this for the benefit of the residents.

	<p>Development contribution to improvements at the hospital</p> <p>This issue was deemed, at Brief consultation stage, by the Council, to be a matter for the PCT. We fail to understand how the PCT would be able to have any influence over such contributions, and against would expect it to be dealt with by the Council as part of the outline planning application and instead by way of its powers apply the necessary conditions at this stage to secure the necessary provision of health services without encumbrances by the proposed development.</p> <p>Whilst NHS Surrey does not have an objection to the proposal in principle, we do believe that consent be withheld until these issues are resolved.</p>
Surrey Link	<p>The outline noise and vibration plan makes no mention of the hospital, its patients or its staff. The land around the hospital requires development but this must be done with sensitivity and with regard to the needs of the hospital.</p> <p>The hospital should be financially compensated because of the disruption that will arise from the HCA development.</p> <p>Both entrances to the hospital site need to be continuously available.</p> <p>The hospital has the capacity for 52 beds; and has a day hospital which sees out patients daily, Monday to Friday. There are 25 parking spaces for hospital staff and provider organisations at the back of the hospital, on land that belongs to the HCA that is due to be part of the development. Provision to relocate these parking spaces should be made by the HCA.</p> <p>The developer should give due consideration to making available alternative parking specifically for hospital usage. Inside the hospital boundaries, there is already insufficient parking for all staff, visitors and day patients.</p> <p>The Traffic and Transport Plan makes no mention of the hospital. Clearly any development of the site will generate an increase in traffic using Tuesley Lane. This almost certainly will require some form of traffic regulation at the steep north, Godalming end of the</p>

	<p>land. An improved bus service to the site would assist in reducing some traffic, and would be welcomed by the hospital.</p> <p>The environment surrounding the hospital desperately needs improvement, and we are pleased that a development is proposed. It is hoped that the HCA will note any individual mature trees and plan sensitively with regard to preserving these. Sensitivity is also required to preserve the tranquillity of the site as a rehabilitation centre.</p> <p>We understand that Waverley's preferred use of the site is residential. While this is understandable, the development is a large one, and attention could be given to some form of infrastructure, to keep residents from needing to move off site and use local roads. This might comprise a local shop, post office, purpose built nursery, day centre, club house etc.</p> <p>Affordable housing will be welcomed as it could provide accommodation for staff working at the hospital.</p>
<p>League of Friends of Milford Hospital</p>	<p>Although the redevelopment of the site is welcomed, there are concerns that the interests of patients, their visitors and staff are not fully considered in the application. Milford Hospital is a busy specialist rehabilitation hospital with an associated Day Centre. As the development would surround the hospital, its impact on the hospital such as landscaping and noise, should be at the forefront of considerations by Waverley Borough Council.</p> <p>Additionally there are concerns about:</p> <ul style="list-style-type: none"> • Pollution control, • access (the lower road to the hospital is the Ambulance access and should never be compromised), • roads and traffic, parking (25 parking spaces for hospital staff and provider organisations to be lost to the development), • environment (pleased that the development will improve the land surrounding the hospital, however it is hoped that the HCA will note any individual mature trees and plan sensitively with regard to their preservation). • Housing (affordable housing is welcomed as it could provide accommodation for staff working at the hospital).

	<ul style="list-style-type: none"> • Amenity Infrastructure (as the development is large, attention should be given to some form of amenity infrastructure for future residents). <p>The land around the hospital requires development, but this must be done with sensitivity, and with regard to the needs of the hospital. I would suggest the hospital might be financially compensated because of the disruption that will arise from HCA's development.</p>
<p>Godalming Angling Society</p>	<p>Has previously written to Waverley Borough Council in relation to the proposals on 6 occasions during the Development Brief stage.</p> <p>Whilst the comments in relation to planning policies were addressed in respect of the former statutory policies, the same principles apply.</p> <p>In particular, comments in respect of the proposed use of Tuesley Lane and any restrictions are extremely important and the Godalming Angling Society are particularly concerned that these issues are closely addressed.</p> <p>Busbridge Lower Lake is by definition a Large Raised Reservoir controlled by statutory obligations and Waverley Borough Council has a duty to ensure that the statutory obligations are followed and must be taken into account.</p>

140 letters have been received raising objection on the following grounds:

<p>Traffic Assumptions in Traffic Assessment</p>	<ul style="list-style-type: none"> • Wrong to compare traffic data to previous use as hospital; consideration needs to be given to the existing changes which have occurred since Milford Hospital was a working hospital (size of vehicles, expansion of Godalming College to 2,000 pupils , expansion of St Hilary's) – base traffic levels would therefore be higher. • Traffic generation and distribution not in line with industry best practice and guidance. • Wrong to use 2001 census and 2001 journey to work data for Milford Ward as a model • Unrealistic to state 20% of vehicular movements will be northwards along Tuesley Lane when Godalming is nearest centre for retail, employment and education • Traffic survey undertaken in January and May
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	<p>unrepresentative and the 17th July survey carried out on a day when St Hilary's School closed and Godalming College barely functioning post public exams.</p> <ul style="list-style-type: none"> • No assessment made of other developments for the area. • Refers to development on edge of town/suburbia but in reality no local services. • Relies on outdated accident data - Recently a pupil from Rodborough knocked down in Rake Lane. • Trip frequency assumptions are low • Insufficient consideration of accident data • Revised Traffic Assessment fails to address concern regarding traffic along Tuesley Lane • Too little information to make an informed decision
Other traffic concerns	<ul style="list-style-type: none"> • Lack of sufficient road infrastructure • Traffic calming is just gestures – ignores that lane unsuitable for volumes of traffic • Tuesley Lane steep, no sight lines and narrow with no passing places in middle section. • Need traffic calming, restriction to 15 mph with traffic lights or one way between Ladywell Hill (Tuesley Lane) and Holloway Hill. Tuesley Lane/Holloway Hill/Shackstead Lane narrow and hazardous and without a traffic solution of Tuesley Lane plans remain unsustainable. • Vehicles over 7 tonnes should be barred from using Ladywell Hill • Additional traffic on local roads will cause more congestion, noise and danger, in particular reference is made to Station Lane, Tuesley Lane, Water Lane (through Enton), Junction of Church Lane and Station Road, Brighton Road, Brighton Road, Holloway Hill, Shackstead Lane, Quatermile Road. There are already traffic jams • Additional traffic in Busbridge where there are three schools and a very busy college • Need to improve junctions of Ashstead Lane, Minster Road, Quatermile Road, Shackstead Lane/Entrance to Godalming College, Busbridge Lane and Tuesley Lane • Concern over cumulative traffic impacts with other nearby developments. • No footpath on minster Road is potentially dangerous. • Not environmentally sound – does not allow safe pedestrian access and walking will be affected-

	<p>Important for walkers to walk along Tuesley Lane</p> <ul style="list-style-type: none"> • Policies M2 and M7 not enough funds to comply with CS4 • No direct provision for cyclists • Continuous footways required on both sides of Tuesley Lane in Busbridge and need to improve pinch points on Holloway Hill and roadway between Croft Road and Flambard Way. • Pressure on parking in Godalming • Concerns about increase in motorbikes using footpaths • Concern about all-weather suitability of footpaths. • Concerns about construction traffic • Busbridge will become grid locked twice a day and will be used for car parking • Access north from site should be prohibited • Should be a new road from site to Milford Crossroads/Portsmouth Road • Enforceability of quiet land • Increase in accidents and road rage • Tuesley Lane has become unsuitable for pedestrians • Tuesley Lane one of worst affected roads in bad weather • Mitigation measures nowhere near alleviate problems
Public Transport	<ul style="list-style-type: none"> • Remote location; residents likely to be reliant on the private car. • Lack of public transport, trains don't stop regularly at Milford Station and although Traffic Assessment refers to buses there is in fact only one a day. • Not realistic to use bus on Portsmouth Road • Parking at Milford Station not resolved • Lit and surfaced footpath needed to Milford Station • Not clear about provision for cycles at Milford Station. • Not conducive to non car transport
Environmental issues	<ul style="list-style-type: none"> • Impact on AGLV • Demolition of Water Tower – could be converted • Loss of green space, open countryside, woodland, playing fields and wildlife habitat • Green Belt should be protected • Impact on openness of the Green Belt – present buildings on site are closely grouped, the proposed development would result in buildings spread out

	<p>over the whole site, enclosing it for ever.</p> <ul style="list-style-type: none"> • Overdevelopment • Godalming losing its identity • Risk of more development on green fields • Tuesley Lane may have Saxon or earlier origins close to site of earliest church in Godalming (7th century Minster Church) and Ladywell. No regard to historic nature and inevitability of destruction of unique land and habitat. • Significant development without services • Three storey buildings out of keeping • Hard landscaping would increase excess water • Loss of countryside • Loss of green space • Prejudice access to neighbouring property, "Crowts" • The provision of only 10% renewable is unambitious. • Lack of recreational facilities for older children. • Concern over increase in light pollution
Impact on Hospital	<ul style="list-style-type: none"> • Hospital parking needs to be addressed • Noise and disruption to hospital patients and visitors
Wildlife	<ul style="list-style-type: none"> • Significant effects on habitats, flora, fauna, downgrading of local environment and prejudice to local wildlife including unusual birds, insects, deer, bats, and badgers. • Effect on SSSI
Services	<ul style="list-style-type: none"> • Pressure on local services – schools, doctors - Investment needed in schools, local schools oversubscribed • Lack of infrastructure and services • Insufficient community gain • Sports facilities should be provided as part of the redevelopment
Affordable houses/mix	<ul style="list-style-type: none"> • Too many 4/5 bed homes • Potential to catch up on lack of affordable housing • 40% of affordable housing should be a maximum not a minimum – need shared ownership • Fails to address lack of affordable housing in Surrey

	<ul style="list-style-type: none"> • Milford Hospital built as a sanatorium and was suitable for this use. • Should provide higher proportion of affordable housing • Construct fewer higher value houses and provide affordable housing in more appropriate location • The isolated location and lack of community facilities will fail to create a sense of community spirit or identity.
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The received representations include a Transport Assessment Appraisal from WSP dated 11/12/2012. The additional Transport Assessment has been commissioned on behalf of the Hall Hunter Partnership which owns the nearby Tuesley Farm. The WSP Assessment raises the following concerns about the Transport Assessment submitted with the application:

- The traffic generation and distribution are not in line with the industry best practice and guidance and WSP's estimate of traffic which might be expected to be generated by the site is some 15% higher;
- Further traffic comparison between the existing hospital land use and the proposed residential land use should be provided during AS and PM peak time periods to provide a more accurate estimate of the residential units conversion ratio;
- Issues on the junction capacity assessments have also been identified and should be addressed. Further junctions and links should also be assessed;
- The proposed development is located in a rural area, and although it is identified in the Upper Tuesley SPG it does not appear to fully comply with national and local policies;
- The development is located at a remote location with difficult cycle and pedestrian access to schools, facilities and public transport;
- Footpaths through fields do not provide all weather access for regular commuting to work or to reach schools and other facilities required on a daily basis;
- The development is not well served by adequate public transport services;
- Vehicles parked to the south of Milford Railway Station block the footway and will be an issue for pedestrian and cyclist movements;
- Station Lane, north of Milford Railway Station, does not provide adequate cycling and walking conditions to encourage the future residents to walk or cycle to the facilities within Milford;
- A further in depth review of the accident data should be undertaken to identify any physical limitations in the local highway network which could be mitigated as part of the proposed development;
- Further information on car and cycle parking capacity at Milford Railway Station should be provided;

- The proposed ban of left turn out movements from the development accesses cannot realistically be enforced;
- No assessment has been made of the impact of demolition and construction traffic.

Submissions in support

In support of the application, the applicant has made the following points:-

- The application proposal has emerged following extensive engagement with the Local Planning Authority and public consultation which has led to the recent adoption of a Supplementary Planning Document for the site.
- The proposal represents an opportunity to utilise the previously used land and redundant space within the non-operational campus to provide much needed private and affordable homes.
- The scheme proposes the partial redevelopment of a previously developed site and is therefore not inappropriate development
- The scheme would make a significant contribution to Waverley's required housing figures.
- The proposed development would achieve a level of 40% affordable housing.
- The master plan proposes an integrated network of high quality public open spaces within the site, most of which form part of the pedestrian links through the scheme.
- The development would open up recreation and accessibility to open spaces.
- The scheme would include the regeneration of existing orchard to the south-west corner of the site.
- A green spine runs through the centre of the site connected the SNCI to the north to the area of ancient woodland to the south.
- Housing clusters would be centred on small shared courtyard spaces with an informal layout, and will be designed in the character of a 'HomeZone'.
- Suitable Alternative Natural Green Space (SANGS) is to be provided in a single block to the south of the site.
- The proposal would meet Level 4 of the Code for Sustainable Homes, use a high Fabric Energy Efficiency Standard (FEES); would use solar photovoltaic technology; minimise the use of natural resources during construction; and encourage sustainable modes of transport.
- The form of housing across the site will vary. Whilst design is a reserved matter, the Design and Access Statement (DAS) confirms that high quality architecture will be encouraged to help create a distinctive neighbourhood.
- The removal of derelict buildings on the site would benefit the wider area.
- The DAS sets out that, as a key design principle, the site should foster a unique identity for Upper Tuesley based on its heritage, through the

careful restoration of buildings such as Allison House and the staff cottages coupled with the creation of high quality new buildings.

- Visual buffers shall be used to ensure the development is set within an enclosed natural landscape.
- The Transport Assessment has considered the impact of 120 dwellings at the Upper Tuesley development for a design year of 2017. Modelling indicates that some physical mitigation measures would be required as a result of the development.
- A Framework Travel Plan shall be produced to reduce reliance on single occupancy car travel and encourage sustainable modes of transport.
- A Phase 1 Habitat Survey has been undertaken although the site is bordered by a SNCI and ancient woodland, it is unlikely to have any adverse impact on biodiversity.

Determining Issues

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 (as amended) require that planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The development plan consists of the South East Plan 2009 and the Waverley Local Plan 2002. The emerging Local Plan (Core Strategy) carries limited weight at present.

The key determining issues are:

- Principle of development
- Environmental Impact Assessment
- Green Belt and compliance with Policy RD6 of the Local Plan
- Impact on visual amenity, landscape and trees
- Loss of community facilities
- Housing mix, density and affordable housing
- Highway considerations, including impact on traffic and parking considerations and impact on public footpaths.
- Provision of amenity and play space
- Impact upon neighbouring amenity
- Archaeological considerations
- Biodiversity and compliance with Habitat Regulations 2010 and effect upon Wealden Heath Special Protection Area
- Sustainability / Climate Change
- Environmental considerations including air quality and noise
- Flooding and Drainage considerations
- Infrastructure and planning benefits
- Financial Considerations
- Crime and Disorder
- Water Frameworks Regulations

- Waste
- Equalities Act 2010 Implications
- Human Rights Implications
- Third Party and Town and Parish Council comments
- Article 2(3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner

Planning Considerations

Principle of development

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access. As such, the applicant is seeking a determination from the Council on the principle of the residential development and associated access.

As discussed earlier in the report, in accordance with statutory requirements the applicant has submitted an indicative layout showing the approximate location of buildings, routes and accesses included in the proposal; in addition the applicant has submitted the upper and lower limit for the height, width and length of each building (the parameters of scale).

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development (paragraph 197).

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste

and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The site is located within the Green Belt outside any defined settlement area. Within the Green Belt there is a general presumption against inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances.

The application site is allocated under Policy RD6 of the Waverley Borough Local Plan 2002 as a Major Developed Site in the Green Belt. Annex C of the now defunct Planning Policy Guidance 2 Green Belts, sets out the policy guidance relating to infilling within and redevelopment of major sites in the Green Belt, including redundant hospital sites.

With the adoption of the NPPF, PPG2 and the advice contained in Annex C thereof were cancelled. Advice contained within the NPPF now states that a local planning authority should regard the construction of new buildings within the Green Belt as inappropriate. Exceptions to this are *inter alia* limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development. Officers consider that the Milford Hospital site constitutes previously developed land, and subject to the detailed consideration of the proposal in light of the criteria contained in Policy RD6, which is consistent with the guidance in the NPPF, the redevelopment of the site is, in principle, acceptable.

The commentary text to Policy RD6 states that the Council considers that the site is suitable primarily for housing purposes, with an objective of securing an element of subsidised affordable housing,

On 19th July 2012 The Council, following a robust consultation, adopted "Upper Tuesley (Land Adjacent to Milford Hospital) Development Brief" as a Supplementary Planning Document (SPD). Milford Hospital is allocated in the adopted Local Plan (2002), at saved Policy RD6, as a Major Developed Site in the Green Belt. Waverley Borough Council approved its Core Strategy on 22nd January 2013 and it was formally submitted for Examination on 31st January 2013. The Draft Core Strategy maintains the Major Developed Site designation for Milford Hospital. In this context, the Development Brief provides supplementary guidance to existing Development Plan policy, and is an important material consideration in the determination of any planning application. In that context, the aims of this Development Brief are to:

- Amplify the guidance in Local Plan Policy RD6
- Identify the key environmental, traffic and utility constraints, taking into account the existing lawful use of the site as a possible fallback position.
- Respect the rural character and amenity of the area

- Ensure that a balanced community is created, incorporating an appropriate mix of dwelling form, size and tenure
- Secure appropriate community benefits including a minimum of 40% affordable housing
- Promote sustainable development and sustainable construction technologies.

The site is within the Wealden Heaths Special Protection Area Buffer Zone. Development should not result in a significant effect upon the integrity of the SPA.

The site is located adjacent to a Site of Nature Conservation Importance. 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.

The proposal involves a substantial redevelopment of the site, and as such, the impact of the envisaged traffic movements on highway safety and capacity have been considered by the County Highway Authority.

The proposal is for a substantial residential development and accordingly the Council's policies on housing density, size of dwellings and affordable housing are relevant.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regs) 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 to reduce these effects.

Under Regulation 13 of the EIA (Regs) 2011, a formal scoping opinion of the Council was adopted by the Council on 01 June 2012

The environmental issues that were required to be addressed in the formal Scoping Opinion were: local community and economy, traffic and transport, air quality, noise and vibration, ecology and nature conservation, landscape

and visual amenity, archaeology and cultural heritage, water quality, hydrology, hydrogeology, land contamination, waste materials, climate change and cumulative effects. Traffic and transport considerations are also covered under the 'Highway Considerations' section of the report.

On conserving and enhancing the natural environment, paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes;
- Recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible;
- 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; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 111 of the NPPF states that planning decisions should encourage the effective use of land by using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Paragraphs 120 to 125 set out policies to mitigate and reduce to a minimum the adverse impacts of development on health and quality of life. Such effects include ground pollution, contamination, instability, lighting, noise and air quality.

Paragraph 124 states that 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 the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in AQMAs is consistent with the local air quality action plan. The site is within an AQMA Buffer Zone.

Local Community and Economy

The Environmental Statement (ES) sets out the significance of the likely local community and economy effects of the development in the table below:

Time Period	Receptor	Sensitivity of Receptor	Magnitude of Impact	Nature of Impact	Significance of Effect
Construction	Economy and Employment	Medium sensitivity	Moderate	Beneficial	Minor
	Community	Medium sensitivity	Slight	Adverse	Minor
Operational	Population, Demography and Deprivation	Medium Sensitivity	Slight	Adverse	Minor
	Housing	High Sensitivity	Moderate	Beneficial	Medium
	Economy and Employment	Low Sensitivity	Slight	Beneficial	Minor
	Education and Skills	Medium Sensitivity	Slight	Adverse	Minor
	Community Services, Facilities and Open Space	Medium Sensitivity	Moderate	Beneficial	Minor

The assessment concludes that the proposed development is likely to have a relatively small effect on local community and economy interests. The likely significant effects are the construction jobs, the increase in housing and affordable housing provision and, the improved landscaping around the site.

It is considered that the ES has adequately assessed the likely effects of the development on local community and economy interests. The impact of the proposed development would largely be beneficial and no significant effect is expected to this regard.

Traffic and transport

A Transport Assessment and Framework Travel Plan have been submitted as part of the Environmental Statement.

The Environmental Statement sets out that some physical mitigation measures would be required at existing junctions as a result of the development's impacts. The provision of dedicated pedestrian and cycle routes and improved cycle connections to Milford Station can be expected to help reduce reliance on the private car.

The ES states that whilst the development would have an adverse effect on rail users by generating an increase in demand, this effect would be minor and

could potentially be alleviated in the future by the improvement of the rail network.

Overall, the ES sets out that there would be a minor beneficial effect in relation to traffic and transport as a result of the development subject to appropriate mitigation methods related to traffic generation.

The County Highway Authority is satisfied with the contents of the ES and it is considered that the development would not have a significant effect on traffic and transport. Further evaluation in respect of highway considerations is set out later in the report.

Air quality

Air quality at the development site is currently good. Within Waverley there exist Air Quality Management Areas (AQMA) along some major roads; however, the proposed development does not lie within one. The development does, however, have the potential to affect the AQMA declared in Godalming along Ockford Road and Flambard Way.

The ES sets out that the construction activities on site have a high risk of dust soiling effects of medium significance to nearby very high sensitivity receptors (Milford Hospital and associated buildings). This risk, however, can be managed and reduced to minor significance with good site practices and appropriate mitigation methods.

The proposed development is predicted to result in an increase in nitrogen dioxide and particulate matter concentrations alongside the local road network.

The site is 1000m from an Air Quality Management Area (AQMA). The Council's air quality monitoring in Godalming has shown that there are high NO₂ concentrations in Godalming. Objectors are concerned that this will be exacerbated by the proposed development.

Currently annual mean concentrations of NO₂ are being exceeded in the centre of Godalming. Monitoring has also suggested that concentrations are exceeding the NO₂ concentrations outside of the AQMA.

The construction phase of development could give rise to emissions of dust. However, appropriate mitigation measures can avoid a significant effect.

The proposed development is predicted to result in an increase in nitrogen dioxide and particulate matter concentrations alongside the local road network. These could impact both existing residential receptors and the properties within the proposed development itself. However, the ES considered that there would not be significant effects at the assessed receptors, as the impact is either of imperceptible magnitude, or the pollutant concentrations would remain well within the relevant air quality objectives with the proposed development.

The Council's Environmental Health Officer has raised no objection to the current application. It is concluded that the proposed development would not have a significant effect on air quality.

Noise and vibration

The Environmental Statement states that during construction noise has the potential to exceed the 65dB threshold for receptors within 250m. However, noise levels could be reduced through mitigation such as through the use of screening. No significant effects are expected with regards noise or vibration other than the traffic generated by the proposed development which would equate to less than a 1 dB overall increase.

The Council's Environmental Health Officer has raised no objection to the current application. It is concluded that the proposed development would not have a significant effect on air quality.

Ecology and nature conservation

An Extended Phase 1 Habitat Survey has been submitted with the planning application. The Survey concludes that there was the potential for protected or notable species and habitats to be affected by the site. The ES sets out that a number of features of ecological interest on or adjacent to the site and that the development has the potential to have direct and indirect effects on biodiversity value of the site and the surrounding area.

Without mitigation, significant effects up to a local level could potentially occur. The ES therefore proposes a number of mitigation measures including generic measures such as the implementation of a Landscape and Ecological Management Plan (LEMP) and the inclusion of a central corridor of new Green Infrastructure through the site. Specific measures have also been specified, where appropriate. Following the implementation of pre-construction surveys and mitigation measures the ES expects the effects of the development on ecology and nature conservation to be non-significant, with the exception of the effect on the mixed woodland to the south which would be potentially significant at a local level (minor significance).

Natural England has responded to the ES stating that it would be satisfied with the proposed Suitable Alternative Natural Greenspace (SANG) provided on site to mitigate recreational pressure on sites of interest. Furthermore, Natural England is satisfied that the development would not have a significant effect on the nearby SSSI. With regards to protected species Natural England raises no objection to the surveys and mitigation reports set out within the ES.

Landscape and visual amenity

The Environmental Statement concludes that the proposed development with 'designed in' mitigation measures would have a limited effect on views from

surrounding areas. The relatively contained nature of the site is cited as a reason for the predominantly localised impact of the development.

The Surrey Hills AONB Planning Adviser raises no objection to the proposed development. Furthermore, Natural England has welcomed the submitted Landscape and Visual Impact Assessment which it confirms has been undertaken using the most recent and best practice guidelines available. Although, Natural England has some concern that the development would have an adverse effect through all stages on two specific viewpoints, it is considered that this effect would not overall be significant. It is considered that, due to the relatively contained nature of the site, the development would not have a significant effect on the landscape and visual amenities.

Archaeology and cultural heritage

The site contains no designated or undesignated heritage assets, however is located within an area that contains evidence for prehistoric, early medieval and medieval activity. The ES states that the construction of previous development on the site would have had an adverse effect on undiscovered archaeology. The development would potentially have an adverse effect on undiscovered archaeology, however, through the use of mitigation methods such as an archaeological evaluation, there would not be a significant effect.

English Heritage has raised no objections to the proposed development. Furthermore, the County Archaeologist agrees with the conclusion of the ES in that an archaeological field evaluation should be undertaken to provide further information regarding the nature and extent of any potential archaeological remains. As such it is considered that, subject to the implementation of appropriate conditions, the development is not likely to have a significant effect on archaeology and cultural heritage.

Water quality, hydrology and hydrogeology

A Flood Risk Assessment (FRA) has been submitted with the planning application.

The FRA concludes that the majority of the site is within Flood Zone 1, therefore it fulfils the requirements of the Sequential Test and the Exception Test is not required. The topography of the site is such that the risk of the site being affected by overland flooding is considered to be low. A surface water drainage strategy would be used. This would include a system of swale ditches and carrier drains, in conjunction with an attenuation pond.

The ES states that although the proposed development would increase the hard-surfaced impermeable area on the site and the potential for contamination, the likely potential effect of increased surface water runoff could be mitigated by the proposed outline drainage strategy and appropriate pollution prevention measures. Overall, the ES anticipates no significant effects on the water environment.

The Environment Agency is satisfied that the proposed development could be acceptable in principle. However, further information relating to the management of surface water would be needed if permission is granted. It is therefore considered that the proposed development, subject to acceptable methods of mitigation, would not have a significant impact on water quality, hydrology and hydrogeology.

Geology, soils, land contamination and waste materials

The ES sets out that parts of the site contain limited contaminated land and the effects of potential hazards are most significant during the construction phase. These effects could be reduced through appropriate mitigation measures such as standard health and safety and good working practices. The construction would generate hazardous and non hazardous waste, the management of this waste shall be detailed in the implementation of a Site Waste Management Plan.

It is considered that subject to the implementation of appropriate mitigation measures, the development would not have a significant effect on geology, soils, land contamination or waste materials.

Climate change

The Environmental Statement sets out that the proposed development, during both its construction and operational phases, may have an effect on climate change. Mitigation methods such as the use of recycled materials, Travel Plans and the inclusion of renewable energy technologies would mitigate the potential effect.

It is considered that the ES accurately summarises the climate change implications of the development. Following appropriate mitigation methods it is considered that the development would not have a significant effect on climate change.

Cumulative Effects

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 transient and permanent environmental impact of the proposed development during both construction and operational phases and the proposed mitigation measures are acceptable. Officers are therefore satisfied that the likely cumulative effects of the various developments have been satisfactorily addressed.

Green Belt and compliance with Policy RD6

The site is located within the Green Belt outside any defined settlement area. Within the Green Belt there is a general presumption against inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances. Paragraph 89 of the NPPF sets out that the construction of new buildings should be regarded as inappropriate development, exceptions to this include:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Paragraph 90 of the NPPF sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it, these are:

- Mineral extraction;
- Engineering operations;
- Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- The re-use of buildings provided that the buildings are of permanent and substantial construction; and
- Development brought forward under a Community Right to Build Order.

Policy RD6 of the Local Plan identifies Milford Hospital as a Major Developed Site in the Green Belt and the site is shown on the Proposals Map. Policy RD6 states:

“Within these sites (Milford Hospital and IOS site, Wormley) infilling and redevelopment will be permitted subject to the following criteria:-

- a) Infilling should:
 - (i) have no greater impact on the purposes of including land in the Green Belt than the existing development;
 - (ii) not exceed the height of the existing buildings; and
 - (iii) not lead to a major increase in the developed proportion of the site.
 - (iv) (For the purposes of this policy “infilling” means the filling of small gaps between built development.)

- b) Redevelopment should :
- (i) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
 - (ii) contribute to the achievement of the objectives for the use of land in Green Belts;
 - (iii) not exceed the height of the existing buildings; and
 - (iv) not occupy a larger area of the site than the existing buildings (unless this would achieve a reduction in height which would benefit visual amenity).

(For the purposes of this policy, the relevant area for the purposes of above is the aggregate ground floor area (footprint) of the existing buildings, excluding temporary buildings, open spaces with direct external access between wings of a building and areas of hardstanding).

Policy RD6 of the Waverley Borough Local Plan 2002 was written in accordance with guidance contained within Annex C of the now defunct Planning Policy Guidance 2 Green Belts, and set out the policy guidance. With the adoption of the NPPF, PPG2 and the advice contained in Annex C thereof were cancelled. Advice contained within the NPPF now states that a local planning authority should regard the construction of new buildings within the Green Belt as inappropriate. Exceptions to this are *inter alia* limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development. Officers consider that the Milford Hospital site constitutes Previously Developed Land, and the policy criteria forming part of Policy RD6 are consistent with the NPPF.

The current application has been submitted as an outline application with all matters, other than access, reserved. It is relevant to assess the development against the criteria in Policy RD6. (In other words, following analysis is against the Policy criteria set out under Policy RD6 above).

- (a)
- (i) The development, would occupy a greater proportion of the site than the existing buildings, i.e. 8.000 sqm footprint compared with 7,897 sqm (the total of aggregate existing footprint taking into account buildings already demolished, those to be demolished and for those residential properties to be retained). However, in the context of the scale of the site, this slight uplift is considered not to be material. Therefore it is considered that the development would not have a greater impact on the purposes of including land in the Green Belt than the existing development. In this respect, the proposal would also comply with the Development Brief.

- (ii) The application states that the height of the buildings would range from single to three storeys and compares with existing buildings which are of varying heights. The proposal therefore complies with this criterion and with the Development Brief.
- (iii) Given that the proposal would have a footprint not materially different from the existing it is considered that there would not be a material increase in the developed area of the site.

(b)

- (i) Given that the proposal would have a footprint not materially different from the existing it is considered that the proposal would have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it.
- (ii) The proposal would contribute to the achievement of the objectives for the use of land in Green Belts by redeveloping brown field land,
- (iii) The existing development is of varying heights and the proposed development would not exceed three storeys.
- (iv) The proposed footprint would not occupy a materially larger area of the site than the existing buildings.

The proposed development is therefore considered to comply with Local Plan Policy RD6 and with the Development Brief.

Impact on visual amenity, landscape and trees

Paragraphs 56 to 68 of the NPPF refer to requiring good design. These principles are taken forward from guidance previously contained in PPS1 on 'Delivering Sustainable Development.'

Paragraph 56 states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.

Paragraph 58 sets out that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments;

- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 65 states that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape.

Policies D1 and D4 of the Local Plan outline that the Council will ensure that development is of a high quality design which integrates well with the site and complements its surroundings.

The indicative layout plan shows the clustering of small groups of houses together and interspacing these clusters with open space. This design approach is considered to be appropriate given the topography of the site and its rural location.

The indicative location of the proposed locally equipped area of play (LEAP) in a central position would ensure natural surveillance whilst also providing space between it and adjacent residents.

A green corridor is proposed which would link the north to the south of the site. This is considered to be appropriate for the rural character of the area. Allison House, three staff cottages and the twelve dwellings in The Crescent would be retained and become part of the new development.

The indicative plans show that the entire scheme would be permeable to pedestrians, vehicles and cyclists alike and would link into the surrounding highway network.

The removal of the existing buildings would enhance the character and appearance of the area. The illustrative plan shows a relatively low density of development with a green corridor of land through the development and other open spaces around the site. Whilst resulting in development of land not currently built upon this would be a form of development which would not detract from the character and appearance of the adjoining land designated as AGLV. The AONB Officer has advised that, in his opinion, the proposed redevelopment would not harm views into or out of the AONB.

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Policies D6 and D7 broadly support the aims of the NPPF stating that the Council would protect significant trees and groups of trees and hedgerows through planning control.

The site is within a rural area where groups of trees play an important part in defining the character of the countryside. The southern part of the site is ancient woodland and is a significant landscape feature. Its retention is recognised as being a key part of the scheme and it is considered that the engineering and sight-line requirements for the access could be achieved without detriment to its longer term retention. Inevitably there would be some loss of trees and vegetation within the site; however none of the trees in the immediate vicinity are of particular merit.

As this is an outline application, details relating to the retention of on site trees have not been provided at this stage. However, there is scope for new planting and these matters could be dealt with by reserved matters and planning conditions if outline permission is granted. Furthermore, light pollution could be limited by the use of appropriate lighting/ and screening to be safeguarded / provided by condition if permission is granted.

Officers conclude that, subject to suitably worded conditions and reserved matters securing the provision of a landscaping strategy, there would not be a materially detrimental impact on the landscape.

Loss of Community Facilities

The lawful planning use of the site is for a hospital. Therefore the proposal needs to be assessed against Policy CF1 of the Local Plan (Retaining Existing Community Facilities). This states that that the loss of land or buildings providing community facilities will not be permitted where:-

- it can be demonstrated that the need for the facility no longer exists and no other community facility can be accommodated on the site; or
- adequate alternative facilities are provided at locations readily accessible to the population served.

The redevelopment or change of use of part of a site will be permitted where enhanced community facilities are provided on the remainder of the site.

In promoting healthy communities the NPPF states that the planning system should deliver social, recreational, and cultural facilities and services communities need, and should guard against the unnecessary loss of valued facilities.

The assessment against Policy CF1 should be made in conjunction with Policy RD6 (set out above). Within the sub-text paragraph 11.48 states: “The Council considers that the site is suitable primarily for housing purposes. The objective is to secure an element of subsidised affordable and low cost market housing. Redevelopment proposals should therefore accord with the housing policies set out in this Plan. The site is not well located for employment purposes because of the adverse impact of commercial traffic on the narrow country lanes in the vicinity.”

Part of the original hospital site is being retained for Milford Hospital and the rest of the site has been vacant for many years and has been declared surplus by the National Health Service. Officers are not aware of any community organisations which have expressed an interest in using the site to provide community facilities. It is officers' understanding that the consultations prior to the adoption of Local Plan Policy RD6 and the accompanying text and the adoption of the Development Brief did not identify an appropriate alternative community use for the site. Officers are therefore satisfied that there is no conflict with Policy CF1.

Housing issues

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 home 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.

This 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. For purposes of the assessment at the meeting the South East Plan 2009 remains a material consideration in assessing the proposed scheme. Nevertheless, in light of the impending revocation of the Plan, it is considered that limited weight should be attached to its Policies. The indications are that the South East Plan will be formally revoked on 25/03/2013 which post dates the committee meeting date for this application.

The latest Strategic Housing Land Availability Assessment (SHLAA), which has a base date of April 2012, together with the Pre-submission Core Strategy, provide details of the housing supply expected to come forward in the next five years. The supply includes sites with planning permission, specific sites identified in the SHLAA and the continued delivery of small (1-4) windfall sites. This demonstrates that more housing is expected to come forward in the next five years than is needed to meet the five year requirement based on the South East Plan. It is, however, important to note that the five-year supply includes existing employment sites across the Borough which have been assessed as being suitable for residential redevelopment. While non-deliverability of the current application site for housing may not, on its own, result in an overall shortfall against the five year target, it could call into question the robustness of the Council's housing supply over the five year period in view of its reliance on employment sites.

Policy CS1 (Location of Development) of the Pre-Submission Core Strategy recognises that there will be limited releases of land on the edge of the main settlements and outside the Green Belt, AONB and AGLV throughout the plan period. The redevelopment of employment sites, which are not required for employment purposes, therefore play an important role in meeting the housing need in the Borough by re-using brownfield land and minimising land releases outside of the main settlement areas.

The commentary text to Policy RD6 of the Waverley Borough Local Plan 2002 identifies that the application site is suitable primarily for housing proposals.

Whilst the Borough can demonstrate a robust 5 year supply, it is important to emphasise that the application site has been identified as part of this supply. Moreover, there is an identified need for housing and particularly affordable housing within the Borough.

Housing mix and density

The NPPF states 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, in respect of housing mix, is considered to be consistent with the approach in the NPPF. It outlines the Council's requirements for mix as follows:

- at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,

- not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
- no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

Policy H4 goes on to state that the Council will resist developments which make inefficient use of land. Densities below 30 dwellings per hectare (net) will, therefore be avoided and encouragement will be given to proposals which provide for between 30 and 50 dwellings per hectare (net). Higher densities will be particularly encouraged at places with good public transport accessibility or around major nodes along good quality public transport corridors". The density element of Policy H4 has been superseded by guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

The Council's Strategic Housing Market Assessment 2009 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan. However, the profile of households requiring market housing demonstrated in the SHMA at borough level, is broadly in line with the specific requirements of Policy H4.

The SHMA indicates that net market demand is currently split:

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. It shows that the largest group are childless couples (35.6%). Pensioner households make up around 14%.

In terms of affordable housing need, the SHMA shows the breakdown as follows:

Bedrooms	Intermediate	Social Rent
1	-7	59
2	124	30
3	45	60
4+	-1	15
Total	161	164

The profile of households requiring affordable housing shows that around 29% of households contain single non-pensioners with another 10% forming single pensioners.

The evidence from the SHMA shows that there is both a need and demand for housing across the range of sizes with the need and demand for 2 bedroom houses being the greatest.

The scheme proposes the erection of 104 residential units plus the conversion of existing accommodation to 4 dwellings and the retention of The Crescent (12 units). The estimated overall density of the proposed development would be 9.4 dph. In accordance with Paragraph 47 of the NPPF, the relatively low density of the proposed development is considered to be acceptable for the rural location of the application site. A low density is required in order to maintain the semi-rural character of the area and also to provide sufficient SANG space. As such the proposed density of the development is required to be low in order to deliver the proposed development.

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

Bedrooms	Number of units proposed	% mix
1	0	0%
2	4	5.9%
3	13	19.1%
4+	51	75.0%
Total	68	

Given the split within the above table, the proposed mix of market dwellings is clearly in conflict with the housing need and demand evidenced in the SHMA. However, in considering the proposed development the entire mix of the site must be taken into account.

The affordable housing would include the refurbishment of the existing 12 x 3 bed houses at The Crescent. The proposed mix of affordable unit types is as follows:

Bedrooms	Number of units proposed	% mix
1	2	4.2%
2	22	45.8%
3	22	45.8%
4+	2	4.2%
Total	48	

As such the total mix of both affordable and market dwellings on the entirety of the site would be:

Bedrooms	Number of units proposed	% mix	SHMA demand (for comparison)	
			Number	% mix
1	2	1.7%	71	19%
2	26	22.4%	146	38%
3	35	30.2%	31	8%
4+	53	45.7%	134	35%
Total	116			

As can be seen, the proposed market housing mix do not exactly meet the respective evidence of need and demand for different sizes of homes demonstrated in the SHMA. Furthermore, the proportion of homes with 4 bedrooms or more is more than the evidence shows is required. On the face of it, therefore, the proposal would appear to represent a policy contravention on housing mix grounds.

However, it is considered that the mix across the whole site, taking into account the affordable housing, broadly meets the evidence of need and demand in the SHMA. It also allows for flexibility so that the houses can meet changes to household circumstances. It is therefore considered that the proposed development would broadly conform to evidenced housing need and demand so as to accord with the requirements of the NPPF.

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.

The NPPF states that, in rural areas, local planning authorities should be responsive to local circumstances in planning for affordable housing rural exception sites. Market housing should be considered where it would facilitate the provision of significant affordable housing to meet local needs.

The commentary text to Policy RD6 states that the Council considers that the application site is suitable primarily for housing purposes with an objective to secure an element of subsidised affordable and low cost market housing.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need, particularly as land supply for development is limited.

As at 30 November 2012, there were 3,381 applicants on registered on Waverley's Housing Register for social rented housing, who are unable to access housing to meet their needs in the market. Of these, 61 applicants in the three priority bands currently live in Milford: 22 applicants need 1 bedroom homes, 25 need 2 bedroom homes and 14 need 3+ bedroom homes.

The development is expected to contribute towards meeting the needs of applicants living in Godalming and the neighbouring settlement of Witley, with 227 and 45 Band A-C applicants respectively.

The demand for shared ownership is indicated by the information held on the HomeBuy Register, which is administered by Catalyst Housing. As at August 2012, there were 472 applicants registered for affordable home ownership options living or working in Waverley. Over 70% of households on the HomeBuy Register are single people or couples without children, who would be expected to require 1 and 2 bedroom homes, but may be eligible for a larger property.

The site is located a short distance from the village of Milford, but the development of more than 100 new homes will create a new community.

The affordable housing would include the refurbishment of 12 x 3 bed houses at The Crescent which would continue to be made available for rent and the development of 36 new affordable homes, of which 14 would be made available for rent and 22 for shared ownership. In total, this represents a split of about 55%:45% between rent and shared ownership. In line with the recommendations in the 2009 Strategic Housing Market Assessment (SHMA), the tenure mix is considered to be acceptable since it provides more rented units than intermediate housing.

The new-build rented provision is assumed to be Affordable Rent (up to 80% market rent) rather than social rent, to fit the current HCA delivery programme requirements. In line with Waverley's Tenancy Strategy, it would be expected that rents would be set below the Local Housing Allowance for the area.

The site is within a Designated Protected Area, an HCA designation wherein, there is a restriction on the sale of shared ownership properties, to ensure that in rural areas where no further development is likely to take place, these units remain as affordable housing in perpetuity.

The SHMA estimates there is a need for 515 additional affordable homes to be provided each year. It estimates a need for 70% of new affordable homes to be smaller 1 and 2 bedroom properties and the remaining 30% to be 3 bedrooms or more. However, a higher percentage than that of affordable family homes are proposed on this development, because of its more rural location. The proposed mix of unit types and sizes, agreed as part of the discussion with the HCA at pre-application stage, has been included in the application as specified:

House types: 75% houses and 25% flats

Unit sizes: 5% x 1bed units, 45% x 2bed units, 45% x 3bed units and 5% x 4bed units

Unit type	Number of Affordable rent	Number of Shared ownership	Total
1 bed flat	1	1	2
2 bed flat	5	5	10
2 bed house	6	6	12
3 bed house	0	10	10
3 bed house (retained properties at The Crescent)	12 (social rent)	0	12
4 bed house	2	0	2
Total	14 +12	22	48
%	54%	46%	100%

As a matter of good design it is important to ensure that the affordable housing provision on new sites has the same appearance as the market housing in terms of details, build quality, materials etc so that the tenures are indistinguishable.

Officers expect that the affordable housing would be integrated within the market housing, distributed in small clusters across the site, which the design allows for within this development. The details of this would be confirmed at reserved matters stage.

The principle of the same parking provision being made available for affordable and market housing of the same sizes is supported.

It is expected that affordable housing would be managed by a Registered Provider and would work with the partner selected by the HCA through its procurement process.

This application provides a mix of types, sizes and tenures to meet the Council's policy requirements and contribute towards meeting local housing need. The Council's Housing Enabling Manager supports the affordable housing elements of the proposal, including mix and tenure.

If permission is granted, the s.106 agreement would control the provision of affordable housing, including the tenure (to be Affordable Rented Housing or Shared Ownership Housing). The criteria for Eligible Persons (a person or household in affordable housing need) would be in line with the Council's usual approach and nomination rights would be retained by the Council.

Highway considerations, including impact on traffic and parking considerations and impact on public footpaths

Relevant Local and National Policy:

The NPPF 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 limits the significant impact of the development. Policy M2 of the Local Plan directs that all development proposals should provide safe access for pedestrians and road users, including cyclists, designed to a standard appropriate for the highway network in the vicinity and the level of traffic likely to be generated by the development.

The NPPF states that development should be located and designed, where practical, to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Policy M4 of the Local Plan requires developments to include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, public open space, local facilities and amenities or, public transport.

The NPPF acknowledges that transport policies have an important role to play in facilitating sustainable development. However, it also recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. The Highway Authority is satisfied that the proposed package of transport mitigation measures does improve accessibility to the site by non-car modes of travel. Therefore it is considered that the application does meet the transport sustainability requirements of the NPPF..

The Upper Tuesley Development Brief established the principle of residential development on this site and laid out what would be required should any planning application be submitted. The original Transport Assessment (TA), and subsequent revisions, have established to the satisfaction of the Highway Authority that the proposed development is in accordance with the requirements of the SPD and the relevant Local Plan policies.

Existing and Proposed Traffic Generation:

The site has a lawful Class C2 (Residential Institutions) planning use and this is a material planning consideration that the Highway Authority has had to recognise when assessing the transport impact of the development proposal. It is normal practice to discount vehicle trips that could be generated by a lawful use of a site, from the vehicle trips that could be generated by the proposed development. Any net increase in trips is then used to assess the impact on the local highway network. In this instance, because of residents'

concerns, the Highway Authority has ensured that the methodology used in the TA is particularly robust and realistic.

The existing trip generation is based on the volume of existing redundant hospital buildings located on the site, which equates to 8,000sqm or 40 hospital beds and a 100 bed staff nursing home. The Highway Authority has not accepted for example, a private hospital C2 use on which to base the existing trip generation, given this use could generate more than 2000 two-way vehicular movements per day. It is important to note that the existing use of the site has the potential to generate this number of vehicular movements without the need to obtain planning permission. The Highway Authority therefore has not and could not legitimately question the viability of this site operating under its lawful use.

The existing and proposed trip generation assessments are based on trip rates obtained from the TRICS (Trip Rate Information Computer System) database. This is a traffic impact assessment tool based on empirical data for different uses, used throughout the Transport profession. The Highway Authority has assessed the assumptions used by the applicant to calculate the trip rates and is satisfied that they provide a realistic comparison to the application site.

It is normal practice for any development to consider the amount of traffic that the site can generate without the need for planning consent. If the existing redundant hospital buildings were brought into use as 40 hospital beds and a 100 bed staff nursing home, a certain level of traffic would enter and leave the site and use the local road network. The Highway Authority has compared this existing potential trip generation with the proposed residential trip generation, during the peak AM (8:00-9:00) and PM (17:00-18:00) periods on the local highway network. This assessment shows that the development once constructed could create an increase in traffic flows (23 vehicles) in the morning peak hour and an increase in traffic flows (44 vehicles) in the evening peak hour, when compared with the likely Class C2 use, detailed above. It has been previously established in the Upper Tuesley Development Brief SPD, that the daily traffic generation for the proposed residential development should not exceed the daily trip generation for the existing lawful use. The assessment of the daily trip generation shows that the existing lawful use (8,000sqm or 40 hospital beds and a 100 bed staff nursing home) could generate 570 daily trips and the proposed residential use could generate 571 daily trips.

The DfT document 'Guidance on Transport Assessment' advises that the existing traffic flows should be taken into account when estimating the potential changes to traffic using the site. In this instance, within the context of the volume of traffic on the surrounding highway network, the increase in trips in the AM peak would be marginal and in the PM peak could have a slight impact on highway safety and capacity. An assessment on this basis would have given the Highway Authority limited scope to secure a comprehensive package of highway mitigation measures. In contrast, the approach agreed with the applicant was to undertake a transport assessment that provided a

worst-case scenario; this envisaged a comparison between the proposal's impact on the existing site with no fallback assumption. This scenario assumes that the site does not have an existing lawful use, therefore the proposed trip generation figures have not been discounted to account for any existing potential trip generation. The methodology used to assess the impact of development traffic on the local highway network is therefore very robust, and has enabled the Highway Authority to secure a comprehensive package of transport mitigation measures.

Development Traffic Distribution:

The applicant has assumed that 20% of traffic would access the site via the northern section of Tuesley Lane. The applicant states that this distribution is based on 2001 Census journey to work distribution data for the Milford Ward. The Highway Authority has undertaken sensitivity analysis on this distribution assumption, using data obtained for other Godalming wards. Based on this analysis the Highway Authority considers that the 20% assumption is likely to underestimate the proportion of development traffic arriving and departing the site via Godalming.

The Highway Authority has therefore assessed the impact of 40% of development generated traffic using the northern section of Tuesley Lane during the AM and PM peak periods, when background and development traffic flows are at their highest. It is considered that this 40% proportion of traffic travelling via the northern section of Tuesley Lane is a more realistic assumption. Analysis of the data using a 40% assumption shows that:-

- In the AM peak period (8-9), existing background traffic volumes are 300 vehicles travelling north and only 30 vehicles travelling south on the stretch of Tuesley Lane north of the hospital. There is therefore a high degree of 'tidal flow' in the northerly direction. Development traffic in the AM peak would mirror this pattern, with 16 vehicles departing the site and 6 vehicles arriving at the site via the northern section of Tuesley Lane.
- The AM peak development trips would likely result in an average increase of 1 vehicle travelling northbound every 4 minutes and 1 vehicle travelling southbound every 10 minutes.
- In the PM peak period (17.00-18.00), existing background traffic flows are much lower than AM peak, with approximately 20 vehicles travelling north and 40 vehicles travelling south on the stretch of Tuesley Lane north of the hospital. As expected, the estimated development traffic generation would mirror the southerly tidal flow, with 17 vehicles arriving at the site and 10 vehicles departing the site via the northern section of Tuesley Lane.
- The PM peak development trips would be likely to result in an average increase of 1 vehicle travelling northbound every 6 minutes and 1 vehicle travelling southbound every 4 minutes.

Based on this analysis, the Highway Authority considers that the impact of development traffic going north from the site could cause an inconvenience to highway users but would not have a severe impact on highway safety or capacity. It is accepted that the narrow alignment of this stretch of highway does disrupt the free flow of traffic, and on occasions vehicles have to reverse short distances to passing places to enable oncoming vehicles to pass, but this is an existing situation. There are no transport models available that could accurately model the capacity of single-track rural lanes. Recent preliminary research into the issue by Somerset County Council was inconclusive but emphasised that capacity of these types of roads will vary significantly, with the tidal flow of traffic and number of passing places being particularly important factors. In this instance, given that development traffic in the peak periods would mirror the distribution of background traffic flow, and there are a number of stretches where vehicles can pass each other, it is considered that that development traffic would not severely exacerbate congestion on this stretch of highway. It is also worth noting that the review of the accident data shows no significant existing safety problems for this stretch of Tuesley Lane.

Development traffic in the peak periods travelling north into Godalming would quickly dissipate onto the surrounding highway network, continuing along Tuesley Lane towards Godalming Town Centre, turning right onto roads towards Busbridge or left along Shackstead Lane. It is acknowledged that queuing and delays already can occur on Shackstead Lane during peak periods. This is caused by on-street parking which narrows the width of the carriageway, restricting two-way movement in some places. Development generated traffic could have a marginal impact on the existing flow of traffic on Shackstead Lane, but it is considered that development traffic would not have a severe impact on highway safety or capacity.

Traffic Flow Data:

The Highway Authority has interrogated the applicant's traffic survey methodology and is satisfied that the data is robust for the purposes of assessing the impact of development traffic on the highway network. In particular, survey data from Church Road/Station Lane and Church Road/Portsmouth Road junctions were collected on 24 May, therefore taking account of the increase in movements associated with the Tuesley Lane fruit farm during the summer months. Tuesley Lane background traffic flows are significantly higher during the AM peak compared with the PM peak. The Highway Authority has noted that AM peak data for Tuesley Lane was collected on 10 January, when all schools in the area were fully operating, therefore it is considered that the level of background traffic surveyed is robust.

Cumulative Impact of Development:

The TA process does consider, where appropriate, the cumulative impact of development on the highway network, for development that is either subject to the planning consultation process or been granted planning permission. The planning application for 12 dwellings on Holloway Hill was refused planning

permission by Waverley BC (WA/12/0548), so should not be considered in the TA. Notwithstanding this, a development of this scale would not normally be included in any cumulative impact assessment. Formal proposals for future development at Godalming College have not yet come forward, so it would not be reasonable for the Milford Hospital TA to consider the impact of that potential development. However, if the Godalming College development comes forward, the TA work for that development would need to consider the traffic associated with the Milford Hospital Development.

Development Layout:

The Highway Authority will assess the internal layout of the site when details are submitted with any reserved matters application for the site.

Highway/Transport Mitigation Package:

It is important to note that the robust analysis provided by the developer has enabled the Highway Authority to secure a much more substantial package of Section 278 & S106 mitigation, than would strictly be the case had only the net increase in vehicular movements been considered.

The package of measures is mostly concentrated on the highway network south of the site, in recognition that 60% of development traffic would travel on the highway network south of the site. With regard to highway capacity, the modelling work demonstrates that development traffic would have a severe impact at the Station Lane/Church Road junction. Therefore mitigation measures have been proposed at this location, to help alleviate congestion and improve safety for pedestrians. With regard to highway safety, it is likely that a significant proportion of children from the development would attend Rodborough School. Therefore mitigation measures have been provided to improve safety for children walking/cycling to the school. It is important to note that the key sustainability improvement provided by the development is improving the cycling/walking link between the site and Milford Railway Station.

The highway mitigation package also seeks to reduce the existing level of background traffic using the northern section of Tuesley Lane. The TA work has shown that approximately 122 vehicles in the AM peak travelling north on Tuesley Lane is 'Through Traffic', using Tuesley Lane instead of the Portsmouth Road to travel between Milford and Godalming. The mitigation package therefore focuses on traffic management on Tuesley Lane/Station Lane, which would increase journey times on this route between Milford and Godalming, thereby making it a less attractive option for all traffic, particularly in the busier AM peak period. The highway works south of the site would therefore help to alleviate the impact of development traffic using the northern section of Tuesley Lane.

The mitigation package does provide for some traffic management improvements on the narrow northern section of Tuesley Lane but it is important to note that opportunities to deliver major improvements on this

narrow lane are very limited and would likely result in significant detriment to this historic rural lane. Specific details on the measures to be provided would be agreed following the grant of planning permission, but it is acknowledged they will need to be sympathetic to the unique character of the lane.

The Highway Authority considers the mitigation package will deliver the following improvements:

- Improvement of pedestrian safety at the Station Lane/Church Road junction and help alleviate the impact of additional development traffic on the operation of the junction.
- Improvement of pedestrian safety at the Rake Lane/Station Lane junction, particularly for school children by lowering the speed limit and providing a safe crossing point.
- Introduction of traffic management measures, in consultation with Rodborough School, to improve safety for school children walking along Rake Lane.
- Provision of safe and attractive cycling/walking link between the application site and Milford Railway Station, making travelling by train to work a viable option for residents.
- Reduction of attractiveness of Tuesley Lane being used as a through route between Milford and Godalming by reducing speed limits and thereby also improving safety.
- Improvement of safety at the bend in the carriageway adjacent to the northern site access, where the TA identified there is currently an accident 'hot-spot'.
- Provision of contributions towards the improvement of the existing level crossing at Milford Train Station.

The applicant is also providing a financial contribution towards passenger transport infrastructure and public footpath improvements, to encourage the use of public transport and walking by residents. The Highway Authority has considered that the scale of development proposed could not sustain a commercial bus service between the site and the surrounding areas. However, that the applicant has proposed to make a financial contribution to the Waverley Hoppa Community Transport Service.

Given the above details, and taking into account the view of the County Highway Authority, it is considered that development generated traffic is likely to have a marginal impact on the highway network south of Godalming Town

Centre, which could cause inconvenience to highway users. However this impact is considered not to meet the tests for further works or financial contributions as set out in the National Planning Policy Framework (2012).

Overall, in accordance with the requirements of the Upper Tuesley Development Brief, it is considered that the very robust transport mitigation package would preserve or enhance highway safety, help manage traffic capacity and encourage the use of public transport, walking and cycling.

Impact on parking

The proposed development would include the removal of an area of parking currently used by visitors/staff of the hospital site. Whilst it is acknowledged that the Car Park was identified as surplus to requirements by the PCT it is nonetheless considered by the Local Planning Authority to be an important community facility. In recognition of this, if minded to grant planning permission, it is recommended that the provision of a car park for 25 spaces (the number of spaces to be lost) on the application site, or on a site to be agreed in writing with the Local Planning Authority, be secured through a legal agreement.

The matter of parking for the proposed residential units is one for the reserved matters stage, if indeed outline planning permission is granted.

Impact on public footpaths in the vicinity

The application includes the re routing of Public Right of Way 161 which crosses the site at the northern end. The applicant has submitted an indicative plan (below) to show the proposed new route of the footpath. There are other footpaths in the vicinity of the site which would be improved as a result of the requirements of the County Highway Authority as discussed above.



Plan showing existing and proposed footpaths. The existing footpaths follow the western and northern boundaries of the site.

Rights of Way Circular (1/08) states:”

“The effect of development on a public right of way is a material consideration in the determination of applications for planning permission. Authorities should ensure that the effect on all rights of way affected by a development area identified and taken into account when applications for planning permission are considered. Authorities should not question the merits of planning permission when considering whether to make or confirm an order, but nor should they make an order on the grounds that planning permission has been granted. That planning permission has been granted dose not

mean that the public right of way must be diverted or stopped up 9but an authority must have good reasons if it proposed not to make or not to confirm an order). The disadvantages or loss likely to arise as a result of the stopping up or diversion of the way to members of the public generally or to persons whose properties adjoin or are near the existing highway should be weighed against the advantages of the proposed order”

The County Rights of Way Officer has been consulted on the application. It is noted that the proposed development would severely obstruct the existing Public Footpath 161 Busbridge. To ensure the public access is not materially harmed as a result of the proposed development, an alternative footpath should be secured through the site by way of a legal agreement.

It is also proposed that the S.106 Agreement would secure a commuted sum to go towards the improvement of the existing Footpath 161 (which runs from point C above to Milford Train Station) to the County Council’s required detail so that it could function as a cycle track. It is proposed that the improvements should run the entire length of the existing Footpath from Milford Train Station to point A on the above plan. The Agreement should include the designation of a new route which would run between points A – E and would link Footpath 161 to Footpath 167 which runs northwards from Tuesley Lane to Portsmouth Road.

Footpath 167 Busbridge links north-west from the hospital site and terminates at Portsmouth Road (A3100). A short distance from this point is a bus stop, which offers regular services into Godalming and Guildford. There are reasonable grounds to suspect that existing residents around the hospital site and future residents of the development would wish to use this facility, but would be hampered from reaching there on foot due to the poor surface condition. The S.106 agreement should include a commuted sum to go towards improving the condition and usability of this existing footpath.

It is considered that, subject to the improvements referenced above to be secured by way of an appropriate legal agreement, the proposed development would conserve and enhance public rights of way in the surrounding vicinity. At the time of preparation of the report, negotiations are not fully completed. However, it is anticipated that these will be concluded by the time of the meeting and an oral report will be made on this matter.

Provision of amenity and play space

On promoting healthy communities, paragraph 69 of the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, contain clear and legible pedestrian routes, and high quality public space which encourage the active and continual use of public areas.

Paragraph 70 states that planning policies and decisions should plan positively for the provision and use of shared space, community facilities and

other local services to enhance the sustainability of communities and residential environments.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Paragraph 75 states that planning policies should protect and enhance public rights of way and access.

Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

The proposed development would provide both 'private' and 'communal' outdoor amenity areas.

The Council uses the standard recommended by Fields in Trust (FIT) for assessing the provision of outdoor playing space. The proposed development would 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 application includes the provision of a LEAP which would be sited roughly in the middle of the proposed development. The details of the proposed play equipment should form part of a reserved matters application and this will be secured by way of an appropriately worded condition if permission is granted. The Section 106 agreement is intended to ensure its continued maintenance.

It is considered that the scheme would provide suitable levels of outdoor private and public amenity and play space and therefore accords with the requirements of Policy H10 of the Local Plan 2002 and guidance in the NPPF.

Impact on 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.

It is considered that the proposed residential development is considered to be laid out in such a way that there would not be a materially adverse impact on neighbouring residential occupiers or the users and patients of the hospital.

Concern has been raised concerning disturbance and noise for users and patients at the hospital. It is considered that appropriate conditions should be attached if permission is granted. These conditions should demonstrate how the development could minimise the disturbance of construction including the requirement to submit a Method of Construction Scheme for approval prior to the commencement of the development. This should include details of the demolition of the existing buildings, and a condition controlling the hours of operation.

The proposal, subject to appropriate mitigation measures to be secured by way of condition should permission be granted, would therefore comply with Policies D1 and D4 with respect to residential amenity.

Archaeological considerations

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The County Archaeologist has commented on the application and concludes that the development would be acceptable provided that a condition is imposed to secure a programme of archaeological work in accordance with a Written Scheme of Investigation if permission is granted. Therefore, no objection is raised on this ground.

Biodiversity and compliance with Habitat Regulations 2010

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.'

Policy D5 of the Local Plan sets out that development in both urban and rural areas should take account of nature conservation issues.

The application is accompanied by an extended Phase 1 Habitat Survey. The Survey highlights that whilst the site does not support any statutory or non-statutory designated habitats there are nine statutory designated sites within 7km of the site, and 6 non-statutory designated habitats within 2km of the site, 2 of which border the site to the north and south. In addition, the site contains 2 small areas of traditional orchard and is bordered by deciduous woodland; both of which are listed as a UK BAP habitat. The Phase 1 Habitat Survey concludes that the proposed development is not likely to directly affect any statutory designated sites, subject to the provision of 2.2ha of Suitable Alternative Natural Green Space on site (which the provision, maintenance and retention of which, if minded to grant planning permission, would be secured by legal agreement). Furthermore, the Survey concludes that the proposed scheme is unlikely to have an adverse impact on any non-statutory designated sites.

In relation to the on-site orchard, a UK BAP Habitat, the survey recommends its retention (this could be achieved by planning condition if minded to grant planning permission).

In relation to European Protected Species, the survey concludes that

- In relation to Bats, measures would be required to mitigate and compensate for any adverse effects on the local bat population (this could be achieved by planning condition if minded to grant planning permission) subject to the effective implementation of mitigation / compensation strategy there would be a maintenance of the favourable conservation status of the local bat population;
- In relation to Dormice, given that the majority of application site is not considered suitable habitat, subject to the effective implementation of mitigation strategy (this could be achieved by planning condition if

minded to grant planning permission) there would be a maintenance of the favourable conservation status of the dormouse population;

- In relation to Badgers, the proposed development would have the potential to result in adverse impacts on badgers, from both direct and indirect impacts on badger setts, and the potential loss of suitable foraging habitat, fragmentation and isolation of habitats. The survey recommends further survey work to help determine fully the likely impacts of the proposed development and to determine mitigation requirements (this could be achieved by planning condition if minded to grant planning permission);
- In relation to Amphibians, the proposed development would not result in the loss of any high quality aquatic or terrestrial habitat, as such it is considered unlikely that there would be any adverse impacts on Great Crested Newts;
- In relation to Reptiles, all six species of native reptile are known to be within the surrounding area, although the site is only suitable to support the widespread species (adder, grass snake, viviparous lizard and slow worm). The survey recommends mitigation measures (this could be achieved by planning condition if minded to grant planning permission);
- In relation to Birds, habitats on the site provide nesting and foraging opportunities for a number of common bird species; however, given the nature of the habitats present, it is considered unlikely that there would be significant nesting bird activity within these habitats to be affected by the proposed development;
- In relation to Invertebrates and Flora, the survey recommends no further survey works are necessary.

Natural England has commented on the proposal and concludes that the Extended Phase 1 Habitat Assessment, Bat Survey, Dormice Survey and Badger Survey provide a satisfactory account of the status of protected species on the proposed development site and the likely effect of the development on them.

The Ecology Surveys submitted with the application indicate that the proposals would involve activities which would affect a European Protected Species (Dormice, Bats and Badgers). Two legal decisions have recently helped to clarify the role and responsibilities of Local Planning Authorities (LPAs) in respect of European Protected Species (EPS) when they are considering development consent applications. Those cases are R (Simon Woolley) v Cheshire East Borough Council and Millennium Estates Limited¹, a High Court case, and more recently still the Supreme Court decision in R (Vivienne Morge) v Hampshire County Council (the Morge case). These cases do not create a new obligation or requirement on LPAs but they do provide

some clarification of the duties placed on LPAs by the Conservation of Habitats and Species Regulations 2010 (the Regulations).

The Regulations transpose certain prohibitions against activities affecting EPS. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. Those derogations are transposed into the Regulations by way of a licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully. Among the reasons why a licence may be granted and the reason relied upon by developers when seeking a licence to carry out operations for the purposes of development, is that there are imperative reasons of overriding public interest why the operation should be carried out.

Natural England is the licensing authority for the purposes of this licensing regime. In addition to satisfying itself that one of the reasons provided for by the Regulations, in this case imperative reasons of overriding public interest exists, before granting a licence Natural England must also be satisfied that there is no satisfactory alternative and that any action licensed will not be detrimental to the maintenance of the population of the species at favourable conservation status in its natural range. The reason for granting the licence together with the two conditions that must be met before a licence can be granted are what Natural England refers to as the three statutory tests.

The Regulations also provide that a competent authority, including a planning authority must, in the exercise of any of their functions, have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. It is this duty that was considered in the Morge case. In that case the Supreme Court stated that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development would (a) be likely to offend one of the prohibitions referred to above and (b) be unlikely to be licensed under the regime described. Following that, it is clear that there will be circumstances in which planning authorities will be required to form a view on the likelihood of a licence being granted by Natural England. It is for the planning committee to determine the planning application in light of the three tests and the Morge and Woolley cases do not alter that position.

In determining whether or not to grant a licence Natural England must apply the requirements of Regulation 53 of the Regulations and, in particular, the 3 tests set out in sub-paragraphs (2)(e), (9)(a) and (9)(b):-

(1) Regulation 53(2)(e) states:
a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.

(2) Regulation 53(9)(a) states:

the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”

(3) Regulation 53(9)(b) states:

the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range

It is clear from the Phase I Habitat survey results that the proposal would offend Article 12(1) of the Habitats Directive and a licence would be required. Following the advice contained above, it is incumbent on the Local Planning Authority to assess the likelihood of obtaining the said licence. This assessment is based on the comments of Natural England and the 3 tests already cited. Given the comments from Natural England and subject to the imposition of suitable planning conditions to secure where necessary extra survey work, and mitigation, officers consider that owing to the overriding need for housing, affordable housing in particular; and the absence of any suitable alternatives to deliver the level of housing provision proposed at this site; that the proposal would contribute to the social and economic needs of the local community; and subject to the effective implementation of mitigation measures, that the proposed development would meet the Imperative Reasons of Overriding Public Interest test in a licensing context and would, with the effective implementation of mitigation, cause no adverse effect on the conservation status of the protected species concerned. Officers conclude that the proposal would be likely to obtain the requisite licence.

Therefore, no objection is raised on Biodiversity ground subject to conditions to ensure that the recommendations identified in the various reports are carried out. Moreover, subject to the effective implementation of the recommendations identified in the reports, the biodiversity value of the site could be increased.

Effect upon Special Protection Area

Wealden Heaths Special Protection Area (SPA) is situated less than 5km from the site, which is covered by two pieces of EU legislation, generally referred to as the Birds Directive and the Habitats Directive. The legal requirements relating to the management and protection of SPAs in England are set out in The Conservation of Habitats and Species Regulations 2010. Natural England should be consulted on any development proposals, in accordance with Policies C10 and C11, with regard to environmental impacts at the earliest opportunity. An Appropriate Assessment (AA) has been undertaken to support this SPD.

In relation to the preparation of the Development Brief and following a screening exercise under the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations), and with advice from Natural England, the Council concluded that an ‘Appropriate Assessment’ (Stage 1

AA) was required prior to the adoption of the SPD. The purpose of the AA was to determine whether there would be adverse effects on the integrity of relevant Natura 2000 and Ramsar sites. Relevant Natura 2000 and Ramsar sites that were considered in the Appropriate Assessment for the application site comprise:

- Thursley, Ash, Pirbright & Chobham SAC
- Thursley, Hankley & Frensham Commons (Wealden Heaths Phase I) SPA
- Thursley and Ockley Bogs Ramsar Site.

The Appropriate Assessment Screening identified that recreational pressures and in-combination effects were the pathways by which the development could affect these sites. Pathways of impact in relation to recreational pressure include:

- Damage through erosion and fragmentation
- Eutrophication as a result of dog fouling
- Disturbance to sensitive species, particularly ground-nesting birds and (where relevant) wintering wildfowl
- Prevention of appropriate management or exacerbation of existing management difficulties.

A study to inform the AA concluded that such pressures are unlikely to arise if adequate open space is provided within developments, as this minimises the risk of residents seeking other areas for recreation. The study indicates the scale of provision that would be considered adequate.

This provision was to be in the form of at least 2.2 ha of open space, semi-natural in character; to be provided in a single block and designed to meet the requirements of those new residents who might otherwise visit the SPA must be provided for within the Upper Tuesley site. Given this provision, the AA concluded that this pathway will not lead to adverse effects on the integrity of the relevant Natura 2000 and Ramsar sites.

As there will not be recreational pressures beyond the site boundary, the study concluded that there would also be no risk of in-combination effects leading to adverse effects on the integrity of the relevant sites.

Taking the Appropriate Assessment and Study into account the application has sought to address the potential effect upon the SPA. The applicant has identified 2.2 ha of ancient woodland on either side of the stream to the south of the site land to be used as Alternative Natural Green Space SANG and the long term retention of this land for that purpose can be controlled by the S106 Agreement. Natural England has supported this approach.

Taking into account the Appropriate Assessment and Study, Officers therefore conclude that in view of the SANG provisions proposed as part of the

application, the development would not have a significant effect upon the SPA.

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.

The submitted sustainability statement sets out that a number of steps would be taken by the developer in order to optimise the energy consumption of the site. These are summarised as follows:

- All new homes to be built to meet the anticipated statutory FEES (Fabric Energy Efficiency Standard) target of 43-51 kWh/m²/year;
- On-site renewable energy technology to reduce carbon emissions by 44% relative to the 2006 standard;
- Solar PV being the most likely renewable energy technology for the proposed homes;

In principle, this approach is considered to be broadly policy compliant. A further energy strategy should be required as part of any reserved matters application to require the details of this, if permission is granted.

Environmental considerations

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.

Paragraph 124 states that 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 the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

The ES sets out that the construction activities on site have a high risk of dust soiling effects of medium significance to nearby very high sensitivity receptors (Milford Hospital and associated buildings). This risk, however, can be managed and reduced to minor significance with good site practices and appropriate mitigation methods.

The proposed development is predicted to result in an increase in nitrogen dioxide and particulate matter concentrations alongside the local road network.

The site is 1000m from an Air Quality Management Area (AQMA). The Council's air quality monitoring in Godalming has shown that there are high NO₂ concentrations in Godalming. Objectors are concerned that this will be exacerbated by the proposed development.

Currently annual mean concentrations of NO₂ are being exceeded in the centre of Godalming. Monitoring has also suggested that concentrations are exceeding the NO₂ concentrations outside of the AQMA.

The construction phase of development could give rise to emissions of dust. However, appropriate mitigation measures can avoid a significant effect.

The proposed development is predicted to result in an increase in nitrogen dioxide and particulate matter concentrations alongside the local road

network. These could impact both existing residential receptors and the properties within the proposed development itself. However, the ES considered that there would not be significant effects at the assessed receptors, as the impact is either of imperceptible magnitude, or the pollutant concentrations would remain well within the relevant air quality objectives with the proposed development.

The Council's Environmental Health Officer has raised no objection to the current application subject to the submission of appropriate mitigation methods to be secured by way of a condition if permission is granted.

The Environmental Statement states that during construction noise has the potential to exceed the 65dB threshold for receptors within 250m. However, noise levels could be reduced through mitigation such as through the use of screening. No significant effects are expected with regards noise or vibration other than the traffic generated by the proposed development which would equate to less than a 1 dB overall increase.

The Council's Environmental Health Officer has raised no objection to the current application subject to the mitigation recommendations as set out within the submitted information. If permission is to be granted this should be secured by way of a condition.

Both the submitted report "Site Investigation of the Central Area of Milford Hospital, Home and Communities Agency, March 2012" and the earlier referenced report "Hospital Site Programmed, Milford Hospital Godalming, Developers Information park 2006" identify several areas that will require more detailed assessment of potential contamination prior to the commencement of development. As such the Council's Environmental Health officer recommends that, if permission is granted, then full standard contaminated land conditions be included to clarify the identified issues.

It is considered that, subject to the submission of further information and appropriate mitigation measures to be secured by way of a condition if permission is to be granted, the proposed development would not have a materially detrimental impact on surrounding environmental amenities. The proposed development would therefore accord with the relevant criteria of Policies D1 and D4 of the Local Plan 2002.

Flooding and Drainage considerations

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.

The Shadwell Stream, which is an ordinary watercourse, flows to the south of the site. A small portion of the site either side of the stream is designated as Flood Zone 3.

The applicant has submitted a Flood Risk Assessment with the planning application. The FRA concludes that, as all of the proposed residential development would be located outside Flood Zone 3, the risk of groundwater flooding is considered to be low. As such, the development fulfils the requirements of the Sequential Test and an Exception Test is not required. The FRA concludes that the surrounding topography is such that overland runoff would be directed away from the proposed development.

The outline surface water drainage strategy proposes the use of a system of swale ditches and carrier drains, with an attenuation pond with an outflow to the unnamed watercourse in the south of the site. The Environment Agency considers that the proposed development, in relation to flooding and drainage, could be acceptable in principle subject to the inclusion of appropriate conditions requiring further information relating to surface water management, if permission is granted.

Infrastructure and planning benefits

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”.

Policy D14 “Planning Benefits” states the Council will seek to secure high quality development which, in appropriate cases, delivers environmental and/or community benefits. Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development.

Thames Water has identified that there is a lack of capacity in both the existing waste water and clean water infrastructure to accommodate the needs of the proposal. Officers consider that if minded to grant planning permission, in accordance with Policy D13 the issue of lack of capacity can be addressed through the imposition of planning condition, as proposed by Thames Water, which would enable the applicants to arrive at a solution to address capacity issues. No infrastructural capacity issues with regards to energy provision have been submitted.

Network Rail has identified that the likely increase in traffic using the level crossing at Milford Station, if planning permission were to be granted, would alter its risk profile. As such small scale engineering mitigation works have been proposed. These could be captured in the form of a commuted sum of

£25,000 which, if planning permission were to be granted, could be secured by the legal agreement.

Policy D14 lists the types of benefit which this Policy may seek and includes affordable housing; improvements to the public transport system and related services and measures for cyclists walkers and pedestrians; the provision of social and educational facilities; the implementation of schemes aimed towards the enhancement of the rural or urban environments; the provisions of private and public recreational or sporting facilities including the provision of open space, sports pitches and children's play areas; the provision of works of public art or craft; and other facilities which would fulfil the objectives of other plan policies and which comply with Government advice. 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 is the starting point for calculating the contribution.

The SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development and this has been used by officers as a starting point for the negotiations of contributions towards planning infrastructure in the immediate area of the proposed development and which will be required as a direct result of the increase in population resulting from the development. The following contributions are currently being negotiated. Negotiations were not fully completed at the time of preparation of the report. However, it is anticipated that these will be concluded by the time of the meeting and an oral report will be made on this matter.

Benefit	Contribution
Education (Primary)	£266,354
Education (Secondary)	Not required as there are no capacity issues in Godalming
Libraries	£19,069.76
Playing pitches	£50,783.60
Equipped and Casual Play Space	Not required as the applicant is providing a Locally Equipped Area of Play (LEAP) on the site.
Sports/Leisure Centres (improvements to Godalming Lawn	£67,573.28

Tennis club adjacent to Godalming Leisure Centre) has been specifically identified as requiring contributions	
Community facilities – contributions to Hoppa Bus	£31,092.00
Community facilities - additional parking at Milford Hospital	Requirement to provide replacement 25 car parking spaces.
Recycling	£6,840.24
Environmental Improvements	Not required as the applicant has agreed to provide public art and interpretation boards on the site and will be restoring the orchard.
Transport	Section 278 Works to be agreed between applicant and Surrey County Council Highway Authority
Footpaths and Improvements to Portsmouth Road bus stops	£133,270
Network Rail	£25,000 towards the improvement of the existing level crossing at Station Lane

Officers are currently in negotiation with the applicant and a Section 106 Agreement is being drawn up. The legal agreement will also require the developer to set up a management company to manage the open spaces including the “SANG” land, play area, and orchard; the provision of the affordable housing; the provision of public art and interpretation boards on the site; and the provision of additional parking for the hospital. Appropriate conditions are recommended to deal with the provision of the public art and information boards and the provision of the additional parking for the hospital.

Members will be updated orally at the meeting on the progress with the drawing up of the Section 106 Agreement.

It is considered that subject to the completion of the Section 106 Agreement the development would comply with Local Plan Policies D13 and D14 and with the current tests for legal agreements as set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

Financial considerations

Section 70 subsection 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 the committee.

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; £150,800 per annum for six years for the 104 new units proposed in the development. A supplement of £350 per dwelling over a 6 year period is payable for all affordable homes provided for in the proposal.

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 their 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.

This is an outline application and therefore the layout is indicative only. It is considered that the detailed scheme could achieve a high degree of natural surveillance for most public areas of the development and a minimum of dead, inactive edges within the layout. The public spaces in the development could be integrated and overlooked by residential properties, which is positive.

On balance, it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF and the Crime and Disorder Act 1998.

Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. The Regulations were updated in 2011, they give an opportunity to plan and deliver a better water environment, focusing on ecology. The Regulations seek to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems;
- promote the sustainable use of water;
- reduce pollution of water, especially by 'priority' and 'priority hazardous' substances;
- ensure progressive reduction of groundwater pollution.

It is considered that the proposal would not conflict with these Regulations.

Waste (England and Wales) Regulations 2011

The Waste Framework Directive (2008/98/EC) provides an overarching legislative framework for the management of waste across Europe. Its transposition in England is now largely through the Waste (England and Wales) Regulations 2011 (SI 2011 No 988) which came into force on 29 March 2011.

All local planning authorities have a role to play in meeting the requirements of the Directive, including by driving waste up the hierarchy. However, much of the responsibility for delivering waste objectives lies with waste planning authorities, which have a statutory duty to prepare a minerals and waste development scheme and to prepare a local waste plan

Pursuant to our obligations under the 2011 Regulations, a planning condition is suggested, if planning permission is to be granted, requiring the applicant to submit a waste minimisation strategy.

Equality Act 2010 Implications

The Equality Act 2010 states in Section 49 that:

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

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

Human Rights Implications

The proposal has no material implications relating to human rights.

Third Party and Parish Council comments

The comments of Busbridge and Hambledon Parish Councils and neighbouring residents have been carefully considered.

The Transport Assessment sets out that although the level of traffic produced by the proposed development would likely have an effect upon existing junctions. Mitigation methods can be incorporated to reduce these effects. The County Highway Authority has negotiated a number of measures which shall be secured by way of a S.278 agreement to ensure the development does not have a significant effect on the local highway network.

The County Highway Authority is satisfied that the methodology used in the Transport Assessment is robust and realistic. The Highway Authority has not accepted a private hospital (the existing lawful use of the land) on which to base existing trip generation, however given that this could generate more than 2000 two-way movements per day it is an important consideration as a fall-back position.

The County Highway Authority consider that the 20% assumption that traffic will access the site via the northern section of Tuesley Lane is likely to underestimate the proportion of development traffic turning left heading north towards Godalming. As such The Highway Authority has assessed the impact of a greater proportion of development traffic using the northern section of Tuesley Lane during AM and PM peak period when background and development traffic flows are at their highest. Taking this revised analysis into account the County Highway Authority consider that the development would not severely exacerbate congestion along Tuesley Lane and although some inconvenience to highway users could be caused, there would not be a severe impact on highway safety or capacity.

Numerous comments refer to a potential forthcoming housing development at Godalming College. No planning application has been formally submitted and therefore this cannot form a reasonable fallback consideration when assessing the impact of the development proposed within this application.

The applicant has expressed a willingness to enter into a legal agreement that would secure significant improvements to the existing public rights of way network. This would include the improvement of Footpath 161 to provide a cycle link between the hospital and the residential development to Milford Train Station. Any agreement would also include the improvement of Footpath 167 to allow better pedestrian access from the application site and the hospital to Portsmouth Road and its bus stops.

In addition to improving the existing public footpath between the hospital and the Portsmouth Road bus stops, the applicant has expressed a willingness to enter into a legal agreement to provide substantial contributions to the local HOPPA bus service. Although no additional bus routes are proposed to facilitate the development, the proposed S.106 agreement would include a

commuted sum to secure improvements to the bus stop infrastructure on Portsmouth Road. Furthermore, County Highway Officers consider that the proposed development would not generate sufficient need so as to warrant additional services.

The proposed development would include the removal of an area of parking currently used by visitors/staff of the hospital site. Whilst it is acknowledged that the Car Park was identified as surplus to requirements by the PCT it is nonetheless considered by the Local Planning Authority to be an important community facility. In recognition of this, if minded to grant planning permission, it is recommended that the provision of a car park for 25 spaces (the number of spaces to be lost) on the application site, or on a site to be agreed in writing with the Local Planning Authority, be secured through a legal agreement.

Concern has been raised concerning disturbance and noise for users and patients at the hospital. It is considered that appropriate conditions should be attached if permission is granted. These conditions should demonstrate how the development could minimise the disturbance of construction including the requirement to submit a Method of Construction Scheme for approval prior to the commencement of the development. This should include details of the demolition of the existing buildings, and a condition controlling the hours of operation.

The applicant has negotiated and submitted an agreed S.106 agreement to contribute to surrounding infrastructure in line with Regulation 122 (2) of the CIL Regulations 2010.

As noted above, the opportunity the proposed housing mix is considered to be appropriate considering the relatively large amount of affordable housing proposed within the application.

Article 2(3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. Officers have:

1. Provided pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development;
2. Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
3. Have suggested, accepted and negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development;

4. Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion

The site is located within the Green Belt outside any defined settlement area. In accordance with Policy C1 of the Local Plan and guidance contained within the NPPF, there is a general presumption against inappropriate development which is by definition, harmful. It should not be approved except in very special circumstances. The commentary text to Policy C1 provides a list of forms of development which are capable of being not inappropriate within the Green Belt, which includes *inter alia*

(d) Infilling or redevelopment within the Milford Hospital and IOS sites in accordance with Policy RD6

Policy RD6 of the Waverley Borough Local Plan 2002 identifies the Milford Hospital site as a Major Developed Site in the Green Belt. The NPPF indicates that where such sites are specifically identified in a local plan, limited infilling or redevelopment does not necessarily constitute inappropriate development.

The NPPF states that the infilling or the partial or complete redevelopment of previously developed sites (brownfield land) as capable of being not inappropriate, subject to the development not having a greater impact on the openness of the Green Belt, and the purpose of including land within it, than the existing development.

Officers conclude that Policy RD6 of the Local Plan is consistent with the approach to redevelopment of previously developed land in the Green Belt contained within the NPPF.

On 19th July 2012 The Council adopted The Upper Tuesley (Land Adjacent to Milford Hospital) Development Brief as a Supplementary Planning Document (SPD). The Development Brief which was produced to provide supplementary guidance to Policy RD6 of the Local Plan 2002. The Development Brief reaffirms the conclusion of the Development Plan that the site is most suited for residential purposes. The Strategic Housing Land Availability Assessment (SHLAA) (April 2008) produced for Waverley Borough Council by Baker Associates indicates that there could be potential for the site to accommodate approximately 120 dwellings.

Officers consider that the quantum and scale of the proposal would result in a form of development that would not have a greater impact on the openness of the Green Belt, or would conflict with the purposes of including land within it, when compared with the existing form of development. Moreover, given the submission of indicative plans and scale parameters, and that matters of appearance, landscaping, layout and scale would be subject to further consideration under any subsequent reserved matters application, Officers

consider that the proposal complies with Policies RD6 and D4 of the Local Plan and advice contained in the NPPF and the Development Brief.

In relation to the environmental impact of the proposal, and having regard to the assessments submitted, officers are satisfied that the proposal has 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 the built and natural environment, in isolation and in combination with other developments, are therefore acceptable.

Having regard to the impact of the proposal on European Protected Species, Officers consider that given the comments from Natural England and subject to the imposition of suitable planning conditions to secure where necessary extra survey work and mitigation, and with the effective implementation of mitigation, the proposed development would not cause an adverse effect on the conservation status of the protected species concerned.

Officers consider that the proportion of affordable housing (48 dwellings (40%)) would meet the affordable housing objectives of Policy RD6 of the Local Plan and the guidance contained within the NPPF.

In relation to the impact of the development on the highway network, the comments from the County Highway Authority are reported in full in the Officers' report. They conclude that the existing and proposed trip generation, distribution, and traffic flow, assessed cumulatively with neighbouring past, present, and reasonably foreseeable developments would, subject to the securing of a robust transport mitigation package, preserve or enhance highway safety, help manage traffic capacity and encourage the use of public transport, walking and cycling. In addition, Officers acknowledge the possible impact of the loss of parking provision (25 spaces) at the hospital. In recognition of this, and so as to address the impact, the applicants would be required, if planning permission is granted, to provide a car park for 25 spaces for use by the hospital on the application site, or on a site to be agreed in writing with the Local Planning Authority. Moreover, in order to encourage the reduction in the use of private motor vehicles, the applicants would be required to make a contribution to the HOPPA bus service. As such, Officers conclude, subject to the applicant entering into a legal agreement to fund highway improvement works, HOPPA bus contribution, and car park provision, and subject to planning conditions to address other highway matters, that the proposal would be acceptable.

In relation to impact on visual and residential amenities, Officers considered that the indicative layout plans submitted with the planning application demonstrate the proposed development could be laid out in such a way that there would not be a materially adverse impact on neighbouring residential occupiers or the users and patients of the hospital and moreover, could provide a level of amenity and play space in accordance with Local Plan requirements.

With regards to the landscape and visual amenity impact of the proposal, Officer welcomes the comments of the AONB Planning Adviser and Natural England. The Surrey Hills AONB Planning Adviser raises no objection to the proposed development. Furthermore, Natural England has welcomed the submitted Landscape and Visual Impact Assessment which it confirms has been undertaken using the most recent and best practice guidelines available. Although, Natural England has some concern that the development would have an adverse effect through all stages on two specific viewpoints, it is considered that this effect would not overall be significant. It is considered that, due to the relatively contained nature of the site, the development would not have a significant effect on the landscape and visual amenities. Furthermore, if granted planning permission, Officers the package of landscape management / woodland management would secure and indeed provide opportunities to improve the landscape value of the site and consequently biodiversity improvements.

Having regard to these considerations and to all other material matters, set out in the report, officers conclude that the proposed development is, on balance, in general accordance with the aims and objectives of the development plan, the guidance contained with the Development Brief and the NPPF. The harm that has been identified could satisfactory be mitigated or would otherwise be outweighed by the benefits in terms of the regeneration of this rural site and the provision of housing to meet local need. The proposal should therefore be supported.

RECOMMENDATION: That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation, subject to the applicant entering into an appropriate legal agreement to secure the provision of: affordable housing; highway and transport improvements; additional car parking; education, libraries, playing pitches, recycling and sport & leisure infrastructure contributions; provision of public art and information/interpretation boards; the maintenance and management of open spaces, orchard, woodland, LEAP and SANG; Network Rail contributions for level crossing improvements; and community facility contributions; and subject to conditions, permission be GRANTED

1. Condition

Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:

- (i) layout;
- (ii) scale;
- (iii) appearance; and
- (iv) landscaping.

The reserved matters shall be carried out as approved. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. Condition

No development shall take place until a written Waste Minimisation Statement, confirming how demolition and construction waste will be recovered and reused on site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in strict accordance with the approved details.

Reason

To ensure that the development would include the re-use of limited resources, to ensure that the amount of waste to landfill is reduced and to comply with Policy D3 of the Waverley Borough Local Plan 2002.

3. Condition

Before any other operations are commenced the modified northern vehicular access to Tuesley Lane shall be constructed broadly in accordance with Parsons Brinckerhoff's Drawing No, Figure 4 Rev D, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

Reason

The above condition 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 of Waverley Borough Council's Local Plan 2002.

4. Condition

Before any other operations are commenced the proposed southern vehicular access to Tuesley Lane shall be constructed broadly in accordance with Parsons Brinckerhoff's Drawing No. Figure 3 Rev. D, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above the carriageway.

Reason

The above condition 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 of Waverley Borough Council's Local Plan 2002.

5. Condition
The existing accesses from the site to Tuesley Lane made redundant by the development shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority. All redundant sections of footway and kerbing shall be fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason

The above condition 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 of Waverley Borough Council's Local Plan 2002.

6. 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 for cars 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 purpose.

Reason

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies M2 and M14 of Waverley Borough Council's Local Plan 2002.

7. Condition
No development shall start 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:-
 - (i) measures for traffic management, and
 - (ii) timing and delivery works required to construct the new accesses
 - (e) provision of boundary hoarding behind any visibility zones has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason

The above condition 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 of Waverley Borough Council's Local Plan 2002.

8. 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 retained and used whenever the said operations are carried out.

Reason

The above condition 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 of Waverley Borough Council's Local Plan 2002.

9. 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 integral cycle parking for every dwelling.
 - (b) Electric vehicle charging points in line with Surrey County Council's Parking Guidance.

Reason

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies M5 and M10 of Waverley Borough Council's Local Plan 2002.

10. Condition
Prior to the commencement of the development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan, based on Parsons Brinckerhoff's Framework Travel Plan August 2012 (amended January 2013), to include the provision of information to new residents and shall include the following items:
- (a) A 'travel information leaflet' to be provided in the welcome pack for new residents when they move into their dwellings.
 - (b) Provision of transport and travel information to residents (e.g. regular emails and/or setting up a web-based travel plan page for the site); and
 - (c) Cycle purchase assistance vouchers.

The implementation of the travel plan and the ongoing provision of information and management of the travel plan web-page will be the responsibility of the site management company.

Reason

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies M2, M5 and M10 of Waverley Borough Council's Local Plan 2002.

11. Condition

No development shall take place until a Landscape and Ecological Management Plan (LEMP) to ensure the appropriate management of dormouse habitat in the long term, has been submitted to and approved in writing by the local planning authority. The LEMP shall include methodologies of the sensitive management of both new and retained/enhanced habitat. The development shall be carried out in accordance with the approved details.

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

12. Condition

No development shall take place until a detailed bat mitigation strategy to ensure the maintenance, and where possible, enhancement of the Favourable Conservation Status (FCS) of the local bat population in accordance with the Conclusion of the submitted Bat Survey Report undertaken by Parsons Brinckerhoff dated December 2012, has 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

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

13. Condition

Prior to commencement of any works, a survey for badger setts shall be undertaken and the results submitted to the Local Planning Authority, and if any are present within 30 metres (including on adjoining land) of the development site, the works shall not commence until a method statement for the protection of badgers has been produced and any necessary Natural England licences have been obtained. The method statement shall be implemented in full.

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

14. Condition
The development hereby approved shall be carried out in accordance with the Discussions and Recommendations of the submitted Extended Phase I Survey of Land at Upper Tuesley by Parsons Brinckerhoff dated September 2012, in relation to mitigation measures for reptiles and birds.

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

15. Condition
Where any species listed under Schedule 2 or 4 of the Conservation of Habitat and Species Regulations 2010 is present on the site and where an offence under Regulation 41 is likely to occur in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place which are likely to cause an offence under Regulation 41 unless a licence to affect any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority.

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

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

Reason

To safeguard the ecological interest of the site in accordance with Policy C11 and D5 of the Waverley Borough Local Plan 2002.

17. Condition
No development shall take place until a strategy of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved development shall be implemented in accordance with the approved strategy prior to the use of the building commencing.

Reason

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

18. Condition
No development shall take place until a scheme for the provision and management of a 5 metre wide buffer zone alongside the Shadwell Stream shall be submitted to and agreed in writing by the Local

Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including footpaths, lighting, and formal landscaping, and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone.
- details of any proposed footpaths, fencing, lighting etc.

Reason

Development that encroaches on watercourses has a potentially severe impact on their ecological value. In this development, we would want to see the proposed new footpath a minimum 5m from the bank top of the stream. This is to retain a wildlife corridor along the riparian zone and also to protect the banks of the stream from erosion.

19. Condition

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

20. Condition

Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

21. Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in

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

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

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

Reason

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

22. Condition

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that

the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

23. Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Reason

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

24. Condition

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

Reason

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

25. Condition

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

- (a) the accepted remediation scheme shall be fully implemented before the development is occupied (either in relation to the development as a whole, or the relevant phase, as appropriate); and

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

Reason

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

26. 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 Local Emission Strategy shall be written in conjunction with DEFRA Low Emissions Strategies - using the planning system to reduce transport emissions. Good Practice Guidance 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 the approved Strategy.

Reason

In the interests of air quality and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

27. Condition

Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to Condition (1) shall include a Site Specific CEMP, and these shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas on or off that site, and measures proposed to mitigate against adverse effects of noise and dust during the construction of the proposed development and shall also indicate: -

- a) the proposed hours of operation of construction activities;
- b) the frequency, duration and means of operation involving demolitions, excavations, drilling, pilling, concrete production and dredging operations;
- c) sound attenuation measures to be incorporated to reduce noise at source;
- d) details of temporary lighting;
- e) arrangements for site access and vehicle parking; and
- f) a Construction Workers Travel Plan.

The approved CEMPs shall be strictly adhered to during all stages of the construction of the proposed development.

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.

28. Condition

No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason

To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface water disposal.

29. Condition

Unless otherwise agreed in writing by the Local Planning Authority, no residential development shall commence until:

- a) evidence that the development is registered with an accreditation body under the Code for Sustainable Homes and a Design Stage/Interim Report showing that the development will achieve Code level 4 for all residential units have been submitted to the Local Planning Authority; and
- b) a Design Stage/Interim Code for Sustainable Homes Certificate demonstrating that the development will achieve Code level 4 for all residential units has been submitted to, and approved in writing by, the Local Planning Authority.

A completed pre-assessment estimator will not be acceptable.

Reason

To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policy D3 of the Waverley Borough Local Plan 2002.

30. Condition

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units hereby approved shall be occupied until a Final/Post Construction Code Certificate issued by an accreditation body confirming that each residential unit built has achieved a Code for Sustainable Homes rating of Code level 4 has been submitted to, and approved in writing by, the Local Planning Authority.

Reason

To ensure that the development is sustainable and makes efficient use of energy, water and materials.

31. Condition

Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

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

32. Condition

Before work begins, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved 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.

33. Condition

Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to be agreed with the Local Planning Authority in writing.

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.

34. Condition
Destruction by burning of materials obtained by site clearance, if at all necessary, shall not take place within 10 metres of the furthest extent of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason

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.

35. Condition
Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.
3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The space referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the Local Planning Authority.

Reason

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

36. Condition
No development shall take place until a detailed landscaping scheme 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 character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

37. Condition
All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with 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.

38. Condition
No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. 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.

39. Condition
A 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 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.

40. Condition
No development shall take place until a schedule of landscape maintenance for a minimum period of years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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.

41. Condition
Prior to the commencement of any development, details shall first be submitted to and approved in writing by the Local Planning Authority of

a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programmed unless otherwise first agreed in writing by the Local planning Authority. The phasing plan shall indicate the timing of construction of the scheme phases, including the provision of associated external works (such as parking and landscaped areas), commensurate with the phases and associated areas/uses being brought into use.

Reason

To ensure the proper and effective development of the site in the interests of the amenity of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

42. Condition

No dwelling shall be occupied until:

- a) A scheme for the laying out and equipping of the play area shown on the submitted plan, to include details of play equipment, landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment has been submitted to and approved in writing by the Local Planning Authority and;
- b) The play area has been laid out and equipped in accordance with the approved scheme.

Reason

To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents in accordance with Policies D1, D4 and H10 of the Waverley Borough Local Plan 2002.

43. Condition

No dwelling shall be occupied until a scheme for the design and laying out of public art on the site has been submitted to and approved in writing by the Local Planning Authority and the public art has been installed in accordance with the approved scheme.

Reason

To ensure that the public art is provided in a timely manner in the interests of the amenity of future residents and the surrounding area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

44. Condition

No dwelling shall be occupied until a scheme for the design and laying out of information boards on the site has been submitted to and approved in writing by the Local Planning Authority and the information boards have been installed in accordance with the approved scheme.

Reason

To ensure that the information boards are provided in a timely manner in the interests of the amenity of future residents and the surrounding area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

45. Condition

The drawing numbers relevant to this decision are 3227_605_REV2, 3227_602_REV1, 3227_604_REV1, 3227_603_REV1, 3227_503, 3227_502 and 3227_050. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D12 and D4 of the Waverley Borough Local Plan 2002.

46. Condition

Notwithstanding the submitted details this permission relates to the provision of the access and does not convey any acceptance of the submitted levels or sections, layout, the detailed design / appearance, use of materials and landscaping which all form part of the reserved matters.

Reason

For the avoidance of doubt and to ensure compliance with the terms of the application and to ensure the proper development of the site in accordance with Police D1 of the Local Plan 2002.

47. Condition

Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until:

- (a) evidence that the development is registered with the Building Research Establishment (BRE) under Ecohomes (or an equivalent or successor assessment tool) and a Design Stage Assessment Report showing that the development will achieve an Ecohomes Refurbishment rating for all residential units to be refurbished have been submitted to the Local Planning Authority; and
- (b) a BRE issued Design Stage Certificate demonstrating that the development has achieved an Ecohomes Refurbishment rating for all residential units to be refurbished has been submitted to, and approved in writing by, the Local Planning Authority.
A completed pre-assessment estimator will not be acceptable.

Reason

To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Waverley Borough Local Plan 2002 Policy D3 and Policy CS19 of the Pre-Submission Core Strategy.

48. Condition

Unless otherwise agreed in writing by the Local Planning Authority, none of the residential units (to be refurbished) hereby approved shall be occupied until an Ecohomes Design Stage Certificate (or certificate from equivalent or successor assessment tool) and a Building Research Establishment issued Post Construction Review Certificate confirming that each residential unit to be refurbished has achieved an Ecohomes Refurbishment rating has been submitted to, and approved in writing by, the Local Planning Authority.

Reason

To ensure that the development is sustainable and makes efficient use of energy, water and materials and to comply with Waverley Borough Local Plan 2002 Policy D3 and Policy CS19 of the Pre-Submission Core Strategy.

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby approved has been assessed against the following Development Plan Policies; Policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D13, DC14, C1, C2, C3, C7, C10, C11, HE15, H4, H10, IC12, CF1, CF2, HE8, LT11, RD6, M1, M2, M4, M5, M9, M10 and M14 of the Waverley Borough Local Plan 2002, Policies SP5, CC1, CC2, CC3, CC4, CC6, CC7, H1, H3, H4, H5, T1, T4, NRM1, NRM4, NRM5, NRM9, NRM10, NRM11, BE6, S6, T7 and BE1 of the South East Plan 2009 (subject to the letter to Chief Planning Officers from the Secretary of State dated 27/05/10 regarding the abolition of Regional Spatial Strategies), and Policies CS1, CS2, CS3, CS4, CS5, CS7, CS13, CS15, CS16, CS17, CS19, CS20 and CS21 of the Waverley Borough Local Development Framework pre-submission Core Strategy. Specifically the outline proposal for the demolition of existing buildings and redevelopment for the erection of 104 new dwellings, works to 12 existing residential units and works to Allison House and staff cottages to provide 4 dwellings is regarded as not constituting inappropriate development within the Green Belt, in accordance with Policies C1 and RD6 of the Waverley Borough Local Plan 2002. It is concluded that the proposed development would supply provision for an appropriate amount of housing mix and density and affordable housing so as to accord with Policies H4 and RD6 of the Waverley Borough Local Plan 2002. Furthermore, the development is concluded as, subject to appropriate mitigation measures, not have a materially detrimental impact on the surrounding highway network, in accordance with Policies M1, M2, M4, M5, M9, M10 and M14 of the Local Plan 2002. It is concluded that as the proposals, subject to the submission of further information regarding possible landscaping and disturbance within the root protection areas of the existing trees the development would be in

accordance with Waverley Borough Local Plan Policies D5 and D6. The development, subject to the approval of reserved matters would not have a materially detrimental impact on visual and residential amenities, in accordance with Policies D1 and D4 of the Local Plan 2002. It is concluded that as the development would include suitable levels of SANG there would not be a significant effect upon the integrity of the SPA. Furthermore in relation to the environmental impact of the proposal, and having regard to the assessments submitted, officers are satisfied that the proposal has 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 the built and natural environment, in isolation and in combination with other developments, are therefore acceptable. Having regard to the impact of the proposal on European Protected Species subject to the imposition of suitable planning conditions to secure where necessary extra survey work and mitigation, and with the effective implementation of mitigation, the proposed development would not cause an adverse effect on the conservation status of the protected species concerned, and would, subject to appropriate conditions the development, conserve and where possible enhance the ecological value of the site, in accordance with Policies D5 of the Waverley Borough Local Plan 2002 and Policies NRM4, NRM5, NRM9 and NRM10 of the South East Plan 2009. The applicant has entered into negotiations to agree a legal agreement to assist in mitigating the impact of the proposed development in accordance with Policies D13 and D14 of the Local Plan 2002. Other material considerations, including third party representations have been assessed, it has been concluded that the development would not result in any harm that would justify refusal in the public interest.

Informatives

1. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possible subject to enforcement action such as a Sop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

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

3. The planning permission hereby granted followed the completion of a related Planning Obligation (either a Unilateral Undertaking or a Legal Agreement) under S.106 of the Town and Country Planning Act (as amended).
4. The applicant is advised that payment of the Planning Infrastructure Contribution within 28 days of commencement of work should be marked for the attention of the Planning Obligations Officer (cheques should be made payable to Waverley Borough Council), in accordance with Section 6.1 of the Unilateral Undertaking.

Please note that this is a requirement of the agreement and no invoice will be sent at this stage.

5. The Wildlife & Countryside Act 1981 makes it an offence to damage or destroy the nest of any wild bird whilst that nest is in use or being built. It is also an offence to take or destroy the egg of any wild bird.

It is recommended that this tree be inspected for nesting birds prior to the commencement of works. If nests are found then it is recommended that the advice of either Natural England or a suitably qualified ecologist is sought before any works are undertaken. Natural England may be contacted by phone on (0845) 6003078 or via e-mail at enquiries@naturalengland.org.uk.

Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

6. Bats are currently protected by the Wildlife & Countryside Act 1981, the Countryside Rights of Way Act 2000 and the Natural Habitat Regulations 2007. In brief this makes it an offence to both intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection and to intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.

This tree is considered to have roost potential and as such it is recommended that the advice of either Natural England or a suitably qualified ecologist is sought prior to any works being undertaken. Natural England may be contacted by phone on (0845) 6003078 or via e-mail at enquiries@naturalengland.org.uk.

7. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

8. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
9. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
10. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highway Service Group.
11. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: <http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/ordinary-watercourse-consents>
12. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149)
13. Pedestrian inter-visibility splays of 2m by 2m shall be provided on each side of the residential accesses and parking courts, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.
14. The Highway Authority advises that the proposed estate road(s) are of insufficient public utility to warrant adoption as highway maintainable at public expense.
15. When access is required to be 'completed' before any other operations, the Highway Authority will normally agree that wearing course material and in some cases edge restraint may be deferred until construction of

the development is virtually complete, provided all reasonable care is taken to protect public safety.

16. H(Inf)17 - The applicant is advised that Public Footpath No. 161 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
17. H(Inf)23 - The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
18. The applicant is advised that in providing each dwelling with integral cycle parking, the Highway Authority will expect dedicated integral facilities to be provided within each dwelling for easily accessible secure cycle storage/garaging.
19. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.