

JOINT PLANNING COMMITTEE
UPDATE SHEET
20th March 2013

Correspondence received and matters arising following preparation of the agenda

Item A1

WA/2012/1592

Land adjacent to Milford Hospital (Upper Tuesley), Tuesley Lane, Godalming

Amendments to the report

The description at the top of page 5 of the Agenda should be amended to read:

~~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).~~

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, access and diversion of Public Footpath 161, Busbridge. This application is accompanied by an Environmental Statement 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, 06/02/2012 and 08/02/2013 and letters dated 07/12/2012 and 18/01/2013).

The paragraph starting "The South East Plan" on Page 14 shall be amended:

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~~ **have been laid before Parliament in the House of Commons in March 2013 on 26th February 2013;** However, the amount of weight that can be attached to this intention is a matter of judgment ~~and will be coming into force on the 25th March 2013.~~ **given that there**

~~are still some matters to be resolved before the Government can initiate the formal process of abolition.~~

The third paragraph of Page 69 of the Agenda should be amended:

~~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.~~

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 noise and vibration.

The third paragraph on page 92 should be amended:

~~It is also proposed that the S.278 Agreement will secure 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 run the entire length of the existing Footpath from Milford Train Station to point A on the above plan. The Agreement would 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.~~

It is proposed that the S.106 Agreement would secure a commuted sum to go towards the improvement of existing Footpaths. These improvements would include the upgrading of Footpath 161 which runs from point C above to Milford Train Station. In addition internal Footpaths A-B-F-E, C-E and B-H within the site should be constructed to cycle-way standards.

Infrastructure agreement

An agreed heads of terms has now been produced and whilst this has not been signed the terms proposed are as follows:

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	The applicant is providing a Locally Equipped Area of Play (LEAP) on site.
Sports / leisure centres (improvements to Godalming Lawn Tennis Club adjacent to Godalming Leisure Centre) has been specifically identified as requiring contributions	£67,573.28

Community facilities contributions to Hoppa Bus –	£31,092.00
Recycling	£6,840.24
Environmental Improvements	The applicant has agreed to provide public art and interpretation boards on the site and will be restoring the existing orchard.
Transport	<p>Highway Works to be agreed between the applicant and Surrey County Council Highway Authority to include:</p> <ul style="list-style-type: none"> • 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. • Pedestrian safety scheme between Milford Station and Rake Lane/Station Lane junction comprising: <ul style="list-style-type: none"> ○ Provision of footway on south side of junction ○ Pedestrian crossing facility (dropped kerbs and tactile paving) on Station Lane. • Station Lane/Tuesley Lane traffic management improvements comprising: <ul style="list-style-type: none"> ○ Shared footway for pedestrians and cyclists between the site and Milford Station. ○ Speed Limit Review on Station Lane and Tuesley and implementation of new speed limits. ○ Localised carriageway narrowing on Tuesley Lane and associated lining and signage. ○ Removal of parking bays on Tuesley Lane. • Tuesley Lane (north of northern vehicular access). Safety scheme on bend in carriageway, comprising: <ul style="list-style-type: none"> ○ Provision of anti-skid surfacing ○ Gateway feature with associated safety signage. • Provide environmental enhancements on Tuesley Lane comprising the removal of parking bays on Tuesley Lane to the south of the hospital's vehicular entrance and exit and upgrading of the existing informal parking on the west side of

	Tuesley lane, to the north of the hospital entrance and exit, to provide a lay-by with formal parking bays.
The setting up of a Management Company to implement a submitted Landscape Management Plan and Management Plan	To ensure the future management of the site through strict adherence to the Management Plan and Landscape Management plan. This shall be a written scheme which demonstrates the method by which the land be maintained and financed so as to fulfil the following objectives: <ul style="list-style-type: none"> • To ensure that each lessee of the Development pays a reasonable service charge for the maintenance and management of the land. • To ensure that sufficient funds are raised from time to time to ensure that the requirements of the Management Plan are fully funded and thereafter adhered to. • To provide a means by which the Council may verify compliance with the Management Plan.
Affordable Housing	48 Dwellings to be provided as Affordable Housing and comprising Shared Ownership Units and Affordable Rented Units.
Improvements to existing Footpaths and the existing bus-stop on Portsmouth Road	£133,270 to go towards improvements to the existing bus stop on Portsmouth Road and the improvement of existing designated Footpaths 161, 167 and 39 and the formal diversion of Footpath 161 to the satisfaction of Surrey County Council Rights of Way.
Network Rail	£25,000 towards the improvement of the existing level crossing at Station Lane.

Responses from Consultees

Additional responses have been received from Surrey Wildlife Trust and the Ramblers Society:

Ramblers Society	Assumption that 20% of the traffic will turn left is flawed. This is important because of the number of footpath that disgorge on to Tuesley Lane between the Development and the far end of Tuesley Manor, and the absence of any provision for pedestrians. The footpaths concerned are FP161 from Milford Station, FP167 from Portsmouth Road, FP27 from Ashstead Lane and FP162 which is their
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	<p>continuation across the Fruit Farm towards Hydestyle and Hydons Ball. Currently traffic is fairly light, but given the increase in traffic volumes then a pavement should be provided, which could be achieved by cutting into the field bank or a second best solution would be extensive traffic calming measures.</p> <p>Given their recreational pursuit then any re-routing of the footpath should preferably be in the Development's green area rather than along metalled surfaces.</p>
<p>Countryside Access Officer</p>	<p>Would like to upgrade the status of public footpath 161 to a cycle track. We would like to see the route A-B-F to the junction with C-E as a dedicated public footpath. This route is preferable to the A-C junction 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.</p> <p>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>

Officers comments

Officers have sought clarification regarding the comments of the Senior Rights of Way Officer. He has confirmed that the only section of Footpath to be constructed to cycle way standard should be Footpaths A-B-F-E, C-E and B-H within the site. The designation of these footpaths in-line with the comments above should be included within the Section 106 agreement.

Additional representations

Additional 14 letters of representation received. 13 additional letters have been received raising objection on the following grounds:

- Impact on traffic
- Tuesley Lane is bounded on one side by a Historic Park
- Tuesley Lane is bounded on one side by a site of nature conservation importance.

- The site adjacent to Ladywell Hill forms the most critical part of Tuesley Lane North which is a site of high archaeological potential.
- Further erosion of Tuesley Lane
- There are 5 schools in the area.
- The development would have an adverse affect on the town's identity
- The surrounding infrastructure would not have the capacity (school places and doctor's wards) to cope with the additional housing.

1 additional letter has been received expressing support on the following grounds:

- Support new housing but the traffic implications need to be considered.
- The majority of people objecting live close to the site and do not represent the majority.

Furthermore a petition of 160 e-mails has been submitted raising objection to the proposal.

Officers comments

The potential impacts on traffic, infrastructure, archaeology and biodiversity have been covered in the body of the main report.

Whilst Tuesley Lane is bounded on one side by a Historic Park it is considered that the development would not have a material impact on this park, furthermore English Heritage has raised no objection to the proposed development.

Revised Recommendation

RECOMMENDATION A:

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, within 6 months of the Committee resolution to grant planning permission, 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; public footpath improvements and diversion; 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 **and in accordance with Policy D1 of the Waverley Borough Local Plan 2002.**

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.~~ **In order retain a wildlife corridor along the riparian zone and also to protect the banks and stream from erosion and to comply with Policies D1, D4 and D5 of the Waverley Borough Local Plan 2002.**

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.~~ **In order to avoid adverse environmental impacts upon the community resulting from sewerage flooding and in order to ensure that sufficient capacity is made available to cope with the new development and to comply with Policy D1 of the Waverley Borough Local Plan 2002.**

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 **and to comply with The Water Framework Regulations 2011.**

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 **and agreed in writing by** 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, piling, 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 **and D7** 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 **and D7** 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 **and D7** 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 and **D7** 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 and **D7** 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 **5** 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 Programme 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~~ **Prior to the commencement of building operations** a scheme for the design and laying out of public art **and information boards** 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 **and information boards are** 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.~~ **Prior to the occupation of 50% of the dwellings hereby approved the public art and information boards shall be installed and maintained in accordance with the information approved in accordance with Condition 43.**

Reason

To ensure that the **public art and** 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.~~

4. 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.

5. It is recommended that ~~this trees~~ 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.
6. 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.
7. 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.~~

8. 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.
9. 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.
10. 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.
11. 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.
12. 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:

13. 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)
14. 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.
15. The Highway Authority advises that the proposed estate road(s) are of insufficient public utility to warrant adoption as highway maintainable at public expense.
16. 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.
17. ~~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.
18. ~~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.
19. 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.
20. 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.
21. Development that encroaches on watercourses has a potential severe impact on their ecological value. In this development, the proposed new footpath should be a minimum of 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 and stream from erosion.

RECOMMENDATION B:

That, if an appropriate legal agreement is not signed after 6 months of the Committee resolution to grant planning permission, the application be REFUSED for the following reasons:

1. The applicant has failed to comply with the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002.