

	Questions from Members of the Public and from Hambledon Parish Council	Answer
1	<p>How will the "pinch points" along Tuesley Lane be managed?</p> <p>Can you please confirm to me that any transport changes will allow my replacement mobile homes and artic lorries access?</p> <p>Lorries – 2.8m x 18m M.Homes 4m x 14m</p>	<p>The detailed design of the carriageway narrowing points will ensure that heavy goods vehicles can safely pass along Tuesley Lane to access Tuesley Farm.</p> <p>The developer will provide a commuted sum as part of the S278 Agreement for the ongoing management and maintenance of the traffic calming measures.</p>
2	<p>Under the Reservoirs Act of 1978 and Flood and Waters Act of 2012, it is necessary for access to be maintained in both directions at all times, unhindered whereby emergency vehicles can gain access at all times. How will this be accommodated in the revised traffic arrangements?</p>	<p>All traffic calming and narrowing points will be designed to accommodate emergency vehicles.</p> <p>With regard to the northern section of Tuesley Lane, option B (alternative option – passing points) would improve access for emergency vehicles.</p> <p>An update will be given at the technical committee on the feasibility of option A (shuttle working signals), including the impact of this option on access for emergency vehicles.</p>
3	<p>The Lower Busbridge Lake dam was constructed in 1860s and is of earth. It is leaking. Is Waverley Council concerned over the continuing integrity of the dam with the proposed increase in traffic flow?</p>	<p>The Council's Engineer has checked the records and found that Lower Busbridge Lake is a Large Raised Reservoirs (LRR) under the Reservoirs Act 1975 with a recorded capacity greater than 25,000m³. It is owned and maintained by the Godalming Angling Society and has a reported risk category of 'C' which is a medium to low risk.</p> <p>Any Large Raised Reservoirs (LRR) that have a capacity of greater than 25000m³ fall under the Act whereby, by law, all LRRs would be inspected at least every 10 years by a qualified engineer (Inspecting Engineer). Additionally there is a requirement for supervision by a suitably qualified civil engineer (Supervising Engineer) at more frequent intervals – generally annually.</p> <p>The enforcement authority for the Reservoirs Act (1975) is the Environment Agency (Exeter Office). Therefore this reservoir would be known to the EA and any purported leakage, if identified, would be dealt with depending upon</p>

		<p>its significance.</p> <p>“The owner’s guide to reservoir safety”, published by the EA in February 2010 gives the following information:</p> <p>In an emergency, you can call the 24hr Environment Agency incident hotline on 0800 80 70 60 If your reservoir comes under the Reservoirs Act 1975, you can contact the Environment Agency Reservoir Safety Team. Telephone: 08708 506506 (during office hours) Email: reservoirs@environment-agency.gov.uk Website: www.environment-agency.gov.uk/reservoirsafety</p> <p>Waverley Borough Council is concerned regarding any matters of dam safety inasmuch as it would affect properties downstream should a failure occur. This would be dealt with under Surrey County Council’s emergency planning procedures to which WBC are heavily actively involved.</p> <p>With a responsible LRR owner conforming to the requirements of the Reservoirs Act 1975, I would not be unduly concerned in regard to this particular reservoir. The impact of increased traffic is not thought to be a significant risk to dam safety.</p>
4	<p>With the proposed traffic light solution for Ladywell Hill, how will the large number of waiting cars for the traffic lights be accommodated?</p> <p>The installation of shuttle working traffic signals along the northern end of Tuesley Lane may help residents on and adjacent to the site but will create pinch points and delays for the wider community which, in consequence, will seek alternative routes. What thought has been given to this problem and how it might be addressed?</p>	<p>The introduction of shuttle working signals needs to be carefully considered on highway safety, capacity and technical feasibility grounds. The Highway Authority is currently undertaking this assessment work and will provide an oral report to members at the technical meeting on 10 June.</p>
5	<p>Why is the footprint for housing for the Outline Planning Application significantly greater than the footprint of existing</p>	<p>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:</p>

	<p>buildings, contrary to the decree by the Inspector of Planning?</p>	<p>“Within these sites (Milford Hospital and IOS site, Wormley) infilling and redevelopment will be permitted subject to the following criteria:-</p> <p>a) Infilling should:</p> <ul style="list-style-type: none"> (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.) <p>b) Redevelopment should :</p> <ul style="list-style-type: none"> (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). <p>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).</p> <p>(a)</p> <ul style="list-style-type: none"> (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.
6	Why are the heights of the	(i) The application states that the height of the buildings

	majority of buildings proposed in the outline Planning Application greater than the majority of buildings on the current site, contrary to the decree by the inspector of planning?	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.
7	Why is the Upper Tuesley Lane Site considered suitable for social housing, given its location and the difficulty in providing adequate infrastructure support?	The site is suitable for housing and is therefore suitable for social housing.
8	<p>Option 12 of the draft Waverley consultation document, February 2012 suggested that a link road from the development to the A3100 would be technically possible. This option is not addressed in any subsequent documentation. Was it dropped</p> <p>a) because it was subsequently judged to be technically impossible?</p> <p>b) on cost grounds?</p> <p>c) because its construction would be contrary to Green Belt and/or Waverley planning policy?</p> <p>d) because of CPO complications?</p> <p>If any aspect of planning policy was the reason, was an exceptions policy considered? If not, why not?</p>	<p>This is not part of the current application and is not before the Committee at this time . Members are reminded hat they can not redesign the scheme but have to asses what is applied for. Notwithstanding this at next week’s meeting members are to assess and determine the planning application and not revisit the brief.</p> <p>Option 12 was included in the supporting document “Transport Assessment: Land at Upper Tuesley Appendix 1: Figures” to the draft SPD. It was not pursued due to the cost, legal, land ownership and potential environmental issues.</p>
9	The latest summary of transport mitigation projects requires the developer to fund and WBC/SCC to deliver “general improvements” to footpaths 39/167 and 161. To be of value, these have to be cycle- and buggy-friendly: what proposals are envisaged to ensure that this will be the case?	<p><u>Public Footpath 39 Godalming</u> A large part of this footpath is in poor condition. The aim is to improve this section for users on foot generally including those that might be accompanied by babies/toddlers in push chairs. At its eastern end this footpath links to Footpath 167 Busbridge.</p> <p><u>Public Footpath 167 Busbridge</u> A short section of this footpath at its northern end does not follow the Definitive route. This short section will be</p>

		<p>reinstated and this might well necessitate some form of surfacing works. No other works are planned for the remainder of Footpath 167.</p> <p><u>Public Footpath 161 Busbridge and 161 Witley</u> There is currently no public right to ride a bicycle on a Public Footpath. It is therefore the aspiration of the County Council to see a route provided through the development site that will eventually be legally upgraded to lawfully permit access by cyclists from Tuesley Lane to Station Lane. This will involve the developer creating a new route through the middle of the new development to the north (to be dedicated as a Public Right of Way) and then the County Council improving sections of Footpath 161 further to the south. A legal order would ultimately need to be confirmed to sanction the use by cyclists. Pedestrians will also have access to any new route, as well as Footpath 161, as normal.</p> <p>Funds have been secured via a s.106 agreement to go towards undertaking the works above.</p>
10	<p>Why has the obligation for the provision of Peak Hour shuttle bus not been considered as contributing to the remedial solution.</p> <p>Although not mentioned in the latest summary of transport mitigation projects, we understand that consideration is being given to the provision of a peak-hour (morning and afternoon/evening) shuttle bus between the site and adjacent schools and stations. What size of bus/frequency of service is envisaged to discourage the use of cars and be of practical benefit to the 120 busy families living on the development? The peak-hour shuttle bus service will require initial funding by the developer. Will this be done under a further S.106 condition? If so, how much funding will be provided and over what period? Will it be</p>	<p>The HCA has provided the following response:</p> <p>The HCA is currently waiting for a proposal from a local bus provider to be put forward. This will provide information on the costs of running a bus service visiting the site twice in the morning and twice in the evening. Once the proposal has been evaluated appropriate monies within the s106 package will be allocated.</p>

	additional to the total already agreed for S.106 improvements or will the funds be diverted from other projects (and, if so, which)?	
11	Could consideration be given to ensuring that all S.278 requirements are completed before the houses go onto the market?	The County Council will require the S278 highway works to be constructed before first occupation of the development.
12	What guarantee is there that development will actually take place, and over what period, if outline planning permission is granted? Has a developer been identified and, if so, what arrangements are envisaged regarding the on-going involvement of the HCA?	Whilst the Planning Authority has the power to assess and grant a permission the carrying out of development is within the hands of the applicants. The Council has no way of requiring a developer to implement a planning permission. Notwithstanding this the HCA has advised that a developer has been identified to deliver Upper Tuesley. The HCA will put in place a strict contract to ensure delivery of the planning application.
13	Is it intended that there shall be no increase in the area to be developed? If so, should there not be a S.106 condition limiting the overall square footage of the development? Should a further S.106 condition not also be put in place limiting the overall square footage of the development?	An application for reserved matters would need to comply with the parameters of any outline approval. Any further development will be assessed on its own merits and would be assessed against the Development Plan Policies applicable at the time of any future application.
14	The S.106 contributions of approx. £500,000 are based on a formula produced by Waverley. The contributions agreed seem very small for a scheme of this size and nature. Can they not be increased by agreement? The proposed allocation for education seems particularly modest.	As members are aware it is not appropriate to identify contributions to be paid by a developer without strict justification. The tests for the justification are set out. Local Plan Policies D13 and D14 are applicable. Policy D14 sets out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. 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: <ul style="list-style-type: none"> • 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 NPPF emphasises that to ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

Given the legal framework officers are satisfied that the current set of required contributions meets the tests. However any further requests may not be either justified and/or financially viable.