

To: All Members of the JOINT
PLANNING COMMITTEE
(Other Members for Information)

When calling please ask for: Ema Dearsley

Democratic Services Officer
Policy and Governance

Direct line: 01483 523224

Calls may be recorded for training or monitoring

E-Mail: ema.dearsley@waverley.gov.uk

Date: 10 March 2014

Membership of the Joint Planning Committee

Cllr Brian Ellis (Chairman)	Cllr Simon Inchbald
Cllr Peter Isherwood (Vice Chairman)	Cllr Carole King
Cllr Stella Andersen-Payne	Cllr Nicky Lee
Cllr Paddy Blagden	Cllr Stephen O'Grady
Cllr Maurice Byham	Cllr Julia Potts
Cllr Elizabeth Cable	Cllr Stefan Reynolds
Cllr Jenny Else	Cllr Adam Taylor-Smith
Cllr Mary Foryszewski	Cllr Jane Thomson
Cllr Pat Frost	Cllr Brett Vorley
Cllr Richard Gates	Cllr John Ward
Cllr Michael Goodridge	Cllr Nick Williams
Cllr Stephen Hill	

Dear Councillor

A meeting of the JOINT PLANNING COMMITTEE will be held as follows:-

DATE: WEDNESDAY 19 MARCH 2014

TIME: 7.00pm

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,
GODALMING

Yours sincerely

Robin Taylor

Head of Policy and Governance

* This meeting will be web cast and can be viewed by visiting
<http://www.waverley.gov.uk>

If you would like a copy of this agenda or the attached papers in another
format, e.g. large print, on tape or in another language, please call
01483 523224

AGENDA

1. MINUTES

To confirm the Minutes of the Meeting held on 18 June 2013 (to be laid on the table half an hour before the meeting).

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. DISCLOSURE OF INTERESTS

To receive from Members declarations of interests in relation to any items included on the Agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

4. QUESTIONS BY MEMBERS OF THE PUBLIC

The Chairman to respond to any questions received from members of the public of which notice has been given in accordance with Procedure Rule 10.

5. LAND ADJOINING MILFORD HOSPITAL, TUESLEY LANE – WA/2013/1926

Application for the approval of appearance, landscaping, layout and scale (“reserved matters”) pursuant to outline planning permission WA/2012/1592 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 at Milford Hospital, Tuesley Lane, Godalming GU7 1UF.

A full report on the above application is attached as APPENDIX A.

Recommendation

That, subject to the receipt of a suitably amended plan regarding parking provision, the following matters; appearance, landscaping, layout and scale (reserved matters) be APPROVED subject to conditions.

6. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business transacted or the nature of the

proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

7. LEGAL ADVICE

To consider any legal advice relating to any application in the agenda.

**For further information or assistance, please telephone Ema Dearsley
Democratic Services Officer on extension 3224 or 01483 523224 or
ema.dearsley@waverley.gov.uk**

APPENDIX A

JOINT PLANNING COMMITTEE 19 MARCH 2014

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".

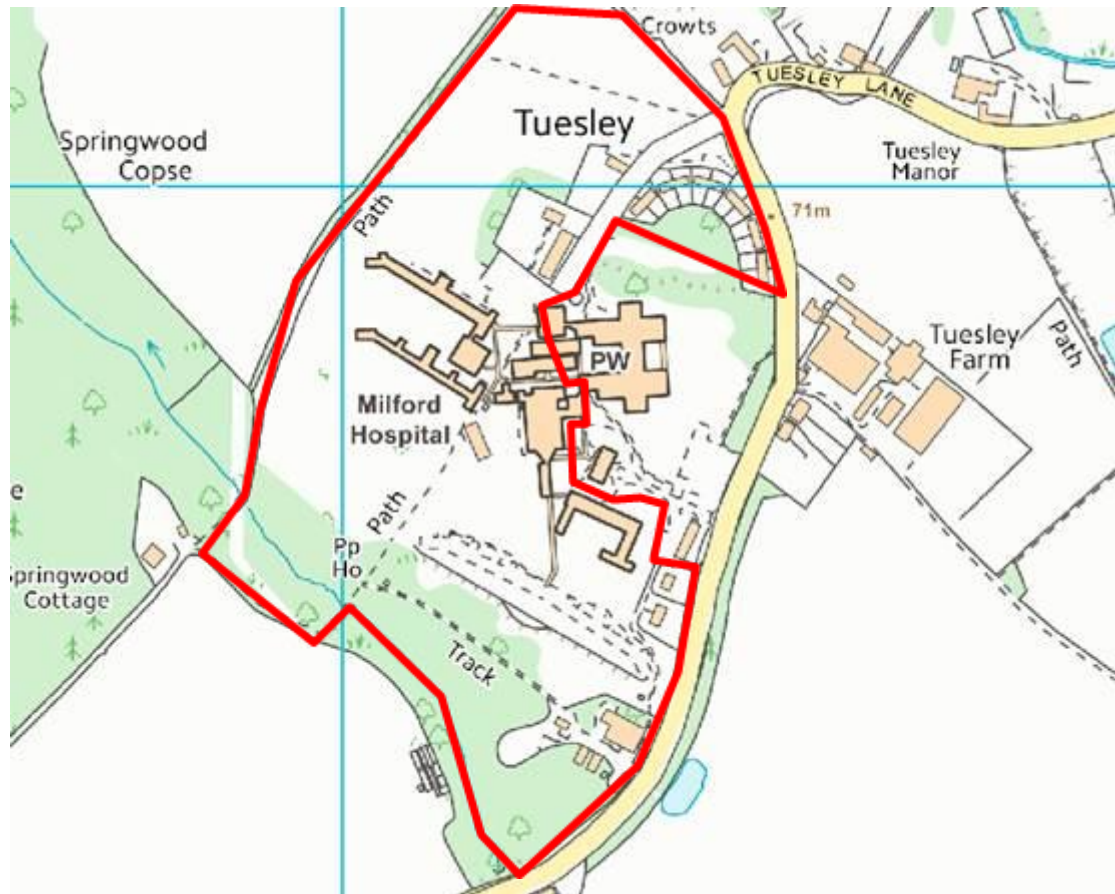
The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report.

A1	WA/2013/1926 P Green David Wilson Homes 14/11/2013	<u>Application for the approval of appearance, landscaping, layout and scale ("reserved matters") pursuant to outline planning permission WA/2012/1592 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 at Milford Hospital, Tuesley Lane, Godalming GU7 1UF (as amended by plans received 04.02.2014 and 24.02.2014)</u>
	Committee: Meeting Date: Public Notice Grid Reference:	Joint Planning 19/03/2014 Was Public Notice required and posted: Y E: 496139 N: 141847
	Parishes: Wards : Case Officer:	Busbridge and Witley Bramley, Busbridge and Hascombe; Milford Mrs H Hobbs
	16 Week Expiry Date Neighbour Notification Expiry Date Neighbour Notification Amended/Additional Expiry Date	13/02/2014 02/01/2014 18/03/2014
	RECOMMENDATION	That, subject to the receipt of a suitably amended plan regarding parking provision, the following matters; appearance, landscaping, layout and scale (reserved matters) be APPROVED subject to conditions.

Introduction

The application has been brought before the Joint Planning Committee because the proposal does not fall within the Council's Scheme of Delegation.

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.

Background

Section 92 of the Town and Country Planning Act 1990 defines "Outline Planning Permission" as planning permission granted with the reservation for subsequent approval by the local planning authority of matters not particularised in the application ("reserved matters"). Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 defines "Reserved Matters" as access, appearance, landscaping, layout and scale. On the 31/07/2013, the Joint Planning Committee resolved to grant outline planning permission Ref WA/2012/1592 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, subject to a planning condition, reserving for subsequent approval, “reserved matters” appearance, landscaping, layout and scale. The current application seeks approval for the reserved matters.

A definition for each of the reserved matters is contained within the Town and Country Planning (Development Management Procedure) (England) Order 2012 where it states:

“scale” means the height, width and length of each building proposed within the development in relation to its surroundings;

“appearance” means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

“landscaping”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
- (e) the provision of other amenity features;

“layout” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

Whilst the above matters were “reserved” for further approval under the outline permission, access was the single matter that was included, considered and approved subject to the inclusion of relevant conditions. As such, the principle of the development and means of access have been approved and established. These matters are not therefore before the Committee for consideration under the current application.

In determining this application, it is relevant to consider whether there have been any material changes in planning circumstances since the earlier outline planning permission Ref WA/2012/1592 was granted. Since the granting of the outline planning permission, the Council’s Core Strategy has been

withdrawn; the Waverley Borough Council Parking Guidelines 2013 have been adopted; and the Government has published the National Planning Policy Framework Guidance. These matters are material changes in policy circumstances since the outline permission. The outline permission remains extant however, these new documents/consideration will be included in the following assessment where material to the consideration of reserved matters.

Members should note that if the reserved matters are approved such an approval is not a planning permission in its own right but has to be read in conjunction with the outline planning permission. Planning conditions imposed on the outline planning permission will remain in force and would not therefore be repeated on any reserved matters approval.

Proposal/the Reserved matters

This application comprises the information which was reserved for future consideration (reserved matters) by way of planning condition imposed on outline permission Ref WA/2012/1592. The reserved matters were appearance, landscaping, layout and scale. It is these matters which are now before the Committee for consideration. Copies of some of the plans are appended as Annexe 2.

The outline planning permission established the principle of the development and conditionally approved details of access and off site highway improvements. This is the subject of planning conditions imposed upon the outline planning permission.

Members will recall that the outline application proposed the following mix of housing which included the refurbishment of 12 existing dwellings. 48 of the dwellings would be “affordable” (within the meaning of the NPPF):

Bedrooms	Number of units proposed
1	2
2	27
3	37
4+	54
Total	120

1. Layout

The submitted plans show 120 dwellings of which 104 would be new dwellings. 48 of these including 12 existing, would be affordable dwellings in terms of the definition in the NPPF. The applicant has submitted a schedule of development to confirm that the proposed aggregated footprint of the new dwellings would be 8,000 sq m which complies with the outline permission.

The development would provide approximately 22,000 sq m. of private and secure rear gardens/amenity space and approximately 4,450 sq. m. of front

gardens and soft landscaping and 6,200 sq. m of hard landscaping. The proposed flats would have patios or balconies.

The Design and Access Statement explains that the layout is based on the identification of two character areas. "The Hospital Edge" is described as the interface with the retained hospital with the layout reflecting the formality of the retained hospital buildings and the crescent of retained cottages to the north east. The dwellings in this area include short terraces and semi-detached dwellings. The exception is the ten proposed "custom build" units to the north of the retained hospital. The second character area is "The Farmsteads" which would be separated from "The Hospital Edge" by the central spine road and an area of open space which includes the play area.

"The Farmsteads" dwellings have been designed to reflect the tradition for farmhouses and associated barns and have been laid out to take account of the topography and retained trees as well as desire lines for movement. The dwellings in this area have an informal arrangement.

The plans show a central spine road which would be narrower at the northern end. A secondary road would branch off this road at the southern end of the site and would serve "The Farmsteads". Individual properties and groups of properties would be accessed from these two main routes.

The affordable housing would be fully integrated and would be within "The Hospital fringe".

Parking would be provided either within the front gardens of the properties or in parking forecourts.

2. Scale

At the outline application stage, the applicants supplied the upper and lower limits (scale parameters) for the height, width and length of each of the buildings included in the proposed development. The outline application 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 submitted plans show that of the new dwellings (including the block of flats) 12 would be three storey, 88 would be two and a half storey and 4 would be two storey. All the dwellings would be less than 11 m high. The block of flats would be the only building measuring 11 m high.

3. Landscape

The application plans show that the existing woodland and hedgerows around the perimeter of the site would be retained, with a new linear park being the principal organising feature, providing a walking, cycling route winding through the existing mature trees. The open spaces would include recreational, amenity and play with enhanced wildlife corridors for biodiversity.

The Design and Access Statement states that the following key principles have been applied to the landscaping;

- Protect and preserve significant trees
- Extend existing woodland area to connect north and south of the site and to provide a recreational and wildlife link with the countryside;
- Woodland glades at the entrances;
- Retain and replant remnant orchard and provide a new orchard close to the eastern boundary,
- Provision of a formal parklands setting for the flats that preserves specimen trees and landforms as a reference to the former landscape.
- The maximum number of Grade A and B trees would be retained together within individual specimen trees and groups of trees.
- The planting of 400 new trees including many native trees with more ornamental species in the centre of the parkland.
- A variety of other planting would include hornbeam hedging, shrubs and herbaceous planting, woodland glade planting, bulbs and a mixture of types of grass.
- The principal vehicle route would pass along the central parkland and through wooded glades;
- The Public Right of Way would be diverted through the central parkway;
- A cycleway would be provided through the development, improved woodland walks would be provided ;
- Play and activity trials would be provided in the parkland area.
- The hard landscaping would include block paving, granite kerbs, textured setts and tar sprayed chippings.

4. Appearance

The proposal provides for three design types; “The Hospital Fringe” dwellings which would pick up the architectural forms of the surrounding settlements; “The Farm Houses” which would be the largest houses on the site and would have accommodation on three floors with a brick core to the building and asymmetric window arrangements; and “The Farm Barns” would be based on a series of barn buildings and would include double height glazed atriums and different combinations of materials to give the buildings individuality.

The palette of materials would include timber, tile hanging and brick.

Relevant Planning History

WA/2012/1592	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	Outline Permission granted 31/07/2013 (including access)
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Planning Policy Constraints

Major Developed Site
Green Belt – outside any 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
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
H10	Amenity and Play Space
IC12	Working from Home
CF2	Provision of New Community Facilities
LT11	Walking, Cycling and Horse Riding
RD6	Major Developed Sites
M4	Provision for Pedestrians
M5	Provision for Cyclists
M9	Provision for People with Disabilities and Mobility Problems
M14	Car Parking Standards

The Council has been working on a two stage process to replace the existing Waverley Borough Local Plan. Part 1 was the Core Strategy, which was submitted for Examination in January 2013. Following the first Examination Hearings in June the Examination was suspended. This was due to concerns that the Inspector had principally regarding the evidence of housing need and the approach to meeting these needs. The Inspector suggested that the most appropriate course of action to address his concerns may well be to withdraw

the Plan from Examination. Therefore, on 15th October 2013, the Council resolved to formally withdraw the Core Strategy from the Examination.

The Council will now move forward with a new Local Plan, building on the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. It will also be updating the evidence base and carrying out other work required in response to the Inspector's comments, before a revised plan is re-submitted for examination. The intention is to consult on issues and options in the summer of 2014, with provisional dates for publication in November 2014; submission in February 2015 and adoption in October/November 2015.

Other guidance:

- The National Planning Policy Framework 2012 (NPPF)
- National Planning Practice Guidance (NPPG) (March 2013)
- Upper Triesley (land adjacent to Milford Hospital) Development Brief (July 2012)
- Surrey County Council Vehicular and Cycle Parking Guidance (2012)
- Waverley Borough Cycling Plan SPD (2005)
- Surrey Design Guide (2002)
- Climate Change Background Paper (January 2011)
- Waverley Borough Council Open Space, Sport and Recreation (PPG17) Study 2012
- Reaching Out to the Community – Local Development Framework-Statement of Community Involvement – July 2006
- Residential Extensions Supplementary Planning Document 2010 (SPD)
- Waverley Borough Council Parking Guidelines 2013

Consultations and Town/Parish Council Comments

County Highway Authority	<p>The Highway Authority has reviewed the reserved matters application which is seeking approval for matters relating to appearance, landscaping, layout and scale. It is important to note that the highway and transportation implications of the proposed development were fully assessed by the Highway Authority as part of the outline planning application. The detailed design of the package of highway improvements to be delivered by the developer is now being progressed under a S278 agreement with Surrey County Council.</p> <p>With regard to the reserved matters submitted relating to layout, the Highway Authority has no requirements with regard to the layout/design of internal estate roads. Details of vehicle/cycle parking spaces and provision of electric vehicle charging points will need to be submitted to discharge the relevant conditions attached to the outline planning consent (WA/2012/1592).</p>
Busbridge Parish	The representations from Busbridge Parish Council are attached as Annex 1. In summary the observations and comments have been

Council	<p>raised in respect of the following:</p> <ol style="list-style-type: none"> 1. Building height, building appearance and architectural finishes: 2. Internal building layout: 3. Self build houses: 4. Use of open land: 5. Further use of open land: 6. Water Tower: 7. Play Area-Central Parkland: 8. Car parking for hospital staff and visitors: 9. Future site grounds maintenance: 10. Vehicle entrance to the development site: 11. Footpath 161-Route to Milford Station:
Council's Air Quality Officer	<p>The previous comments in relation to Air Quality which were taken into account in the consideration of the outline application and for which conditions were imposed on the outline permission are reiterated.</p>
Council's Environmental Health Officer	<p>The previous comments in relation to possible disturbance to adjacent dwellings which were taken into account in the consideration of the outline application and for which conditions were imposed on the outline permission are reiterated.</p>
Surrey Hills AONB Planning Advisor	<p>No AONB comments to make.</p>
Natural England	<p>In summary No objections but provide guidance on:</p> <ul style="list-style-type: none"> • Protected species • Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006 • Local wildlife sites • Biodiversity enhancements • Landscape enhancements
Environment Agency	<p>In summary No objection but provide guidance on:</p> <ul style="list-style-type: none"> • Surface Water Drainage • Biodiversity - Buffer Zone • Remediation Action Plan
County Archaeologist	<p>The County Archaeologist has confirmed that the photographic recording has been completed, that most of the evaluation of the site was negative but did identify two probable prehistoric pits and this will be investigated. When the remaining archaeological excavation has been completed a report will be produced and any</p>

	further work identified. (This is in accordance with the condition imposed on the outline permission WA/2012/1592).
County Countryside Access Officer	No objection but provides guidance on the need for the diversion of Footpath 161 to be dealt with by way of a separate legal process under Section 257 of the Town and Country Planning Act 1990. Reference is made to ongoing discussions relating to the dedication of routes within the site.
Council's Waste and Recycling Co-ordinator	<p>The plan indicates where the bins are to be located for each of the individual dwellings and the legend refers to allowance made for a black residual waste bin, a blue recycling bin and a waste food caddy. No mention is made of garden waste bins which may be required on the properties with gardens – if a subscription is made. The applicable properties will be able to accommodate the additional bin, if required.</p> <p>With regard to the flats (Units 57 to 68) There are 2 x 1 bed flats and 10 x 2 bed flats indicated. The refuse storage requirements to be 1900 litres or 2 x 1100 litre bins. A similar amount of recycling would be required: 8 x 240 litre wheeled bins.</p> <p>A communal 140 litre food waste bin should be provided for the 12 dwellings.</p> <p>The developer should clarify access for the refuse collection crew and vehicle, bearing in mind that the crew should not have to transport the bins more than 25 metres from the binstore to the collection vehicle.</p>

Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006” the application was advertised in the newspaper on 06/12/2013 and site notices were displayed around the site and neighbour notification letters were sent on 25/11/2013 and again on 25/02/2014.

24 letters were received objections on the following grounds:

Traffic

- Will cause severe traffic problems in Tuesley Lane and Ladywell Hill
- More traffic, critical traffic danger and congestion
- Local roads are narrow, often single-tracked and in a poor state throughout the year, additional traffic will jeopardise highway safety.
- Any proposals to direct traffic away to Milford will not work as slower route than through Tuesley to Godalming
- Public transport cannot support proposal

- Station Lane already dangerous for pedestrians as footpath is of inadequate width.
- Development will attract more heavy goods and large delivery vehicles
- Traffic lights cannot ease traffic flow
- Car parks are already overflowing
- Changes proposed to Rake Lane would be obstructive, increase congestion and increase danger to children and pedestrians.
- Rake Lane should be made a no-through road or additional traffic should be discouraged from this route
- Changes to Rake Lane likely to cause more accidents
- Rural nature and historic characteristics of Rake Lane should be maintained
- Doesn't address the issue of increased traffic through Busbridge.
- Passing places proposed are inadequate for two way traffic
- Passing places should be provided, or the roads widened.
- Blind corners have not been addressed
- The scale of the proposed units are unacceptable without addressing the local traffic system.
- The Transport Assessment was inadequate and a full traffic survey could not have been done
- Ladywell Hill is not suitable for increased traffic without traffic management measures.
- Access to the development from the Convent is dangerous and increased traffic would need control.
- Traffic lights would be beneficial on Ladywell Hill for cars, cyclists and walkers.
- Should reassess widening the narrow passing place on Ladywell Hill
- Scale of development should be reduced to generate only minimal traffic

Other

- Impact and strain on waiting lists for doctors' surgeries and schools and impacts on local shops should be considered
- Power and water supplies already cannot cope with many power cuts, they will not cope with more dwellings.
- Enhanced noise and pollution
- Rural nature and historic characteristics of Rake Lane should be maintained
- Proposal will diminish a very highly used amenity area for recreation

Determining Issues

1. Principle of development
 - a) Compliance with Green Belt Policy
 - b) Design/Impact on Visual Amenity
 - c) Impact on residential amenity
 - d) Impact on landscape
2. Landscaping
 - a) Compliance with Green Belt Policy

- b) Design/Impact on visual amenity
 - c) Impact on residential amenity
 - d) Impact on landscape
3. Layout
- a) Compliance with Green Belt Policy
 - b) Design/Impact on visual amenity
 - c) Impact on residential amenity
 - d) Impact on landscape
 - e) Parking Provisions
4. Scale
- a) Compliance with Green Belt Policy
 - b) Design/Impact on visual amenity
 - c) Impact on residential amenity
5. Climate change and sustainability
6. Biodiversity and compliance with Habitat Regulations 2010
7. Effect upon Special Protection Area
8. Crime and disorder
9. Water Frameworks Regulations 2011
10. Accessibility and Equalities Act 2010 Implications
11. Human Rights Implications
12. Environmental Impact Regulations 2011
13. Waste (England and Wales) Regulations 2011
14. Third Party and Parish Council Comments
15. Working in a positive/proactive manner

Planning Considerations

Principle of development

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management) and condensed their contents into a single planning document. Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the saved policies in the development plan unless material considerations indicate otherwise. The Waverley Borough Local Plan 2002 remains the starting point for the assessment of this proposal.

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes 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 consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

This application is for reserved matters following an outline planning permission Ref WA/2012/1592. Therefore, the principle of development has already been established and only the reserved matters are to be considered in the assessment of this application. The matters which have been reserved for consideration are the appearance, landscaping, layout and scale. The report will consider the reserved matters in turn, in addition to any other relevant considerations.

a) Compliance with Green Belt Policy

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:

- 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.

Policy RD6 of the Local Plan which identifies Milford Hospital as a Major Developed Site in the Green Belt should be read in conjunction with the NPPF. 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. The Council has confirmed in granting outline consent under WA/2012/1592 that the Milford Hospital site constitutes previously developed land and the development in principle complies with Policy RD6 of the Local Plan. It would not be reasonable nor appropriate to take a different approach to that principle in the assessment of the reserved matters.

b) Design/Impact on visual amenity

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

c) Impact on residential amenity

The NPPF 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 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.

d) Impact on landscape

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.

Reserved Matters

1. Appearance

a) Compliance with Green Belt Policy

The NPPF, paragraph 81, states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial uses of the Green Belt, such as looking for opportunities to *inter alia* retain and

enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The outline planning permission (Ref WA/2012/1592) was determined as being in compliance with Policies C1, RD6 of the Local Plan, the Development Brief and the guidance in the NPPF. The proposed buildings which would replace former hospital buildings are considered to be of a design which includes elements of the local vernacular and would be laid out within the site to retain areas of open space which would contribute to the openness of the Green Belt. As such, it is concluded that the appearance of the proposal would not be materially harmful to the openness or appearance of the Green Belt. The proposed development is therefore considered to comply with Local Plan Policies C1, RD6 and with the Development Brief.

b) Design and impact on visual amenity

There would be limited views into the site and given the intention to retain existing trees and undertake the planting of approximately 400 additional trees it is concluded that the proposal would not detract from the character and appearance of the wider area.

The individual dwellings would be two and a half/three story in height with elevations broken up and a variety of traditional materials, (including wood, brick and tiles), would be used. This would reflect the local pallet. The buildings would be a contemporary interpretation of the Surrey Vernacular. The site would be inward looking and centred around the open space which would include the play area. This would give the development a sense of cohesion whilst being permeable as there would be a combination of shared road/footpath surfaces as well as paths/cycle routes.

c) Impact on landscape

The site is adjacent to an Area of Great Landscape Value (AGLV), the boundary of which is Tuesley Lane to the east.. Views into the site are limited and the proposal including the planting of 400 trees would provide additional screening for the proposed dwellings.

Within the site the applicant is proposing a central landscaped open area/parkland together with the enhancement of the exiting orchard and the planting of a second orchard. The appearance of the development would be spacious with a semi-rural character and as such would be in keeping with the surrounding countryside and hospital.

Individual dwellings and the block of flats would be designed to harmonise with the more formal denser development of the existing hospital buildings and with the more spacious character of development in the countryside beyond due to the choice of materials and their contemporary interpretation of the Surrey Vernacular. Combined with the extensive landscaping, this would result in a development which would not have an adverse impact on the wider landscape or the character and appearance of the AGLV.

2. Landscaping

a) Compliance with Green Belt Policy

The NPPF, Paragraph 79 states the essential characteristics of Green Belts are their openness and permanence. Paragraph 81, states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial uses of the Green Belt, such as looking for opportunities to, inter alia, retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

The Design and Access Statement states that the following key principles have been applied to the landscaping;

- Protect and preserve significant trees
- Extend existing woodland area to connect north and south of the site and to provide a recreational and wildlife link with the countryside;
- Woodland glades at the entrances;
- Retain and replant remnant orchard and provide a new orchard close to the eastern boundary,
- Provision of a formal parklands setting for the flats that preserves specimen trees and landforms as a reference to the former landscape.
- The maximum number of Grade A and B trees would be retained together within individual specimen trees and groups of trees.
- The planting of 400 new trees including many native trees with more ornamental species in the centre of the parkland.
- A variety of other planting would include hornbeam hedging, shrubs and herbaceous planting, woodland glade planting, bulbs and a mixture of types of grass.
- The principal vehicle route would pass along the central parkland and through wooded glades;
- The Public Right of Way would be diverted through the central parkway;
- A cycleway would be provided through the development, improved woodland walks would be provided ;
- Play and activity trials would be provided in the parkland area.
- The hard landscaping would include block paving, granite kerbs, textured setts and tar sprayed chippings.

The landscaping would enhance the visual character of the site and contribute to the openness of the Green Belt. As such, the scheme as submitted is considered to comply with Local Plan Policy C1 and the guidance on Green Belts in the NPPF.

b) Design/Impact on visual amenity

The submitted landscaping scheme would incorporate a significant amount of open space which would include a parkland area in the centre of the site, where the play area would be located, together with the planting of glades at the entrances, the planting of a new orchard and the encroachment of the existing orchard. Extensive planting would be carried out throughout the site

and this would be maintained by a Management Company which is required to be set up in the Legal Agreement which was completed prior to the issuing of the outline permission under WA/2012/1592. Once carried out, the proposed landscaping scheme would complement the design of the individual dwellings and would enhance the character and appearance of the area.

The plans show that all the properties, with the exception of the flats, would have individual private gardens which would be defined by 1.8 m high close boarded fences between properties. The boundaries with the public realm would be marked by 1.8 m high masonry walls or 1.8 m high *Carpinus Betulus* (Hornbeam) hedges. Front gardens would be demarcated by 1.2 m two rail split timber fences or 0.6 m timber posts at 1.5 m centres. The proposed boundary treatment is considered to be appropriate for this rural location.

Extensive areas of planting including trees, orchard, shrubs and grassed area are proposed which would provide a setting for the proposed buildings and would enhance the character and appearance of the area.

The landscaping would take account of the existing levels of the site for example existing areas of steep slopes in the southern part of the site would be retained as grassy banks.

The landscaping scheme includes a Locally Equipped Area of Play (LEAP) in the central parkland area of the site. This would be accessible to all residents as well as benefitting from natural surveillance, which are positive assets. The Design and Access Statement explains that, in addition, a number of small Local Areas for Play (LAPs) would be provided within the orchards and glades to provide incidental play facilities.

The landscaping would enhance the character and appearance of the area.

c) Impact on residential amenity

It is considered that as far as the landscaping is concerned the proposal would enhance the character and appearance of the area to the benefit of neighbouring residential occupiers and the users and patients of the hospital. The landscaping would therefore comply with Policies D1 and D4 with respect to impact upon residential amenity.

3. Layout

a) Compliance with Green Belt Policy

The proposed layout would provide space between buildings and extensive areas of planting. As such the development would contribute to maintaining the openness of the Green Belt and would enhance the character and appearance of the area and would therefore comply with Policy C1 and the guidance in the NPPF on Green Belts.

b) Design/Impact on visual amenity

The layout of the buildings and routes and open spaces would provide a permeable development which would enhance the settings of the individual buildings. There is space within the individual gardens for the storage of bins for refuse and recycling. The proposed block of flats would include space at ground floor level for communal bicycle and refuse/recycling storage. A condition is recommended, in the event that the reserved matters are approved, requiring the provision of the refuse/recycling storage.

The layout would be of an informal rural character and would represent an appropriate transition with the surrounding countryside.

c) Impact on residential amenity

It is considered that as far as the layout is concerned the proposal would enhance the character and appearance of the area to the benefit of neighbouring residential occupiers and the users and patients of the hospital. The layout would cater for the future occupiers of the site by providing a convenient layout to suit the efficient needs of residents by way of a connections and access ways.

Individual dwellings would be orientated to make use, where possible, of their orientation to make use of solar gain. The extensive area of open space with individual secure gardens would ensure that there is adequate amenity space for the occupiers of the units. The distances between the properties and the orientation of the dwellings would not lead to unneighbourly relationships, including overlooking or dominance both to new and existing dwellings.

The layout would therefore comply with Policies D1 and D4 with respect to residential amenity.

d) Impact on landscape

The layout would link the development to the surrounding road and footpath/bridleway network. The extensive areas of open spaces would enhance the character and appearance of the area.

e) Parking Provisions

The outline application was determined prior to the adoption of the Council's Parking Guidelines in 2013. These guidelines recommend 1 space per 1 bed unit, 2 spaces for a 2 bed unit and 2.5 spaces for units with 3 bedrooms or more. This would require 244 parking spaces for the development (excluding the dwellings in the Crescent).

The plans show that with the exception of plot 38 all the dwellings in "the Farmstead" area would have at least three spaces (including garage space). The one and two bed units have two spaces and within the development as a whole 12 parking spaces for visitors would be provided however eight of these spaces would be temporary as they would be associated with the sales area/show house. The applicant has been asked to revise the layout to show

visitor spaces in the vicinity of the plots for the three and four bedroomed units which only have two on site parking spaces to ensure compliance with the Council's Adopted Parking Guidelines. Negotiations are continuing on this matter and this issue is expected to be resolved by the time of the meeting. An oral report will be made to the Committee on this aspect of the development.

4. Scale

a) Compliance with Green Belt Policy

The current reserved matters application should be assessed against the criteria in Policy RD6. of the Local Plan.

(a)

- (i) The development, would occupy a greater proportion of the site than the existing buildings, i.e. 8,000 sq m footprint compared with 7,897 sq m (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 not considered to be material and this was accepted at the outline stage in relation to the indicative drawings submitted under that application. 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 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 details comply with the parameters of scale submitted and agreed at outline stage which 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 proposed gross footprint of 8,000 sq m also complies with the Development Brief and the outline permission which was considered to be in compliance with Policy RD6.

b) Design/Impact on visual amenity

The individual dwellings would be two, two and a half or three storeys in height. Where possible use is made of the roof space and the maximum height of any of the dwellings and flats would be no more than 11 m. The widths and length of the buildings would be in proportion to the height and given that the total footprint complies with the outline permission and the Development Brief and these dimensions are also considered to be appropriate in the context of this site.

c) Impact on residential amenity

It is considered that as far as the scale is concerned the proposal would not constitute material harm to the amenities of the occupiers of neighbouring properties or to users and patients of the hospital because it would not be an overbearing form of development. The scale would therefore comply with Policies D1 and D4 with respect to impact upon residential amenity.

d) Impact on landscape

The scale of the buildings has been put forward as part of a comprehensive proposal which is intrinsically linked with the layout, appearance and landscaping and, as such, it is considered that, overall, the proposal would enhance the character and appearance of the landscape of the area.

5. 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.

It is considered that this reserved matters scheme would 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.

6. Climate change and sustainability

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.

These requirements in respect of sustainability are met by way of the inclusion of appropriate conditions on the outline planning permission and there is not objection to the application on these grounds.

7. 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, 2 of which border the site to the north and south. In addition, the site has a small area of traditional orchard and is boarded by deciduous woodland; both of which are listed as a UK BAP habitat. The Phase 1 Habitat Survey submitted with the outline planning application concluded that the proposed development would not be likely to directly affect any statutory designated sites, subject to the provision of 2.2ha of Suitable Alternative Natural Green Space on site (SANG). This SANG is secured by the legal agreement that was concluded under the outline permission. 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 recommended its retention (this would be achieved by planning condition imposed on the outline planning permission).

Planning conditions were imposed on the outline planning permission to secure mitigation measures recommended in the submitted surveys. Officers consider that the reserved matters application, if approved, would not conflict with these conditions and any biodiversity implications would be satisfactorily mitigated by the requirement and provision of the conditions. As such no objection is raised on Biodiversity grounds.

8. Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed 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

The proposal would not conflict with these regulations.

9. 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. This was to be provided in a single block within the Upper Tuesley site and designed to meet the requirements of those new residents who might otherwise visit the SPA. 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 outline application sought to address the potential effect upon the SPA. An area of 2.2 ha of ancient woodland on either side of the stream to the south of the site land is to be used as Alternative Natural Green Space SANG and the long term retention of this land for that purpose is provided for and maintained through the S106 Agreement linked to the outline permission. 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, SAC or Ramsar site.

10. Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

11. Human Rights Implications

The proposal would have no material impact on human rights.

12. 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.

13. Environmental Impact Regulations 2011

The proposal has been assessed to be EIA development under Schedule 2 of the EIA Impact Regulations 2011 under the outline permission. In accordance with Regulation 8 of the Regulations 2011, Officers consider that the environmental information (Environmental Statement submitted with outline planning permission WA/2012/1592) already before the Local Planning Authority is adequate to assess 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). In addition, it is considered that the environmental information already submitted 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.

The proposal would not therefore have a significant environmental effect subject to the inclusion of relevant mitigation measures.

14. 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 the Council's obligations under the 2011 Regulations, a planning condition was imposed on the outline planning permission, requiring the applicant to submit a waste minimisation strategy.

15. Third Party and Parish Council Comments

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

In response to the comments of Busbridge Parish Council the following points are considered relevant:

1. Building height, building appearance and architectural finishes;
Concern has been raised about a lack of empathy with the existing buildings on the site, the lack of variation of buildings, the nature of the finishes, the use of external shutters and lack of information on lattices and pergolas.

Officers are satisfied that the details are compliant with the outline planning permission in respect of the scale of the buildings and that, with careful attention to detail, the resultant dwellings would be attractive and would reflect the local vernacular.

2. Internal building layout
The Parish Council has expressed concern that the dwellings do not appear to show space for lifts and would not be suitable for the elderly as well as families (Buildings for Life). The buildings would be constructed in accordance with the Building Regulations. Officers raise no objections in this respect.
3. Self build houses
Concern is expressed that the original concept of “self build” has become “custom build”. Officers acknowledge that the proposed self build dwellings may not reflect the more traditional definition of self build. However, officers raise no objection on this ground. The acceptability of the scheme in planning terms does not depend upon any proportion the proposed dwellings constituting “self build”.
4. Use of open land.
The Parish Council would like to see a communal hall and communal sports area. Officers would advise that this was not part of the outline permission. The applicant will be contributing towards planning infrastructure in the area and as such these on site facilities cannot be requested as part of the details.
5. Further use of open land
The Parish Council is concerned that open land on the site could be developed in the future. Officers are not aware of any proposals for future development in or around the site. Any subsequent application would be considered on its merits having regard to the Development Plan and other material considerations.
6. Water Tower
The Parish Council have sought clarification about the use area where the Water Tower stands. The site of the Water Tower, which would be demolished, would be landscaped.
7. Play Area – Central Parkland.
The Parish Council has expressed concern about the size and nature of the play area. The outline permission requires the provision of a Locally Equipped Area of Play (LEAP) and the proposed layout and equipment complies with this requirement.

8. Visitor car parking
The Parish Council has expressed concern that there might be insufficient visitor car parking. This comment is noted. As stated above the applicant has been asked to increase the parking in parts of the site where it is deemed to be insufficient and an oral report will be presented to members on this matter.
9. Car Parking for hospital Staff and visitors.
The Parish Council has expressed concern that there may not be sufficient parking for the hospital. The Section 106 legal agreement requires the applicant to use reasonable endeavours to submit applications for all necessary consent including planning permission for Car Parking spaces for the Hospital.
10. Future site grounds maintenance.
The Parish Council has sought clarification about the maintenance of the site. The maintenance of the site will be carried out by a management company which is required to be set up under the terms of the legal agreement.
11. Vehicle entrance to the development site.
The Parish Council has expressed concern about the fact that the access to the northern entrance would be narrow. The access has been approved as part of the outline permission and does not form part of this application. In any event the internal road layout has been designed to discourage the use of the northern access to Tuesley Lane.
12. Footpath 161 – Route to Milford Station
The Parish Council considers that the route to Milford Station should be hard surfaced and lit. This was not part of the outline permission and cannot be a stipulation of the current application.
16. 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. This included the following:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- 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;
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

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

Conclusion

The principle of development for 104 new dwellings and the refurbishment of 16 existing dwellings and access have been approved by the outline permission under WA/2012/11592. The current application is in connection with the reserved matters; scale, appearance, landscaping and layout including the provision of 40% affordable housing.

Officers consider that the appearance, scale, landscaping and layout 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.

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.

In relation to impact on visual and residential amenities, officers considered that the appearance, layout, scale and landscaping would not materially impact on neighbouring residential occupiers or the users and patients of the hospital and moreover, would provide a level of amenity and play space in accordance with Local Plan requirements.

With regards to the landscape and visual amenity impact 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, 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 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 satisfactorily 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 Statement which accompanied the outline permission WA/2012/1592 and responses to it, together with proposals for mitigation, the following matters; appearance, landscaping, layout and scale (the reserved matters) be APPROVED subject to the following conditions:

1. Condition

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

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending those Order with or without modifications), no development within Part 1, Classes A, B, C or D shall take place on the dwellinghouses hereby permitted or within their curtilage, unless otherwise first agreed in writing by the Local Planning Authority.

Reason

In the interests of the visual amenities and character of the area in accordance with Policies C1, D1 and D4 of the Local Plan 2002.

4. Condition

Prior to the commencement of the development, excluding demolition, details of the proposed gate restricting vehicular access to emergency and refuse vehicles and the proposed pedestrian gate shall be submitted for approval, in writing, by the Local Planning Authority. The details once approved shall be erected in accordance with the approved plans within one month of the sale of the last property.

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

5. Condition

The temporary sales building on plot 40 shall be demolished within 3 months of the sale of the last property and the dwelling built in

accordance with the plans shown on plan numbers MFH AL02 043E, MFH AL02 045F, MFH AL02 046C, MFH AL02 047B.

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

6. Condition

The temporary visitor parking shall be removed within 3 months of the sale of the last property and the land planted in accordance with the approved landscaping scheme.

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

7. Condition

Prior to the commencement of the development, excluding demolition, details of the proposed bus shelter and any other street furniture shall be submitted for approval, in writing, by the Local Planning Authority. The details once approved shall be erected in accordance with the approved plans within one month of the sale of the last property.

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

8. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification) no fences, boundary walls or other means of enclosure, other than as may be approved as part of this permission, shall be provided forward of any wall of that dwelling or adjoining dwelling which fronts onto any highway.

Reason

In the interest of the amenities of the area, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002.

9. Condition

The plans to which the decision relates are MFH AL02 005, 010M, 011E, 012A, 013, 015, 016, 030F, 031C, 032G, 033E, 035F, 036, 037C, 038C, 040G, 041C, 042D, 042-1, 043E, 045F, 046C, 047B, 048D, 048-1, 048-2, 049F, 050H, 051B, 052C, 052-1, 053C, 055G, 056B, 057F, 057-1, 058E, 060H, 06-2A, 061D, 062D, 063F, 063-1, 063-2A, 064E, 064-2A, 065H, 066D, 068F, 068-1A, 069A, 070D, 071C, 073D, 074A, 075A, 076B, 077B, 078B, 080E, 081A, 082B, 083C, 085D, 086, 087B, 088C, 090B, 091, 092C, 093B, 095B, 095-1B, 095-2C, 096A, 097B, 098C, 100A, 100-1, 101B, 102B, 9100C, 9101, 9201C, 9202C, 9203C, 9210C, 9211F, 9400A, 020A, 021A, 022A, 023A, 024A, 025A, 026A, 027, 028, 286756-HHG-DD-100-01A, 100-02C, 100-03C, 100-04C, 100-05C, 100-

06C, 100-07A, 1200-01A, 1200-02A, 1200-03A, 1200-04A, 1200-05A, 131018-001, 002, 003 and 004. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise agreed in writing by 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 C1, D1 and D4 of the Waverley Borough Local Plan 2002.

Statement Under Part 4 Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

Regard has been had to the environmental information contained in the application (including upon: 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 and hydrogeology; geology, soils, land contamination and waste materials; climate change; and cumulative effects) and the Environmental Statement and responses to it, together with proposals for mitigation of environmental effects and material planning considerations, including consultee responses and third party representations. It has been concluded that the proposal would not result in any harm that would justify refusal in the public interest

Informatives

"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 possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

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.

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.

ANNEXE 1

Busbridge Parish Council
December 2013
Comments to Milford Hospital Detailed Planning submission

Listed below are BPC's observations and comments for consideration by Waverley BC Planning Officers.

Abbreviations used below:

DAS-Design and Access Statement

1. *Building height, building appearance and architectural finishes:*

Our initial concern is the overall height of the buildings and the lack of empathy with the existing buildings on the site, 1.5 storeys (1 home), 2 storeys (3 homes).

New buildings vary between 3 storeys (12 homes), 2.5 storeys (88 homes), 2 storeys (4 homes).

This is certainly not in keeping with other houses in the area which are mostly two storeys nor does it follow the precedent of the original single storey hospital wards on the site.

We are further concerned at the lack of variation in the building appearance and finishes.

The detail design of homes being presented does not incorporate some of the finishes that are described per DAS p27; use of ship lap boarding, shingle or tiling, Bargate stone etc.

The developers have attempted to distinguish between areas of the site, per DAS p39/p41 with the 'Hospital Fringe' blocks and the 'Farmsteads' blocks. However, we feel that this variation in building finish elevations could be further enhanced to provide additional variation, i.e. brick patterning, tiling etc. See DAS p24.

Also, the detail design drawings show some window elevations with external shutters but cannot track if the use has been based on local buildings? These shutters are purely cosmetic and could be discarded as not in keeping with other local buildings.

Further landscaping use of structured planters and lattices and pergolas is described in the DAS but again could not be found in the detail design.

2. *Internal building layout:*

It was our understanding that the development was to provide housing that would be suitable for the elderly as well as families, i.e. 'Building for life'.

Reference to detailed layout plans indicate that some (not all) have a reserved space for an internal lift. The area reserved has a significant impact on internal space available. It looks like an attempt by David Wilson Homes to fulfil this obligation (building for life) by simply

marking a space on the drawing. If the building has not been initially designed and constructed with a lift shaft to be added at a subsequent stage, the cost is likely to be prohibitive. The building layout is considered not suitable for stair lift types to be installed.

We wish to establish that the dwellings have been designed (and to be subsequently constructed), that structurally allows a lift shaft space through the 1st/2nd floors to be readily added as a conversion in later years.

It is noted that the 1 and 2 bedroom flats (3 storeys); no provision for a lift has been included in the building layout, again not fulfilling the building for life concept.

We wish to see the layout incorporate a provision of an internal lift.

3. *Self build houses:*

The original intent was for the development to include 'self build plots', these have become 'custom build', i.e. built by the developer. The building layout drawings of these 10 custom built homes appear to have their external architectural style consistent with the remaining buildings and that customising is restricted to internal layout/finish only?

Per DAS p1-'Of the 108 homes, 36 will be affordable (a third of the homes), 10 will be custom build to encourage a more diverse range of purchasers and 4 will be refurbished'.

Self build is one of the main routes for the establishment of innovative high quality house building technology in the UK and this is being forsaken for uniformity of external appearance.

We are not clear how the vision per DAS will be met?

4. *Use of open land:*

We wish Wilson Homes to consider the building of a communal hall and communal sports area on the open land at the north Entrance Glade.

The size and impact of the development justifies the developer to make such a contribution.

Busbridge Parish Council would then manage the asset thereafter.

This facility would improve the amber score to green by the integration of the site development into the neighbourhood.

This area of the site can be readily accessed from the adjacent Tuesley Lane. This would allow non-residents to access the grounds without driving through the estate.

The sports area is suggested to be of an all-weather surface to minimise on-going maintenance.

This investment in a playing field facility supports the Government initiatives to encourage children to have enough exercise.

To fulfil the requirements of the location of the proposed communal sports area/hall, footpath FP161 would be required to be re-routed to

follow the periphery of the Entrance Glade and not bisect the area as at present.

5. *Further use of open land:*

The Outline approval required the development of the site to be restricted to a footprint of 8000m² in total.

Besides the area described above, there are further open areas of the site that appear to be have been left empty for a possible Phase 2?

We wish to have confirmation that no future house building will be undertaken on the current open areas of the site.

6. *Water Tower:*

This is to be demolished per DAS p19 Item 5. What is the planned development of this area?

7. *Play Area-Central Parkland:*

The fenced play area is considered to be too small. The range of play equipment is also considered not to provide a stimulating and challenging environment for a range of children's ages, a poor example being the static wooden tractor.

We suggest that equipment should consist of traditional cradle swings and flat swings for older children, traditional see-saws, slides of various heights, climbing equipment and nets, roundabouts, and a zip wire etc.

We draw your attention to excellent examples in the Borough of children's play areas at Broadwater Park and Phillips Memorial Park.

What arrangements will be in place for the maintenance of the play area and equipment?

8. *Visitor car parking:*

There is insufficient visitor car parking on the site. Whilst each home is designed to allow parking for two car spaces, there are only 8 visitor car spaces (and allocated in two areas) for the site.

Visitor car parking should be increased to a realistic number and distributed across the whole of the site.

Consideration should be given to allocate space(s) in the non-developed areas of the site.

9. *Car parking for hospital staff and visitors:*

What is to prevent hospital staff and visitors who cannot find a parking space within the allocated (and inadequate) hospital parking area, to attempt to park in the grounds of the housing development?

10. *Future site grounds maintenance:*

This is a wholly private estate with extensive grass, mini orchard and wooded areas, who is responsible for the future maintenance the grounds and how is this being financed?

Has an external site management company be nominated?

11. *Vehicle entrance to the development site:*

Proposed site plan, drawing no. MFH AL02 010 shows the site north Entrance Glade to be restricted to vehicular traffic by road narrowing and gate allowing emergency and refuse vehicles only. What is the rationale of only having one vehicle entrance for residents?

Why not allow two vehicular entrances as this is large site with significant traffic movements being funnelled through one entrance? What is the rationale of only having one vehicle entrance for residents?

12. Footpath 161-Route to Milford Station:

Per DAS p31 2.5 The Vision-‘Enhance the links to existing footpath and cycle network to provide attractive and safe route to Milford and Godalming’

Where the FP161 exits the development site, we suggest that the footpath route to be hard surfaced (tar sprayed chipping path) and be adequately lit. This is promote all weather/all year use for pedestrians, parents with pushchairs and cyclists when getting to/from station, doctor’s and shops at Milford. This is to encourage walking instead of using a car for short local journeys and to reduce local traffic.

ANNEXE 2

Plans Proposed Layout



Typical elevations





Elevations of proposed flats