

JOINT PLANNING COMMITTEE
UPDATE SHEET – 17 AUGUST 2015

Correspondence received and matters arising following preparation of the agenda

Item A1

WA/2014/2113

Land West of St Georges Road, Badshot Lea

Update to the report

Location of development and sustainability

Paragraph 2 on page 25 of the Agenda should be updated to reflect the recent judgement (Crane v the Secretary of State) in relation to Policy C2 and the weight to be attached to the policy in relation to housing land supply. The following paragraph should be inserted in place of that paragraph:

The Keynote Policy and Policy C2 of the Waverley Borough Local Plan 2002 are regarded as housing and land supply policies. Following the recent high Court judgments of Mark Wenman -v- (1) The Secretary of State for Communities and Local Government (2) Waverley Borough Council, and Ivan Crane -v- (1) The Secretary of State for Communities and Local Government (2) Harborough District Council, the Court has commented on the weight to be given to a policy that is out of date. This judgement clarifies that the Council can still apply Policy C2 with regard to its environmental protection, but must accept that the policy is out of date. Therefore in accordance with the NPPF, the weight to be given to out of date policies will often be considerably less than the weight given to policies which provide fully for identified housing need.

Heads of terms and infrastructure contributions

Officers note that the applicant is willing to provide parking spaces for the recreational ground, adjacent to the western site boundary. Since the publication of the agenda report, officers have reviewed this matter further. The parking would mitigate an existing problem with regard to the lack of public parking for the recreational ground. The development would put additional recreational pressure on this land as such, it is considered that the offer of parking could be a community benefit reasonably required to address this impact. As such, the provision and long term management of that land by the Management Company should be included within the heads of terms set out on page 8 of the agenda.

Similarly, officers note that ball stop netting has been requested by the Leisure Service, to prevent balls entering the rear gardens of the proposed properties. Again, as this would require long term management and maintenance by the Management Company should also be included in the heads of terms. The revised recommendation at the end of this update report captures these changes.

In addition, the infrastructure providers have requested the following contributions:

Environmental Improvements £14,974.50
 Education (secondary): £206,436

Officers are satisfied that the proposals in the report and set out above would meet the tests of Regulation 122(2) and the guidance of the NPPF 2012.

Responses from Consultees

Guildford Borough Council	Not yet received – to be reported orally
Rushmoor Borough Council	Not yet received – to be reported orally
South East Water	Not yet received – to be reported orally

Additional representations

5 additional representations have been received raising the following objections:

- The field is often flooded after heavy rain – flooding will increase
- Dwellings will be overlooked with loss of light and privacy
- Why can't cycle path be moved to other side of site (northern) to give more privacy
- Number of houses too great and lack of infrastructure to support them
- St Georges Road is busy and too narrow, without the additional cars from this development
- How would boundaries be defined and wild flower meadow maintained.

Officer comment:

The additional comments have been noted and the points raised are addressed within the agenda report. Boundary treatments would be controlled through conditions at reserved matters stage, should permission be granted. The maintenance of public open spaces would be through the Management Company, which would be secured by way of the S106 agreement.

Amendment to conditions/informatives

Condition 3

The condition incorrectly refers to plan no. 1441/P/02 Rev A. This should be **Rev C**.

Condition 16

The applicant has requested that the condition be amended to reflect the Flood Risk Assessment which indicates that some infiltration of surface water may be necessary in the north western corner of the site. The following deletion is therefore recommended:

Prior to the commencement of development on site, a surface water drainage scheme for the site shall first be submitted to and agreed in writing by the Local Planning Authority. ~~No infiltration of surface water into the ground shall be permitted.~~ The development shall be carried out in strict accordance with the approved details and plans.

Condition 18

The condition should be amended to reflect that the report from Ecology Solutions supersedes some of the recommendations of the report from Skilled Ecology. The following insertion is recommended:

The development hereby permitted shall be carried out in accordance with the measures detailed in 'Section 5 Recommendations' of the Phase 1 Habitat Survey Report, dated June 2014, prepared by Skilled Ecology Consultancy Ltd and the **additional** recommended actions set out in 'Section 5' of the of the Reptile Survey Report, dated June 2015, prepared by Ecology Solutions.

Condition 19

The following reason should be appended to Condition 19:

Reason

The development proposed covers a large surface area and it is considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development in accordance with Policy HE15 of the Waverley Borough Local Plan 2002.

Revised Recommendation

That, subject to the completion of a S106 agreement to secure appropriate contributions in respect of the Thames Basin Heaths Avoidance Strategy; 40% affordable housing; infrastructure contributions towards: off-site highway improvements, secondary education and environmental improvements, off-site highway works and the setting up of a Management Company for play spaces, open spaces, and SuDS, **public parking for the recreational ground and ball stop netting**; conditions as amended above; and consideration of any further consultation responses received by 17:00hrs on 17/08/2015, permission be GRANTED.
