

To: All Members and Substitute Members of  
the Joint Planning Committee  
(Other Members for Information)

When calling please ask for:  
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**Policy and Governance**

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Calls may be recorded for training or monitoring

Date: 11 March 2016

**Membership of the Joint Planning Committee**

Cllr Peter Isherwood (Chairman)	Cllr Stephen Hill
Cllr Maurice Byham (Vice-Chairman)	Cllr Nicholas Holder
Cllr Brian Adams	Cllr David Hunter
Cllr Paddy Blagden	Cllr Anna James
Cllr Carole Cockburn	Cllr Andy MacLeod
Cllr Brian Ellis	Cllr Stephen Mulliner
Cllr David Else	Cllr Stewart Stennett
Cllr Mary Forsyszewski	Cllr Chris Storey
Cllr Pat Frost	Cllr Bob Upton
Cllr Michael Goodridge	Cllr Liz Wheatley
Cllr John Gray	Cllr John Williamson
Cllr Christiaan Hesse	

Dear Councillor

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

DATE: TUESDAY, 22 MARCH 2016

TIME: 7.00 PM

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

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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## **NOTES FOR MEMBERS**

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

### **AGENDA**

1. **MINUTES**

To confirm the Minutes of the Meeting held on 17 February 2016 (to be laid on the table half an hour before the meeting).

2. **APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES**

To receive apologies for absence and substitutions.

Where a Member of the Committee is unable to attend a meeting, a substitute Member from the same Area Planning Committee may attend, speak and vote in their place for that meeting.

3. **DECLARATIONS 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. APPLICATION FOR PLANNING PERMISSION - WA/2015/1903 - LAND AT BACKWARD POINT, CRANLEIGH ROAD, EWHURST GU6 7RJ (Pages 1 - 68)

Proposal

Outline application for proposed development of up to 31 dwellings with access to be determined (alternative proposal Option 2).

Recommendation

**That, subject to completion of a S106 legal agreement to secure 29.5% affordable housing, infrastructure contributions towards off-site early years and primary education, environmental improvements, recreational facilities, on-site public footpath works and the setting up of a Management Company for open space and SuDS, and subject to conditions, permission be GRANTED.**

6. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman (if necessary):-

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 01483 523224 or by  
email at [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)**

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# Agenda Item 5.

A1 WA/2015/1903  
C Viret  
Millwood Designer Homes Ltd  
30/09/2015

Outline application for proposed development of up to 31 dwellings with access to be determined (alternative proposal Option 2) at Land At Backward Point, Cranleigh Road, Ewhurst GU6 7RJ (as amplified by Archaeological Report received 07/03/2016)

Committee: Joint Planning Committee  
Meeting Date: 22/03/2016

Public Notice: Was Public Notice required and posted: Yes  
Grid Reference: E: 509094 N: 140085

Parish: Ewhurst  
Ward: Ewhurst  
Case Officer: Tim Bryson  
13 Week Expiry Date: 30/12/2015  
Neighbour Notification Expiry Date: 13/11/2015

Time extension agreed to: No

## RECOMMENDATION

That, subject to completion of a S106 legal agreement to secure 29.5% affordable housing, infrastructure contributions towards off-site early years and primary education, environmental improvements, recreational facilities, on-site public footpath works and the setting up of a Management Company for open space and SuDS, and subject to conditions, permission be GRANTED

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## Introduction

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

The planning application seeks outline permission for the development proposal with all matters reserved except access.

Access - covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.

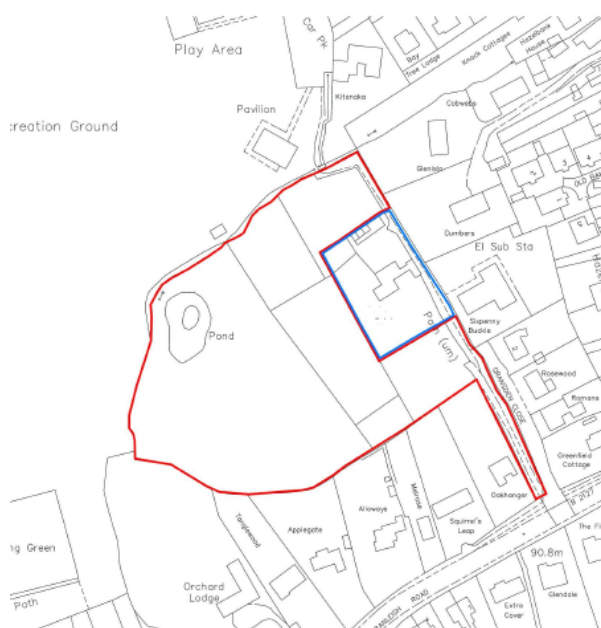
All other matters are to be reserved for future consideration. An application for outline planning permission is used to establish whether, in principle, the development would be acceptable. This type of planning application seeks a determination from the Council as to the acceptability of the principle of the proposed development. If outline planning permission is granted any details reserved for future consideration would be the subject of future reserved matters application(s).

Reserved matters include:

Appearance	aspects of a building or place which affect the way it looks, including the exterior of the development.
Layout	includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.
Scale	includes information on the size of the development, including the height, width and length of each proposed building
Landscaping	the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.

If outline planning permission is granted, a reserved matters application must be made within three years of the grant of permission (or a lesser period, if specified by a condition on the original outline approval). The details of the reserved matters application must accord with the outline planning permission, including any planning conditions attached to the permission.

## Location Plan



## Site Description

The application site measures 1.26 hectares and is located to the north of Cranleigh Road and west of Grandson Close. The site is accessed via an existing access drive off Cranleigh Road which currently serves a single dwelling known as Backward Point.

The site has a grass surface and general sloping gradient dropping from south-east to north-west. The site's boundaries comprise a mixture of tree cover and established hedging. Close board fencing is present along the north-east boundary and along the existing access drive. An existing water pond is located adjacent to the western boundary of the site.

The site access drive is shared with a public footpath (No. 437) which links from Cranleigh Road to the Recreation Ground.

The site surroundings consist of the recreation ground to the north and west, rear gardens and residential properties on Cranleigh Road to the south and residential properties and gardens on Gransden Close and The Street to the east and north-east.

## Proposal

The application seeks permission in outline form for the construction of 31 dwellings, of which 9 (29.5%) are to be provided as affordable homes. The



application is in outline form, with the detailed matter for approval being the means of access.

The proposal has outlined a mix of dwellings. The proposed open market dwellings would consist of six 2-bedroom dwellings, ten 3-bedroom dwellings and six 4-bedroom dwellings.

The proposed affordable dwellings would consist of three 1-bedroom dwellings and six 2-bedroom dwellings.

The proposal also includes the provision of on-site open space, foul and surface water drainage features and retention of the pond.

The main vehicular and pedestrian access to the site would be formed via the existing access road into the site, which comes off Cranleigh Road.

A pedestrian link is also proposed along from the access road to the existing public footpath, which provides pedestrian links to the Recreation Ground (north) and Cranleigh Road (south).

#### Heads of terms

The following matters are offered to be subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

Affordable Housing:  
9 (29.5%) affordable dwellings.

Education:  
Early years contribution - £20,865  
Primary education contribution - £93,488

Environmental:  
Ewhurst village car park lighting scheme - £7,000  
Provision of bin and recycling containers - £720

Leisure:  
Play provision improvements at Ewhurst Recreation Ground - £17,437.50  
Playing pitch improvements at Ewhurst Recreation Ground - £18,987.50

#### Relevant Planning History

WA/2015/1902	Outline application for proposed	Refused	26/02/2016
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	development of up to 13 dwellings with access, layout, appearance and scale to be determined (alternative proposal Option 1)		
WA/2015/0851	Erection of a front porch following demolition of existing porch.	Full Permission	22/06/2015
WA/2002/0166	Erection of a single storey extension (as amended by plans received 19/02/02).	Full Permission	28/03/2002
WA/2000/1864	Erection of a single storey extension following demolition of existing linked garage/workshop.	Full Permission	01/02/2001
WA/1998/0159	Erection of extensions (as amended by plans received 02/04/98).	Full Permission	07/04/1998
WA/1993/0966	Outline application for the erection of a detached two-bedroom bungalow (as amplified by letters received 07/08/93 and 10/08/93 and amended by letter and plans received 13/09/93).	Refused	24/09/1993
WA/1992/0078	Outline application for the erection of a detached dwelling (revision of WA91/1410) (as amplified by letter received 26/02/92).	Refused	21/04/1992
WA/1991/1410	Outline application for the erection of a detached dwelling.	Appeal Dismissed	01/07/1992
WA/1986/1786	Erection of extensions and alterations to provide bathroom, hall, bay windows and storage areas on ground floor, with bedroom, dressing room, bathroom, boxroom, landing and studio on first floor,	Refused	17/12/1986
WA/1981/0973	Outline application to erect a Guildway bungalow	Refused	23/07/1981
HM/R6701	House and smallholding	Approve	01/11/1953

### Planning Policy Constraints

Countryside beyond the Green Belt – outside of defined rural settlement  
Public Footpath (No. 437)  
Rural Settlement of Ewhurst (access drive only)  
Neighbourhood Plan Designation

## Development Plan Policies and Proposals

Saved Policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D13, D14, C2, HE15, H4, H10, RD1, RD9, M1, M2, M4, M5, M14 of the Waverley Borough Local Plan 2002

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002) and the South East Plan 2009 (solely in relation to policy NRM6) therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is in the process of replacing the adopted 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Development Management and Site Allocations) will follow the adoption of Part 1. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. Public consultation on potential housing scenarios and other issues took place in September/October 2014. In the latest provisional timetable for the preparation of the Local Plan (Part 1), the Council is scheduled to approve the plan for publication in April 2016.

Other guidance:

- National Planning Policy Framework (2012 )
- National Planning Policy Guidance (2014)
- Strategic Housing Land Availability Assessment (2014 update)
- West Surrey Strategic Housing Market Assessment (2015)
- West Surrey Strategic Housing Market Assessment 2015: Waverley Addendum (2015)
- Settlement Hierarchy (Draft 2010 and factual update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2010)

- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Waverley Borough Council Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)
- Natural England's Technical Information Note 049

Consultations and Parish Council Comments

Ewhurst Parish Council	<p>Object</p> <p>These applications are premature to the neighbourhood plan and public opinion, enthusiasm and credibility for the plan could be severely damaged and put at risk if they (the applications) were approved at this point.</p> <p>Vital that new builds contribute to the housing needs of the village, are in character with the surrounding environment, make for a good sustainable community and are not just numbers led.</p> <p>Ewhurst is a unique community and it is important to maintain that vitality and sense of well-being. The development of the neighbourhood plan is a massive undertaking and should serve the community well for a lifetime. However, it is a huge disappointment to the many volunteers and community at large if input to date was ignored at this stage.</p> <p>Working from the grass-roots level, the PC wishes to flag-up the following concerns:</p> <ul style="list-style-type: none"> <li>- The site is outside of the village settlement.</li> <li>- Safety implications with the re-surfacing of the access which is shared with public footpath.</li> <li>- Remains to be convinced that the 4.1 m minimum width at the entrance pinch-point can</li> </ul>
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	<p>be achieved. No account seems to have been made for the necessary cutting back of the hedge to 'Oakhanger' and the need for a retaining wall to the higher level Gransden Close.</p> <ul style="list-style-type: none"> <li>- Increase in traffic movements would have severe impact on road safety.</li> <li>- Unsafe for refuse vehicles and other large vehicles.</li> <li>- 2 hazardous junctions for and after the proposed access point: the junction with Horsham Road, and Gadbridge Lane junction.</li> <li>- Unsafe for refuse vehicle to enter.</li> <li>- Significant impact on the properties in Cranleigh Road.</li> <li>- Urban aspect created and urbanising effect upon the recreation ground.</li> <li>- No visual impact assessment has been offered by the applicant and no mitigation is proposed.</li> <li>- Loss of amenity to Oakhanger.</li> <li>- Ewhurst needs smaller homes.</li> <li>- Density is too high and out of character with the surrounding area</li> <li>- Development does not protect and improve the natural environment; not in accordance with Planning Policy and must therefore be refused.</li> </ul>
<p>County Highway Authority</p>	<p>No objection, subject to conditions.</p> <p>Informative note:</p> <p>The Highway Authority has visited the site to assess the highway safety implications of the proposed development. The application site takes access onto Cranleigh Road via a private track that is not under the Highway Authority's jurisdiction. This private track is classified as a Public Right of Way (Footpath No. 437).</p> <p>The applicant's transport statement has assessed the likely vehicular trip generation from the proposed development. The Highway Authority considers the methodology used to estimate the trip generation is robust and fit for purpose. The</p>

assessment demonstrates that the peak periods for traffic movements associated with the proposed development would be 8am to 9am and 5pm to 6pm. In the morning peak hour, the development is likely to generate 15 two-way vehicular movements and in the evening peak hour 18 two-way vehicular movements.

The existing access track measures approximately 2.75m to 3.0 metres in width between Cranleigh Road and the application site. Given that the proposed development would result in an increase in vehicular movements using the track, the applicant proposes to widen and upgrade the surface of the track, to ensure that the movement of all vehicles associated with the proposed development can be safely accommodated. The first 20 metres of the track from Cranleigh Road would be widened to 4.1 metres and the remaining length widened to 4.8 metres.

The existing dropped kerb would also be modified by installing a formal kerb radii on the west side, which would increase the width of the dropped kerb where it meets Cranleigh Road by approximately 3.0 metres.

The proposed works to the access track would enable two cars to pass on the first 20 metres where the width is 4.1m and for a large service/refuse vehicle to pass a car on the remaining length of the track where a 4.8m width is proposed. The Highway Authority is satisfied that these improvements would ensure that the peak hour vehicular movements associated with the development would not prejudice the safety of pedestrians or the safe and free flow of traffic on Cranleigh Road. Widening the access track would ensure that vehicles have sufficient space to safely pass pedestrians and it is understood that the County Council's Countryside Access Officer has no objection to the proposed development, subject to conditions to mitigate any impact on the Public

Footpath.

The Highway Authority is also satisfied that the required level of visibility for the actual speed of vehicles travelling on this stretch of Cranleigh Road can be achieved. Whilst the road is subject to a 30mph speed limit adjacent to the access, speed survey data shows that the 85th percentile speeds are 39mph in both directions. The required visibility for this speed is 70 metres, which the Highway Authority has measured on site and is satisfied can be achieved in both directions from the access onto Cranleigh Road. The Highway Authority is also satisfied that the level of forward visibility of the access for drivers travelling on Cranleigh Road exceeds 70 metres.

The Highway Authority has noted that there may be rare occasions when a large service/refuse vehicle and a car meet on the 4.1m wide stretch of access road. This could result in a service vehicle having to wait in Cranleigh Road for a car to leave the access. The Highway Authority has assessed the highway safety implications of this situation.

Given the level of forward visibility for drivers approaching the access exceeds the minimum requirement of 70 metres, the Highway Authority is satisfied that drivers have sufficient safe stopping distance to negotiate and pass a large service vehicle waiting to enter the access road. It is however much more likely that a service vehicle and a car would meet where the access road is 4.8 metres wide, where there would be sufficient width for these two vehicles to pass.

With regard to road safety, the applicant has assessed the Personal Injury Accident data for the latest available five year period. This assessment shows that there is no accident problem on Cranleigh Road in the immediate vicinity of the site access. Two accidents resulting in personal injury have occurred at The Street priority junction with

	<p>The Green. Both accidents resulted in slight injuries and were caused by driver error, with no vulnerable road users (pedestrians/cyclists) involved. The Highway Authority is therefore satisfied that the road safety data does demonstrate that there is an existing accident problem in the vicinity of the site access road that would be exacerbated as a result of the proposed development.</p> <p>It should be noted that the Highway Authority have recommended conditions to provide parking and turning space within the application site, details of which would be provided with any future reserved matters planning application.</p> <p>The Highway Authority advises the Local Planning Authority that the works to widen the access road will require significant vegetation clearance on the access road. Whilst this may have an impact on amenity/environmental grounds, the Highway Authority's advice is based solely on the technical highway safety issues associated with the proposed access road improvements.</p>
Natural England	<p>The Wildlife and Countryside Act 1981 (as amended)  The Conservation of Habitats and Species Regulations 2010 (as amended)  The National Park and Access to the Countryside Act 1949</p> <p>Natural England's comments in relation to this application are provided in the following sections.</p> <p>Statutory nature conservation sites – no objection</p> <p>Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.</p> <p>Protected landscapes</p> <p>Having reviewed the application Natural England</p>



	<p>does not wish to comment on this development proposal.</p> <p>The development, however, relates to the Surrey Hills AONB. Advises that the advice of the AONB Unit should be sought. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan.</p> <p>Protected species</p> <p>Not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species.</p> <p>Standing Advice should be applied to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.</p> <p>The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.</p> <p>If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>.</p>
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	<p>Local sites</p> <p>If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.</p> <p>Sites of Special Scientific Interest Impact Risk Zones</p> <p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the <a href="http://data.gov.uk">data.gov.uk</a> website</p>
Thames Water	No objection – recommend informative
Southern Water	Not within Southern Water’s area.
South-East Water	No comments received.
Environment Agency	Confirmed no requirement to consult.
Surrey Wildlife Trust	No objection, recommend ecological mitigation measures are undertaken.
County Archaeologist	No objection, subject to condition.
Council’s Environmental Health Officer	No objection – recommend informative
Council’s Waste and Recycling Officer	Advice given on bin and recycling requirements
Lead Local Flood Authority	No objection, subject to conditions
County Rights of Way Officer	No objection, subject to recommendations to improve the public footpath.
Council’s Agricultural Consultants	The site extends to 1.27ha of paddocks which are described in the ecology report as species-poor,

semi-improved grassland. No information has been presented in either application as to the quality of agricultural land in terms of its Agricultural Land Classification (ALC), and no analysis has been undertaken as to whether the proposals would be likely to lead to the loss of best and most versatile land.

Agricultural land in England and Wales is graded between 1 and 5, depending on the extent to which physical or chemical characteristics impose long-term limitations on agricultural use. The principal physical factors influencing grading are climate, site and soil which, together with interactions between them, form the basis for classifying land into one of the five grades. Grade 1 land is excellent quality agricultural land with very minor or no limitations to agricultural use, and Grade 5 is very poor quality land, with severe limitations due to adverse soil, relief, climate or a combination of these. Grade 3 land is subdivided into Subgrade 3a (good quality land) and Subgrade 3b (moderate quality land). Land which is classified as Grades 1, 2 and 3a in the ALC system is defined as the best and most versatile agricultural land.

The Provisional Agricultural Land Classification (ALC) map prepared by the former Ministry of Agriculture, Fisheries and Food (MAFF) shows the land as undifferentiated Grade 3 land. However, as explained in Natural England's Technical Information Note 049, these maps are not suitable for classifying the quality of individual sites and should only be used for strategic planning purposes. A site survey is usually required to establish the definitive grade of land in the ALC.

The results of detailed ALC surveys undertaken by MAFF are shown on [magic.gov.uk](http://magic.gov.uk) and, although this site has not been surveyed, a fairly large area (of about 70 hectares) nearby at Ewhurst Green has been surveyed in detail and classified as mostly Subgrade 3b. Furthermore, the National

	<p>Soils Map indicates that the soils expected on this site are in the Wickham 1 association which are developed in drift over cretaceous clay or mudstone and are slowly permeable, seasonally waterlogged, fine loamy over clayey soils. Usually, when surveyed in detail, these soils would be expected to be classified as Subgrade 3b land in this climatic regime.</p> <p>The evidence is therefore that the proposals will not result in the loss or alienation of the best and most versatile agricultural land.</p> <p>In terms of the second part of Policy RD9, there is no also information presented within the applications on the current arrangements for managing the land other land references in the ecology report to the grass being mown regularly but it seems highly unlikely from the descriptions available and the situation of the land that there is or has been any recent agricultural activity taking place on the site. It is a very small area of land in pasture and surrounded entirely by non-agricultural land, either residential properties or playing fields. The proposals would not therefore fragment an agricultural holding so as to seriously undermine the viability of any remaining holding.</p>
Ramblers Association	No comments received
Open Spaces Society	No comments received
British Driving Society	No comments received
Byways and Bridleways trust	No comments received
British Horse Society	No comments received
Auto-Cycle union	No comments received
Director of Public Health	No comments received
NHS England	No comments received
Guildford and Waverley Clinical	No comments received
Health Watch	No comments received
Southern Gas Networks	Advice given in respect of building near gas pipes

## Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 23/10/2015, site notices were displayed around the site and neighbour notification letters were sent on 12/10/2015 to statutory neighbouring occupiers.

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

- Fails to respond to housing need.
- Out of character with the local area.
- Inspectors decision at Sayer’s Croft
- Environmental and social aspect causes significant harm.
- Adverse impacts outweigh the benefits.
- Poor access.
- No space for pedestrians to pass.
- Harmful visual impact from recreation ground.
- Harm to wildlife in the pond
- 4.1 m width of access is insufficient for developments of over 20 dwellings (source: Manual for Streets)
- Housing mix contrary to Policy H4.
- Out of character.
- Awkward access for emergency vehicles.
- Recent appeal decision nearby rejected homes.
- Impact on Sayers Croft.
- Harmful effect on the rural setting of the recreation ground
- High density is out of character with the local area.
- Noise and disturbance to Oakhanger
- Noise pollution.
- Lack of separate footpath on access road
- Poor drainage.
- Narrow access route onto busy road.
- No space for 2-way vehicle movement.
- Width of 4.1 m not suitable for the access road.
- No room for passing bay on the access.
- Poor sight lines, dangerous bend.
- Noise and disturbance to Oakhanger garden and property.
- Outside of village settlement boundary.
- Far too many houses proposed.
- Access would result in people reversing out onto main road.
- No retaining wall along the east of the access which would be required.
- Harm caused to ecology.
- Houses are too big.

- Light pollution from the dwellings.
- No heritage assessment
- Contrary to Local Plan Policies.
- Lack of Local Plan does not justify the proposals.
- Insufficient space for the passing of vehicles.
- Fails to be sustainable development in accordance with the NPPF

1 letter has been received in support of the proposal on the following grounds:

- Housing need.
- Supporting local business.
- Use of brick and roof materials made at Ewhurst Works.
- Proposed site will provide both housing for employees, and a link with local products.
- Millwood Designer Homes housing developments use clay from local works which can only enhance the project and area as a whole.

#### Submissions in support

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

- The NPPF confirms the presumption in favour of sustainable development, which seeks to balance economic, social and environmental roles of the planning system.
- For the purposes of delivering a wide choice of high quality homes, the NPPF requires LPAs to boost significantly the supply of housing by ensuring that their Local Plan meets full objectively assessed needs for market and affordable housing in the housing market area.
- Paragraph 54 of the NPPF relates to housing development in rural areas and that LPAs should be responsive to local circumstances and reflect local needs, including market housing.
- The proposal would bring forward much needed new family and affordable homes in a sustainable village location.
- The proposal will contribute toward the supply of market and affordable housing and will support local community services and facilities to assist in maintaining their viability. There will be a positive social impact from the development.
- The site is located in the centre of the village of Ewhurst, surrounded by housing to the south and east, and public space and, beyond that, the substantial developed site of Sayers Croft Field Centre to the north and west.
- The proposed use of the site is considered compatible with the surrounding uses in the village.
- 29.5% affordable housing provided.
- The density is considered to be in-keeping with the surrounding residential dwellings.

- Transport Assessment confirms that the access is satisfactory.
- The development can be accommodated without detriment to trees.
- Waverley Borough Council's objectively assessed housing need demonstrates that further residential development is required in the district and this site is considered to be an appropriate and sustainable site.

### Determining Issues

- Principle of Development
- Prematurity
- Planning History
- Environmental Impact Assessment
- Loss of Agricultural Land
- Location of Development
- Housing Land Supply
- Housing Mix
- Affordable Housing
- Highway Considerations
- Impact on Countryside beyond the Green Belt
- Impact on Landscape Character
- Impact on Trees
- Impact on Visual Amenity
- Impact on Residential Amenity
- Provision of Amenity and Play Space
- Flood Risk and Drainage Considerations
- Noise Impacts
- Air Quality Impacts
- Archaeological Considerations
- Crime and Disorder
- Infrastructure
- Health and Wellbeing
- Financial Considerations
- Climate Change and Sustainability
- Biodiversity and Compliance with Habitat Regulations 2010
- Water Frameworks Regulations 2011
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications
- Representations
- Development Management Procedure (Amendment) Order 2015 Working in a Positive/Proactive Manner
- Conclusion and Planning Judgement

## Planning Considerations

### Principle of development

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

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

The NPPF at paragraph 197 provides the framework within which the local planning authority should determine planning applications, it states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: *inter alia* any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or if specific policies in the framework indicate development should be restricted.



The majority of the site is located within the Countryside beyond the Green Belt outside any defined settlement area.

Policy C2 of the Waverley Borough Local Plan 2002 states that building in the Countryside beyond the Green Belt, away from existing settlements, will be strictly controlled.

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment. The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. The site is located within the Countryside beyond the Green Belt wherein the countryside shall be protected for its intrinsic character and beauty.

Paragraph 49 of the NPPF states that policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The High Court Judgement between Mark Wenman and (1) The Secretary of State for Communities and Local Government (2) Waverley Borough Council considers Policy C2 of the Waverley Borough Local Plan 2002 as a policy for the supply of housing within paragraph 49 of the NPPF and therefore concludes that it carried significantly less weight given that the policy is out of date and that the Council currently cannot demonstrate a five year supply of deliverable housing sites.

In addition, a recent appeal decision at White Rose Cottage in Cranleigh (APP/R3650/W/15/3136591) confirmed that decision makers must firstly determine whether the location of rural developments is sustainable before the proposals can be considered in light of the 'presumption in favour of sustainable development' as set out in paragraph 14 of the NPPF. As set out later in this report under the heading 'Location of development', the application site is considered to be sustainable in this instance and therefore the presumption in favour of sustainable development is considered to apply.

In light of the above considerations the countryside cannot therefore be safeguarded for its own sake and in accordance with paragraph 14 of the NPPF, significant harm would have to be demonstrated that would outweigh the presumption in favour of sustainable development.

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

Matters reserved include appearance, scale, layout and landscaping.

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

### Prematurity

Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

Officers conclude that the emerging Local Plan is not at an advanced stage and that the Ewhurst Neighbourhood Plan is at a very early stage in its development. The NPPG states that an emerging neighbourhood plan may

be a material consideration in decisions on planning applications. It adds, however, that refusal of planning permission on grounds of prematurity will seldom be justified, in the case of a neighbourhood plan, before the end of the Local Planning Authority publicity period.

Having regard to the advice of the NPPG, Officers conclude that a reason for refusal based on prematurity could not be substantiated.

#### Loss of agricultural land

The application site comprises a large area of grass land which is associated with the existing dwelling known as Backward Point. The application states that the lawful use of the land is paddock land. Officers are satisfied that this is likely to be the lawful use of the land.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Policy RD9 of the Local Plan outlines that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land.

On all grades of agricultural land, development will not be permitted which would result in the fragmentation of agricultural or horticultural holdings as to seriously undermine the economic viability of the remaining holding.

The Council's agricultural consultants have confirmed that the site is paddock land and that the proposal would not result in the loss or alienation of the best and most versatile agricultural land. It is further outlined that it is highly unlikely that there has been any recent agricultural activity taking place on the site. The proposal would not fragment an agricultural holding so as to seriously undermine the viability of any remaining holding.

As such, in terms of Policy RD9, the loss of this land would not fragment or seriously undermine the viability of any farm business.

## Planning history

The application site has an extensive planning history, which has included applications for residential development. These have largely been for single dwellings in the early 1990s, which were refused by the Council.

More recently, planning application WA/2015/1902 was refused by the Council. This application was for 13 dwellings. This application was submitted at the same time as the current application. This application was refused for the following reasons:

1. Reason  
The proposal, by virtue of the number of dwellings, scale, urbanising impact and harm to the character and appearance of the open field and would therefore fail to preserve the intrinsic beauty and character of the Countryside. Policy C2 of the Waverley Borough Local Plan 2002 and Paragraph 17 of the National Planning Policy Framework 2002. Within these areas the countryside is to be protected for its own sake and development in open countryside outside existing rural settlements is strictly controlled. The proposed development does not comply with the requirements of those policies.
2. Reason  
Notwithstanding the objection to the proposal under Reason for Refusal 1, it is the policy of the Local Planning Authority, as set out in Policy H4 of the Waverley Borough Local Plan 2002 to ensure an appropriate mix of dwellings and an appropriate provision of dwellings suitable for small households such to provide sustainable, inclusive and mixed communities in accordance with paragraph 50 of the NPPF. The development does not adequately respond to the evidenced market demand and would not meet local housing requirements as set out within the West Surrey Strategic Housing Market Assessment (SHMA) 2015. As such the proposal is contrary to paragraph 50 of the NPPF and Policy H4 of the Waverley Borough Local Plan 2002.
3. Reason  
Notwithstanding the objection in principle to the proposal under Reason for Refusal 1 and taking into account the absence of a signed legal agreement, the proposal would fail to provide affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal is therefore contrary to paragraph 50 of the NPPF as the development does not provide a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

4. Reason

The applicant has failed to enter into an appropriate legal agreement in respect of required and necessary infrastructure contributions to seek to mitigate the effects of the proposal upon infrastructure. The proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and paragraph 203 of the NPPF 2012.

5. Reason

In the absence of an archaeological assessment, the applicant has failed to demonstrate the proposal's possible effects on buried heritage assets on site, in conflict with Policy HE15 of the Waverley Borough Local Plan 2002.

There has not been any material change in planning or site circumstances since the time of that decision.

Whilst the planning history is a highly material consideration, the current application is subject to an assessment on its own merits.

Location of Development

As noted above, the site is located within the Countryside beyond the Green Belt outside of any defined settlement area.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF states, inter alia, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Paragraph 70 of the NPPF states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

The site forms part of a site that was identified in the Strategic Housing Land Availability Assessment (SHLAA) 2014, as a site promoted for housing development (ID:399). The SHLAA provides an initial assessment of the site, its characteristics and suitability for development, using a wide range of sustainability criteria of bespoke methodology, as set out in the Council's Interim Sustainability Report (2014).

The SHLAA presents the assessment of the sustainability criteria in form of a Red/Amber/Green (RAG) score. The overall score for the site was 'amber'.

Although the site has been identified in the 2014 SHLAA, it has not been included within the calculations informing the 5 year housing supply, as such sites are required to accord with footnote 11 to paragraph 47 of the NPPF. Footnote 11 states that to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. At the time of the Council's most recent land supply assessment, the site did not benefit from planning permission nor was it allocated for housing. For these reasons it has not been included within the Council's current assessment. This would of course change if outline permission is granted.

A key part of the Council's Interim Sustainability Report is the service appraisal, which is an assessment of a site's accessibility to different services,

which is widely recognised as one of the many indicators of the sustainability of the site.

The Waverley Settlement Hierarchy Factual Update (2012) refers to the level of different services available in Ewhurst. It has a small convenience shop, public house, recreation ground, school and church.

Officers accept that Ewhurst has some limited employment and community facilities, however, Paragraph 55 of the NPPF outlines that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The site lies adjacent to the recreation ground and is readily accessible on foot to the local services in the village. Further, there are bus services which run on the surrounding roads through the village. Officers are therefore satisfied the site is in a reasonably sustainable location for the village.

The Council's Executive agreed the Waverley Borough Local Plan – Emerging Spatial Strategy on 15/12/2015. The Strategy sets out that development should be directed to the four main settlements, moderate development in larger villages and some limited growth in / around other villages, which is where the Strategy includes reference to Ewhurst.

It is also confirmed that where greenfield development is planned, this should avoid major development on land of the highest amenity value, such as the Surrey Hills AONB. Whilst this decision by the Executive does not constitute Council Policy, it does indicate the likely direction of travel for the emerging Local Plan and is considered to constitute a material consideration in the determination of the current application.

A recent appeal decision (APP/R3650/W/15/3023031) allowed the provision of 43 homes on land at Gardener's Hill Road, Farnham. This appeal decision confirms that for an application to be considered unacceptable, any harm must significantly and demonstrably outweigh the benefits of the scheme where the Council cannot demonstrate a 5 year housing land supply.

These additional considerations contribute to the planning balance, which must be applied to proposed development, as required by paragraph 14 of the NPPF.

It is considered that the site is located within a relatively sustainable location in terms of access to services and facilities in the village and some public transport options to access facilities and services in wider settlement areas. As such, the principle of residential development in this location is considered to be acceptable.

## Housing Land Supply

Paragraph 159 of the NPPF states that Local Planning Authorities should have a clear understanding of housing needs in their area, they should, inter alia, prepare a Strategic Housing Market Assessment to assess their full housing needs; and prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their Local Plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Further, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

Paragraph 49 of the NPPF continues that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 50 of the National Planning Policy Framework directs that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: inter alia plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand.

The provision of new market and affordable housing will assist in addressing the Council's housing land supply requirements. Following the withdrawal of the Core Strategy from examination in October 2013, the Council agreed an interim housing target of 250 dwellings a year for the purposes of establishing five year housing supply in December 2013. That was the target in the revoked South East Plan and is the most recent housing target for Waverley that has been tested and adopted. However, as a result of court judgements, it is accepted that the Council should not use the South East Plan figure as its starting point for its five year housing supply and that the Council does not



currently have an up-to-date housing supply policy from which to derive a five year housing land requirement.

It is acknowledged that the latest evidence in the Strategic Housing Market Assessment points to a higher level of housing need in Waverley than that outlined within the South East Plan. The West Surrey Strategic Housing Market Assessment September 2015 indicates an unvarnished figure of at least 519 dwellings per annum. The latest 5 year housing land supply assessment shows a supply of 4.33 years, based on the unvarnished housing supply figure above. This falls short of the 5 year housing land supply as required by the NPPF.

Should outline permission be granted, the proposed development would be included within the Council's housing land supply assessment, and therefore assist in meeting the identified shortfall. This is a material consideration to be weighed against the other considerations for this application.

#### Housing Mix

The NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Waverley Borough Local Plan 2002, in respect of housing mix, is considered to be broadly consistent with the approach in the NPPF. It outlines the Council's requirements for mix as follows:

- a) at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,
- b) not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
- c) no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

The density element of Policy H4 of the Waverley Borough Local Plan 2002 is given limited weight following the guidance in the NPPF which states that to

boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

Rather than prescribing a minimum or maximum density, the NPPF sets out, at paragraph 47, that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances.

The West Surrey Strategic Housing Market Assessment 2015 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan. However, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4.

The West Surrey Strategic Housing Market Assessment (SHMA) 2015 sets out the likely profile of household types in the housing market area.

The West Surrey Strategic Housing Market Assessment 2015 (SHMA) sets out the likely profile of household types in the housing market area. The SHMA 2015 provides the following information with regards to the indicative requirements for different dwelling sizes:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Market	10 %	30%	40%	20%
Affordable	40%	30%	25%	5%

In addition to the West Surrey SHMA, the recently published West Surrey SHMA: Waverley Addendum 2015 provides more specific information for the Borough. This includes indicative requirements for different dwelling sizes for both market and affordable housing.

**Table 15: Estimated Need by Number of Bedrooms (2013 to 2033) – Affordable Sector**

Area	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Godalming	41.4%	34.7%	22.4%	1.5%
Farnham	45.0%	28.7%	24.3%	1.9%
Haslemere	51.6%	26.9%	19.9%	1.6%
Cranleigh	52.0%	27.9%	18.5%	1.6%
Rest of Borough	50.3%	26.9%	21.4%	1.5%
Waverley	47.3%	29.2%	21.9%	1.7%

Source: Housing Market Model

**Table 18: Estimated Need by Number of Bedrooms (2013 to 2033) – Market Sector**

Area	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms
Godalming	12.2%	36.3%	37.4%	14.0%
Farnham	8.1%	31.9%	39.7%	20.4%
Haslemere	13.7%	32.6%	34.1%	19.7%
Cranleigh	9.1%	30.3%	38.0%	22.5%
Rest of Borough	5.9%	29.5%	39.2%	25.4%
Waverley	9.3%	32.1%	38.2%	20.4%

Source: Housing Market Model

It is noted that the 2015 addendum provides a more up to date evidence base than the West Surrey SHMA 2015, and is considered to be the most appropriate and up to date evidence in terms of identifying local need.

The application market dwelling mix would comprise six 2-bed dwellings (27%), ten 3-bed dwellings (46%) and six 4-bedroom dwellings (27%). The affordable mix proposed includes three 1-bedroom dwellings (33%) and six 2-bedroom dwellings (66%), which are both in greatest identified need under the category for the 'rest of the borough' in the SHMA Addendum 2015. Consideration of the affordable housing provision is given further in the officer report.

When taking the residential scheme as a whole, it would provide three 1-bedroom dwellings (9.7%), twelve 2-bedroom dwellings (38.8%), ten 3-bedroom dwellings (32.2%) and six 4-bedroom dwellings (19.3%).

Officers acknowledge that the proposed mix would not meet the specific mixes identified in the 2015 SHMA, in that in terms of market dwellings, it would provide no 1-bedroom market dwellings, a lesser proportion of 2-bedroom dwellings and a greater proportion 3+ bedroom dwellings than identified as being needed in the SHMA. Similarly, the affordable mix would include a lesser proportion of 1-bedroom dwellings, a higher proportion of 2-bedroom dwellings and no 3-bedroom dwellings.

However, the overall mix would be broadly consistent with meeting the overall need for housing in the Borough, with a greater proportion of 2-bedroom and 3-bedroom dwellings provided overall, which criterion b) of Policy H4 of the Local Plan supports. The proposal would also provide a better mix of housing than that proposed under the concurrent refused scheme for 13 dwellings (WA/2015/1902).

Therefore, having regard to the housing mix proposed, officers consider it to be broadly acceptable. However the weight to be attached to the proposed mix is a matter for the decision maker.

## Affordable Housing

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified.

The Local Plan is silent with regards to the delivery of affordable dwellings in locations such as this. Specifically, there is no threshold or percentage requirement in the Local Plan for affordable housing on sites outside of settlements. This is because, within an area of restraint, housing development under the current Local Plan is unacceptable in principle, including affordable housing.

If, however, the principle of housing on this site is supported, then the provision of affordable housing could be regarded as a benefit of considerable weight to justify releasing the site from the countryside.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority.

As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to help meet need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, and should identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand.

As of 1st February 2016, there were 1,566 households with applications on the Council's Housing Needs Register, who are unable to access housing to meet their needs in the market. This has been broken down as follows:

	1-bed	2-bed	3-bed	4-bed	TOTAL
WBC Housing Register	966	410	161	N/A	1537
SHMA 2015 recommendation	40%	30%	25%	5%	100%
Suggested affordable mix for	3 (33.3%)	6 (66.6%)	0	0	9

this application					
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Table 1

The Ewhurst Housing Needs Survey 2013 identified a total of 21 people who are in need of affordable housing. The greatest need for Ewhurst is for 1-bedroom properties. The proposal includes three 1-bed properties and six 2-bed properties. The proposed affordable dwellings would therefore make a positive contribution to helping meet the demand for affordable homes in the local area.

Additionally, the West Surrey SHMA (2015) indicates a continued need for affordable housing, with an additional 337 additional affordable homes being required per annum.

The application seeks to provide 29.5% affordable housing on the site, equating to 9 dwellings. Officers note that other greenfield housing applications have sought to achieve closer to 40% affordable dwellings. No argument has been presented by the applicant as to why the proposal cannot provide a greater proportion of affordable housing, and no viability arguments have presented.

Whilst the proposal includes a provision of 29.5%, which would be in line with the Local Plan Policy for sites within settlements and would be a material benefit to the scheme, the extent of affordable housing offered needs to be weighed into the planning balance.

The required Section 106 agreement to secure the affordable housing provision has yet to be completed and would need to be completed before a decision is issued, should permission be granted.

Highway considerations

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements local authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limit the significant impact of the development.

Paragraph 32 of the NPPF states: “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

Local Plan Policy M4 states that the Council will seek to improve conditions for pedestrians by providing or securing safe and attractive pedestrian routes and facilities in both urban and rural areas. Developments should include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, to public open space, to local facilities and amenities, or to public transport.

The County Highway Authority (CHA) is satisfied that the proposed access and number of dwellings proposed could be safely accommodated without detrimental impact on highway and pedestrian safety, subject to recommended conditions. Detailed comments from the CHA are outlined in the above consultation section of the report.

The proposed access adjoins a 30mph road and therefore visibility splays are required of 43 metres in each direction. Further, an internal visibility splay of 25 metre is proposed where the access road bends to the west. The internal access road would be 4.8 m in width, with a pinch point of 4.1 m at the Cranleigh Road junction. Taking into account no objection is raised by the County Highway Authority, officers are satisfied that safe access could be achieved and appropriate visibility splays could be achieved. It has also been demonstrated that a refuse vehicle could enter and exit the site in a forward gear in a safe manner.

The applicants have undertaken a Transport Assessment, which has indicated that the proposed residential development would generate circa 150 two-way vehicle movements to and from the site per day, of which 15 during the Am peak hour (08:00am – 09:00am) and 18 during the evening peak hour (17:00pm – 18:00pm). The County Highway Authority has not raised objection

to the capacity of the adjoining road to the site and considers the methodology used to estimate the trip generation is robust and fit for purpose.

Officers therefore conclude that the junction would not be subject to any capacity constraints that would be likely to lead to unacceptable periods of delay. Further, it has been demonstrated that an appropriate width to the access road can be achieved to allow passing for two cars.

The Highway Authority is therefore satisfied that movement strategy for the development would enable all highway users to travel to/from the site with safety and convenience.

Having regard to the expert views of the County Highway Authority, the proposal is considered to be acceptable in terms of highway safety and capacity considerations. In this regard, it is considered that the proposals would not have an adverse effect upon the strategic road network.

In addition to highway safety and capacity considerations, the scheme must also be acceptable in terms of sustainability.

The NPPF advises that plans and decisions for developments that generate a significant amount of traffic should take account of whether opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure.

The proposal includes linking pedestrian access points to the existing public footpath which runs adjacent to the eastern boundary, ensuring connectivity and permeability through the site for pedestrians. The County Rights of Way Officer has raised no objection, subject to conditions to ensure improvements are made to the footpath.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2013. Development proposals should comply with the appropriate guidance as set out within these documents.

The Council's adopted Parking Guidelines (2013) set out the following guidelines for new residential development:

Dwelling size	No. of spaces
1-bedroom	1

2-bedroom	2
3-bedroom +	2.5

The proposal outlines that it would provide on-site vehicle parking in accordance with the above guidelines. Further, officers are satisfied cycle storage could be accommodated within each residential plot. Taking into account the indicated site layout, officers conclude that the appropriate level of vehicle parking could be achieved. Final layout of the dwellings is a reserved matter. This would inform the final arrangements for on-site vehicle and bicycle parking. Whether the appropriate level of vehicle parking could be achieved on site may adjust the final number of dwellings.

As such, the proposal would comply with Policies M1 and M14 of the Waverley Borough Local Plan 2002 as well as the transport sustainability requirements of the National Planning Policy Framework.

#### Impact on character of Countryside beyond the Green Belt

Paragraph 17 of the NPPF sets out 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-taking.

These 12 principles are that planning should: inter alia take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. The High Court Judgement between Mark Wenman and (1) The Secretary of State for Communities and Local Government (2) Waverley Borough Council considers Policy C2 of the Waverley Borough Local Plan 2002 as a policy for the supply of housing within paragraph 49 of the NPPF and therefore concludes that it carried significantly less weight given that the policy is out of date and that the Council currently cannot demonstrate a five year supply of deliverable housing sites. Policy C2 is, however, considered to be consistent with paragraph 17 of the NPPF in that it seeks to protect the intrinsic character and beauty of the countryside.

The site forms paddock land which is undeveloped. The site, in its current form, acts as a natural green buffer to the recreation ground.



To the south of the site are the residential properties on Cranleigh Road. Trees and hedgerows run along the southern boundary. Beyond the southern boundary are the rear gardens which serve the properties on Cranleigh Road. To the east of the site lie further residential plots. The site currently forms part of a natural 'green' backdrop to the adjacent recreation ground. There are views of existing residential built form from the recreation ground, largely to the east near the main entrance. Officers acknowledge that there are limited views of existing residential built form to the south from the recreation ground.

The resultant residential character would, however, not be out of keeping with the surroundings to the recreation ground on its eastern side. The site is surrounded by residential plots on both its southern and eastern sides and would be read in the context of the village envelope.

The proposal would replace open paddock land with substantial, urban built form. Whilst the development would be harmful to the character and appearance of the open field, it is the Officers' view that the site's location would reduce the harm to the character and appearance of the open countryside beyond the application site. The layout suggests open space and landscaping to the northern side of the site where the existing pond would be retained. Officers consider this, along with the natural tree lined boundary, would provide a natural buffer between the proposed dwellings and the recreation ground beyond. There would be some landscape harm caused, but this would be mitigated by the natural screening.

The number of dwellings proposed would result in a density of residential development that would be higher than the existing residential development to the south on Cranleigh Road. Although this would result in a notably different form of development to that existing on Cranleigh Road, officers consider that it would not cause visual harm due to its backland location and separation distance from the surrounding residential properties. Officers consider that the proposal would create a residential development in a location where it would largely be viewed as an individual development.

Existing residential dwellings can be seen from the recreation ground, which are to the east where the main entrance to the recreation ground lies. The proposed residential development would add further residential dwellings which would be visible from the recreation ground on its eastern side. Officers therefore consider that, in principle, the residential development would not cause a harmful visual impact from the recreation ground.

Officers recognise the site forms part of the countryside immediately outside of the settlement of Ewhurst. Officers consider that by virtue of the site's location, being somewhat backland from the surrounding road network, there

would be limited wider visual impact on the countryside. There would be some views of the proposed development from beyond the recreation ground to the north and west. However, these would be through tree cover and officers consider that none of these views would be materially harmed.

The impact on the designated countryside is, however, one of many material considerations in the assessment of this case. The impact upon the open character and beauty of the countryside should be weighed in the planning balance.

### Impact on trees

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss.

Policies D6 and D7 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

The application has been accompanied with an Arboricultural Impact Assessment (AIA) and tree protection plan. The proposal outlines that several trees would be removed.

The site is largely open grass with trees to the boundaries. The Council's Tree and Landscape Officer has advised that the trees of main public amenity value are the ones which form the north and west boundaries and the ones which lie adjacent to the public footpath. The trees proposed for removal to allow formation of the access turn within the site are considered to be of low public amenity value. The eastern boundary hedge adjacent to the public footpath would be removed to allow for an increased width of access drive. Although this would result in the loss of a hedge which provides a natural screen between the site and neighbouring access drive, it is not considered to be of significant quality to warrant its retention.

The Council's Tree and Landscape Officer has not raised objection in principle to the development and its layout but has recommended inclusion of a number of conditions to cover issues to be dealt with in a reserved matters application in the event the permission is granted. The indicated layout is considered to be suitable, having regard to the prominent trees along the boundaries. Officers consider that the proposal, subject to the inclusion of conditions if permission is granted, would preserve important trees and that

replacement / additional planting would ensure help mitigate the loss of the small-scale trees at the site access turning point.

#### Impact on visual amenity/character/design

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.

Paragraph 58 of the Framework further directs that planning decisions should establish a strong sense of place, creating attractive and comfortable places to live in and respond to local character and reflect the identity of local surroundings.

Ewhurst predominantly has dwellings that front main road networks. There is, however, some backland residential development present to the east and north-east of the site.

The indicative layout plan outlines that the development would be laid out with the front of the dwellings facing the internal road network. A range of semi-detached, terraced, detached and flatted dwellings are indicated.

The proposed residential development would be of a scale and design that would be commensurate with the residential character of the village. There would be a clear change in character when viewed from large aspects of the recreation ground. However, officers are satisfied that the proposal would not cause visual harm to the character of the local area.

The layout of having the internal road network located around the northern boundary, adjacent to the pond, would allow the natural separation of the proposed dwellings to the northern boundary. Officers consider this would provide a natural landscaped buffer to the northern boundary and give an active frontage to this part of the site, which would be most prominent to public views from the recreation ground.

Users of the public footpath along the existing access road would view a residential road where the internal road would bank west. The rear elevation of plots 28-31 would be viewed from the public footpath in the north-east corner. The visual impact of the dwellings from the public footpath would not

be harmful and officers consider that a suitable design and scale would be secured at reserved matters stage. Officers therefore consider the proposed layout would provide a sense of place and character to the scheme which would not be harmful when viewed from this public footpath. Further, the proposal would not be visually harmful from the public footpath which runs north of the site.

It is considered that the proposed scheme would not have a detrimental visual impact upon the character of the village and would therefore be acceptable on these grounds, and having regard to Policies D1 and D4 of the Local Plan and the NPPF.

#### 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 the Council's SPD for Residential Extensions.

The nearest existing residential properties to the proposed development lie along the southern and eastern boundaries.

The indicated layout plan is not fixed, however, it does provide an indication of how 31 dwellings could be accommodated on the site.

A number of proposed dwellings would be sited such that rear gardens would back on to the rear gardens of existing residential dwellings on Cranleigh Road. Taking into consideration this separation distance and the distance from the properties themselves, officers are satisfied that suitable separation distances could be achieved between the rear of proposed dwellings and these neighbouring plots to ensure that the proposal would not cause any material planning harm. Officers acknowledge that currently the outlook from both the rear windows and rear garden space from the properties on Cranleigh Road are unaffected. The proposal would result in new dwellings being visible from these neighbouring plots. However, the separation distance is such that there would not be material planning harm.

The indicated layout of dwellings would retain suitable distances to the existing garden boundary of dwelling known as Backward Point and dwellings beyond the public footpath to the east.

The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network.

However, these issues are transient and could be minimised through the requirements of planning conditions, if outline permission is granted.

Officers consider that sufficient evidence has been submitted to demonstrate that, subject to detailed consideration at a future stage, a scheme could be developed which would provide a good standard of amenity for future and existing occupiers and is compliant with Policies D1 and D4 and the NPPF in this regard.

#### Provision of amenity and play space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.

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

It is indicated that each proposed dwelling would have a private outdoor amenity space. The specific sizes of each outdoor amenity space would be secured at a future reserved matters application.

The proposal does not include a Local Area of Play (LAP). However, the site is easily accessible to the adjacent recreation ground where there is a locally equipped area of play (LEAP). However, this does not necessarily compensate for the lack of a LAP provision, which serves a different purpose to a LEAP in providing a small, close by area of play, particularly for small children. The omission of a LAP reduces the weight to be attached to the benefits of the scheme. Notwithstanding, the applicants have indicated that they would make an appropriate contribution towards playspace provision via legal agreement. This is considered to be reasonable and necessary and would partly compensate for the absence of a LAP on site.

## Flood risk and drainage considerations

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant.

In a Written Ministerial Statement on the 18<sup>th</sup> December 2014, the Secretary of State for Communities and Local Government set out the Government's expectation that sustainable drainage systems (SuDS) will be provided in new developments, wherever this is appropriate.

Decisions on planning applications relating to major developments should ensure that SuDS for the management of run-off are put in place, unless demonstrated to be inappropriate. Under these arrangements, Local Planning Authorities should consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. SuDS may not be practicable for some forms of development. New development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of SuDS. When considering major development, SuDS should be provided unless demonstrated to be inappropriate. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

Notwithstanding, as the proposed development for residential purposes is classified as 'More Vulnerable', the use is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 2 of the NPPF – Technical Guidance Document. It is not therefore necessary to consider the sequential or exception tests in this instance.

However, the application relates to a major development and the site area exceeds 1 ha. Therefore, a site specific Flood Risk Assessment (FRA) is required and one has been submitted with the application.

The FRA outlines that the site is not susceptible to either tidal or fluvial flooding and that no risk has been identified from other sources, such as overland flow, ground water, sewers and artificial sources

The FRA goes on to confirm that the principal concern with the proposal is surface water run-off due to the increase in impermeable surfaces on the site. Due to the type of soil, it is proposed that traditional soakaways would not be feasible at the site's location. The proposal therefore would utilise the existing pond at the bottom part of the site as part of the sustainable drainage solution for the site. It is therefore proposed to drain all impermeable areas to a reed bed which will then discharge the run-off to the pond. The pond would be modified to accommodate greater water storage and its outlet to the existing ditch would be modified to restrict rate of run-off to 1 in 1 year green field run-off rate, which would be a significant improvement over the existing situation. The ditch provides an existing draining point for the existing pond on the site. The ditch flows from north to south and is present along the north boundary of the site.

Wastewater drainage is proposed to connect to the exiting public sewer system. Thames Water has raised no objection to the proposal.

The LLFA has considered these proposals and has confirmed that the drainage proposals satisfy the requirements of the NPPF and NPPG. It has

further recommended that should permission be granted, then suitable conditions should be imposed to ensure that the SuDS scheme is properly implemented and maintained throughout the lifetime of the development.

Having regard to the submitted Flood Risk Assessment, together with the comments and recommended conditions from the LLFA, it is considered that the proposal has adequately addressed flood risk, surface water and ground water flooding risk in accordance with the NPPF 2012.

### Noise Impacts

Paragraph 123 of the NPPF states that Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The Council's Environmental Health Officer has not raised objection to the proposal. The proposal would utilise an existing access which runs adjacent to an existing residential property known as Oakhanger. Officers acknowledge that the proposal would generate additional noise on this access road through an increase in vehicle movement. The vehicle speeds along the access road would be expected to be low and therefore the level of noise generation would be limited in this respect. The proposal includes the clearance of vegetation on the eastern side and the cutting back of a hedge on the western side of the access to allow for a tarmaced access road of 4.8 m in width. Landscaping is a reserved matter, however, officers consider that acoustic fencing would be required to be erected along the western boundary to the access road to ensure that noise is kept to minimum from vehicles. The details of this would be captured by the reserved matter application, if permission is granted.

Officers consider that noise from construction works would be likely to have some effect upon surrounding residential land uses, mainly the movement of



construction vehicles along the existing access road. Therefore it is necessary to mitigate against and minimise the impact of the noise levels. Officers are content that the impact could be minimised and mitigated through the imposition of a Construction Environmental Management Plan, which would be secured by condition if permission is granted. This would also detail hours and days for the construction period.

### Air quality impacts

Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by: *inter alia* preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location.

The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of *inter alia* (c) 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) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances

In the same vein, Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular *inter alia* (a)

development, which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The introduction of residential properties to the area may expose the future occupants to air pollution associated with road traffic and is likely to increase road usage in the area by the occupants.

There are also potential concerns relating to local air quality through any potential emissions during the construction phases of the project, affecting existing receptors in the area through potential fugitive dust emissions and by increased traffic to the site during development.

It should be noted that the impact of dust and emissions from construction could have an impact on local air quality. The proposal would increase vehicular traffic movement to and from the site which could have an additional effect on the air quality in this location.

Notwithstanding the above, in the event that permission were to be granted, Officers are satisfied that impact upon air quality could be suitably controlled through conditions to include a Construction Site Management Plan.

#### Archaeological and heritage Considerations

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The site is not located within an Area of High Archaeological Potential. However, due to the size of the site and pursuant to Policy HE15 of the Local Plan, it is necessary for the application to take account of the potential impact on archaeological interests.

The application has been supported by a desk-based archaeological assessment by Thames Valley Archaeological Services dated March 2016. The desk-based assessment concludes that there are no known heritage assets within the proposed development site. It further recommends a scheme should be drawn up to mitigate the development from any below ground archaeological deposits, implemented via an appropriately worded condition. The County Archaeologist concurs with the recommendations of the desk-top archaeological study and recommends a suitably worded condition, should permission be granted.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In accordance with this, the NPPF and Policies HE1, HE3 and HE5 of the Local Plan 2002 state that development should preserve or enhance the character and setting of Listed Buildings.

Policy HE3 outlines that where development is proposed that will affect a listed building or its setting, high design standards will be sought to ensure that the new development is appropriate and compatible in terms of siting, style, scale, density, height, massing, colour, materials, archaeological features and detailing.

Paragraph 128 of the NPPF states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 129 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

The definition of 'heritage asset' in the NPPF includes Listed Buildings.

The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be

historic. Significance derives not only from a heritage assets physical presence, but also from its setting.

There are no listed buildings which adjoin the application site. Sayers Croft is Grade II listed and is located west beyond the recreation ground from the application site. The significance of this Grade II Listed Building is its historic reasons for its build, which include its combined kitchen and dining hall building and the murals on the internal walls which were designed and executed by boys during the War.

Paragraphs 131 states that, 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness'.

Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building... should be exceptional'.

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

A recent appeal decision has been made on land south of this listed building site (WA/2014/0878), in which the proposal was dismissed on grounds of impact on the setting of this listed building. However, taking into consideration the distance and that the recreation ground lies in between, officers are satisfied the current proposal would not cause harm to the setting of this listed building. The proposal would therefore preserve the setting of the heritage asset in accordance with Policy HE3 of the Local Plan and the NPPF.

### 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 its 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.

The proposal has been designed to have an active internal road frontage, with the fronts of dwellings facing the road. Further, sufficient separation distances are proposed from the dwellings to the public footpath so as to not overshadow this path and make it undesirable to use. The Crime Prevention Design Officer has not raised any concern with the indicated layout. Overall, officers are satisfied the proposal would create a sense of community and place within the site and would not lead to crime and disorder in the wider community.

The principle of development and proposed access would not be likely to give rise to crime and disorder in the area.

### Infrastructure

Policy D13 of the Local Plan states that “development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements”.

Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

The three tests as set out in Regulation 122(2) require s106 agreements to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The NPPF emphasises that to ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

From 6<sup>th</sup> April 2015, CIL Regulation 123 was amended to mean that the use of pooled contributions under Section 106 of the Town Country Planning Act are restricted.

At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a Section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6<sup>th</sup> April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

In the light of the above change, the infrastructure providers have been requested to confirm that the identified contributions contained within the PIC calculator meet the tests of CIL Regulations 122 and 123. The final

obligations to be included within the Section 106 agreement will need to satisfy the tests of the Regulations.

The following contributions are therefore sought and justified:

- £7,000 toward environmental enhancements at the Ewhurst village car park lighting scheme.
- £20,865 toward Early Years infrastructure at the Ewhurst CofE Infant School to provide a new pre-school classroom following demolition of existing.
- £93,488 toward Primary Education infrastructure at the Cranleigh CofE primary school to provide additional reception classrooms in the form of new build to allow the school to accommodate more children.
- £720 toward bins and recycling containers for each dwelling.
- £17,437.50 towards a Multi -Use Ball Court and surface to replace the current tennis courts at Ewhurst Recreation Ground.
- £18,987.5 towards playing Pitch improvements at Ewhurst Recreation Ground to undertake remedial works to improve the playability of the football pitches and enable them to host increased numbers of football matches.

The providers have confirmed that the proposed contributions would not result in the pooling of more than 5 contributions towards one specific piece of infrastructure. The infrastructure improvements required would therefore comply with CIL Regulations 122 and 123.

The applicant has not completed a Section 106 Agreement to secure the contributions. However, they have indicated that they are willing to enter into this. The recommendation should therefore reflect this requirement. Subject to the completion of the S106 agreement to secure the above contributions, the proposal would comply with Policies D13 and D14 of the Local Plan.

### Health and Wellbeing

Local Planning Authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

The NPPG sets out that the range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how:

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);
- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The Council has sought the views of NHS England, Health Watch, Guildford and Waverley Clinical Commissioning Group and the Director of Public Health for Surrey. These bodies have not raised comment on the proposal and therefore no infrastructure is considered to be required in respect of health and well-being.

The provision of open space in the scheme and private outdoor amenity space for the dwellings is considered to be positive in terms of the health and well being of future residents. Further, the site has good pedestrian links to the public recreation ground to the north.



Officers conclude that the proposed development would ensure that health and wellbeing, and health infrastructure have been suitably addressed in the application.

### Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for the decision maker.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development.

The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total of £44,950) per annum for six years. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal.

### Climate Change and Sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. The lack of any policy backing in this regard, therefore, prevents conditions being added to require this.

### 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 by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

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.' The National Environment and Rural Communities Act 2006 states that the Council as Local Planning Authority has a legal duty of care to protect biodiversity.

The application is accompanied by an Ecological Appraisal, Including Habitat Survey, dated July 2015.

This report considers the impact on the proposed development on; Amphibians, Reptiles, Birds, Badgers, Bats and Dormouse.

Surrey Wildlife Trust has assessed the survey and has advised that in the event of an approval, the applicant should be required to undertake all the recommended actions in section 4 of the report, including biodiversity enhancements detailed in sub-section 4.6. In addition, it is recommended that a Landscape and Ecological Management Plan be secured by Condition, if outline permission is granted, to allow the Council to meet its need in conserving and enhancing the natural and local environment and meeting the above obligation as well as offsetting any localised harm to biodiversity caused by the development process.

It is therefore considered that subject to recommended conditions, the proposed scheme would not adversely affect biodiversity and would also contribute to enhancing the natural and local environment.

#### 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.

#### 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.

#### Human Rights Implications

The proposal would have no material impact on human rights.

#### Response to Parish Council and Third Party comments

A number of concerns have been highlighted in third party representations as well as in the Ewhurst Parish Council response. These comments have been very carefully considered by officers.

The majority of the concerns relate to the impact on the countryside, highway safety, visual impact, poor access, drainage, impact on amenity, flooding, the site is within an unsuitable location and premature to the neighbourhood plan.

Most of these issues are addressed within the main body of the report. In addition, the following response is offered:

- The concerns regarding access and suitability of the width of the access have been carefully considered by officers. The County Highway Authority

has not raised objection to the single access point to serve the residential dwellings. Account has been taken of the likely vehicle trip movements and level of visibility of the access point. Further, the County Rights of Way Officer has raised no objection to the use of shared access road with the public footpath. Therefore, Officers advise that a refusal on technical grounds of impact on highway safety and pedestrian safety could not be justified.

- The proposed drainage strategy has been carefully considered and reviewed by the Lead Local Flood Authority, which has raised no objection, subject to conditions.
- The number of dwellings proposed and density has been carefully considered by officers. The surrounding area comprises residential development of varied density, with higher density to the east and lower density to the south. The proposal would result in a change to views from the recreation ground resulting from the proposed residential development. However, existing residential development is visible from the recreation ground and officers do not consider the proposal would, result in a visually harmful impact on the recreation ground and its enjoyment by public users. The natural tree line which divides the site with the recreation ground would remain unaffected by the proposed development.

#### Cumulative Effects/in-combination effects

It is important that the cumulative effect of the proposed development and any other committed developments (i.e. schemes with planning permission, (taking into consideration impacts at both the construction and operational phases), or those identified in local planning policy documents) in the area are considered.

Cumulative effects comprise the combined effects of reasonably foreseeable changes arising from the development and other development within a specific geographical area and over a certain period of time. The significance of cumulative impacts needs to be assessed in the context of characteristics of the existing environment. This is to ensure that all of the developments:

- Are mutually compatible; and
- Remain within the environmental capacity of the area and its environs.

Officers have considered the surrounding areas for any developments which require consideration. It is noted that the scheme for development proposed at Swallow Tiles is nearing completion; however, this is set away from the development. The current proposal is for 31 dwellings and as such is not

considered to have any significant environmental effects, whether in combination with this other development or on its own. As such, the proposed development would not cause cumulative harm to the character and amenity of the area or highway safety.

#### Development Management Procedure Order 2015 - 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:-

- 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.

#### Environmental Impact Regulations 2011

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

#### Pre Commencement Conditions

Article 35 of the DMPO 2015 requires that for any application for planning permission, the Notice must state clearly and precisely the full reasons, in the case of each pre-commencement condition, for the condition being a pre-commencement condition. This is in addition to giving the full reason for the condition being imposed.

“Pre commencement condition” means a condition imposed on the grant of permission which must be complied with: before any building/ other operation/ or use of the land comprised in the development is begun.

Where pre commencement conditions are justified, these are provided with an appropriate reason for the condition.

## Conclusion / Planning Judgement

The application is for outline planning permission with all matters reserved, except for access. Therefore, the other details, such as layout, appearance, scale and landscaping have not been considered in the application. Therefore, the detail of the reserved matters scheme will be critical to ensure that the proposed development is acceptable in planning terms.

In forming a conclusion, the NPPF requires that the benefits of the scheme must be balanced against any negative aspects of the scheme.

The site is located in the Countryside Beyond the Green Belt, and as such the development would encroach into the countryside. The Council's preference would be for previously developed land to be developed prior to green field sites.

The site is located within a reasonable sustainable location, in terms of access to services and facilities in the village. The scale of development is not such that would result in a significant level of vehicular movements nor is the site subject to any protected landscape designation. The proposal is therefore considered to be sustainable development in which paragraph 14 of the NPPF applies the presumption in favour of sustainable development.

However, the Council cannot currently identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand for the next five years. This is a material consideration of significant weight in this assessment. Linked to this, Policy C2 is a housing land supply policies and given the lack of a 5 year supply of housing, officers advise that Policy C2 can only be afforded limited weight in respect of constraints on development in principle. The recent appeal decision of Baker Oates, Farnham (WA/2014/2028) lends support to this view.

The proposal would not result in the loss or alienation of the best and most versatile agricultural land, and would not result in the fragmentation of an agricultural holding so as to seriously undermine the economic viability of the remaining holding.

The scheme would result in an increase in traffic movements to and from the site onto the surrounding road network. However, the County Highway Authority has assessed the Transport Assessment submitted and concludes that the access and highway considerations put forward would be sufficient to accommodate this increase in traffic.

In terms of flood risk, the site is located within Flood Zone 1 and is not therefore at risk of flooding from rivers. No objection has been raised by the relevant statutory bodies on flooding or drainage grounds and the detailed arrangements could be adequately secured by condition.

The scheme would deliver both market and affordable housing, which would contribute towards housing in the Borough in a sustainable location. Furthermore, the proposal would provide for onsite affordable housing, an important consideration which weighs in favour of the scheme.

The proposal would provide an appropriate mix of dwellings to help meet identified housing need, broadly in line with the SHMA 2015, Local Plan Policy and Paragraph 50 of the NPPF.

In addition, the applicants have indicated a willingness to enter into a Section 106 agreement to secure the necessary infrastructure contributions, which include an early years and primary education contribution; future ownership, management and maintenance of on-site SuDS and environmental improvements.

Overall, officers consider that the proposal provides for a good mix of dwellings which would create a balanced community and contribute to meeting identified housing need. The benefit of additional housing, which is of a mix that would help meet identified need, is considered to outweigh the negative aspects of the scheme. Officers therefore consider that the proposed mix of dwellings is appropriate in comparison to the previously refused scheme WA/2015/1902.

Officers therefore consider that there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF taken as a whole.

### Recommendation

That, subject to completion of a S106 legal agreement to secure 29.5% affordable housing, infrastructure contributions towards off-site early years and primary education, environmental improvements, recreational facilities, on-site public footpath works and the setting up of a Management Company for open space and SuDS, and subject to conditions, permission be GRANTED:

1. Condition

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

1. layout;
2. scale;
4. landscaping; and
3. appearance.

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

Reason

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

2. Condition

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

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

3. Condition

The plan numbers to which this permission relates are 2374-A-1001-A, 2374-SK-1006-E, 3330\_DR\_003, 3330\_DR\_001, 2374-SK-1006-F, 2374-SK-1006-C, 572CR01. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.



4. Condition

The development hereby approved shall not be commenced unless and until the proposed modified access to Cranleigh Road (B2127) has been constructed in general accordance with the approved plans and provided with visibility splays. Thereafter the visibility splays shall be kept permanently clear of any obstruction measured from 0.6m above the road surface.

Reason

The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. In accordance with of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012. This is a pre-commencement condition as this detail is required ahead of any works taking place to ensure satisfactory arrangements are made to safeguard the local highway network during construction works.

5. Condition

The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purpose.

Reason

The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. In accordance with of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

6. Condition

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway

(i) on-site turning for construction vehicles has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. In accordance with of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012. This is a pre-commencement condition as this detail is required ahead of any works taking place to ensure satisfactory arrangements are made to safeguard the local highway network during construction works.

7. Condition

No operations involving the bulk movement of earthworks/materials to or from the development site shall commence unless and until facilities have be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason

The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. In accordance with of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

8. Condition

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority for:

- (a) The secure parking of bicycles within the development site,
- (b) information to be provided to residents regarding the availability of and whereabouts of local public transport and walking/cycling routes.

Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

The condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users. In accordance with of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

9. Condition

The development hereby permitted shall be carried in strict accordance with the measures details in the 'Recommendations' section 4 of the Ecological Appraisal Report by Bioscan dated July 2015.

Reason

In the interests of the ecology of the site and to accord with the Wildlife and Countryside Act 1981 and Regulation 40 of the Conservation of Species and Habitats Regulations 2010 and to comply with Policy D5 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

10. Condition

No development shall commence until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority. The development should be carried out in strict accordance with the approved details. The scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority. The floodlighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation. The intensity of the illumination permitted by this consent shall be no greater than that recommended by the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01.

Reason

In the interest of the amenities of the area, in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as the matter goes to the heart of the permission.

11. Condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground levels and finished floor levels of the development hereby permitted.

The development shall be carried out in strict accordance with the approved details.

**Reason**

In the interest of the character and amenity of the area in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as this matter goes to the heart of the acceptability of the development.

**12. Condition**

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. An indicative programme for carrying out of the works
- ii. The arrangements for public consultation and liaison during the construction works
- iii. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- iv. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- v. the parking of vehicles of site operatives and visitors
- vi. loading and unloading of plant and materials
- vii. storage of plant and materials used in constructing the development
- viii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- ix. wheel washing facilities
- x. measures to control the emission of dust and dirt during construction
- xi. a scheme for recycling/disposing of waste resulting from demolition and construction works

**Reason**

In the interest of the amenities of the area, in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as the matter goes to the heart of the permission.

**13. Condition**

Full details of the waste and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority

prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason

To ensure an acceptable level of waste and recycling storage is provided in accordance with Policies D1 and D4 of the Waverley Local Plan 2002

14. Condition

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

Reason

To ensure an acceptable impact on archaeological features in accordance with Policy HE15 of the Waverley Local Plan 2002

15. Condition

Construction works or deliveries to and from the site shall not take place outside the hours of 08:00-18:00 on Monday to Friday, 08:00-13:00 Saturday, and no activities on Sunday and Bank Holidays.

Reason

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

16. Condition

No burning of materials shall take place on site during the construction of the development

Reason

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

17. Condition

The Sustainable Urban Drainage System hereby agreed shall not be carried out except in complete accordance with the Flood Risk Assessment dated 20<sup>th</sup> July 2015 by Monson.

Reason

To ensure an acceptable Sustainable Drainage System and to comply with (Local Policy Ref) of the (District / Borough Local Plan or Core

Strategy) and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS.

18. Condition

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason

To ensure an acceptable Sustainable Drainage System and to comply with (Local Policy Ref) of the (District / Borough Local Plan or Core Strategy) and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS.

19. Condition

Before the commencement of the construction of the dwellings hereby approved, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.

Reason

To ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System.

20. Condition

Before the commencement of the construction of the dwellings hereby approved, construction details of the hydrobrake and long and cross sections of the drainage system and pond, must be submitted to and approved by the Local Planning Authority

Reason

To ensure that the proposal is built to technical standards

Informatives

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division

of Surrey County Council.

2. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.
3. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
5. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
6. The developer is advised that Public Footpath No. 437 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
7. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation

works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

8. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
9. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
10. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
11. 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.