

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: 3 February 2017

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 Mike Band	Cllr Jerry Hyman
Cllr Carole Cockburn	Cllr Anna James
Cllr Kevin Deanus	Cllr Stephen Mulliner
Cllr David Else	Cllr Jeanette Stennett
Cllr Mary Forsyszewski	Cllr Stewart Stennett
Cllr Pat Frost	Cllr Chris Storey
Cllr John Gray	Cllr John Ward
Cllr Christiaan Hesse	Cllr Nick Williams

Substitutes

Appropriate Substitutes will be arranged prior to the meeting

Dear Councillor

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

DATE: WEDNESDAY, 15 FEBRUARY 2017

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 19 December 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.

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/2016/1625 - LAND SOUTH OF HIGH STREET BETWEEN ALFOLD ROAD AND KNOWLE LANE, CRANLEIGH (Pages 5 - 92)

Proposal

Application under Section 73 to vary Conditions 18, 21 and 22 of WA/2014/0912 (pre-commencement conditions) to allow alternative wording to include a phased proposal of the development. This application is accompanied by a Statement of Conformity to the Environmental Statement (as amplified by Statement of Conformity received 20/12/2016)

Recommendation

That, having regard to the Environmental information contained within the application, the accompanying Environmental Statement and responses to it, and compliance with the completed Section 106 agreement under WA/2014/0912, 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**

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Agenda Item 5.

A1 WA/2016/1625
O Forsyth
Berkeley Homes (Southern) Ltd
05/08/2016

Application under Section 73 to vary Conditions 18, 21 and 22 of WA/2014/0912 (pre-commencement conditions) to allow alternative wording to include a phased proposal of the development. This application is accompanied by a Statement of Conformity to the Environmental Statement (as amplified by Statement of Conformity received 20/12/2016) at Land South of High Street between Alfold Road and Knowle Lane, Cranleigh

Committee: Joint Planning Committee
Meeting Date: 15/02/2017

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 505170 N: 139070

Parish: Cranleigh
Ward: Cranleigh West
Case Officer: Jennifer Samuelson
13 Week Expiry Date: 03/11/2016
Time Extended Date: 16/02/2017
Neighbour Notification Expiry Date: 23/09/2016

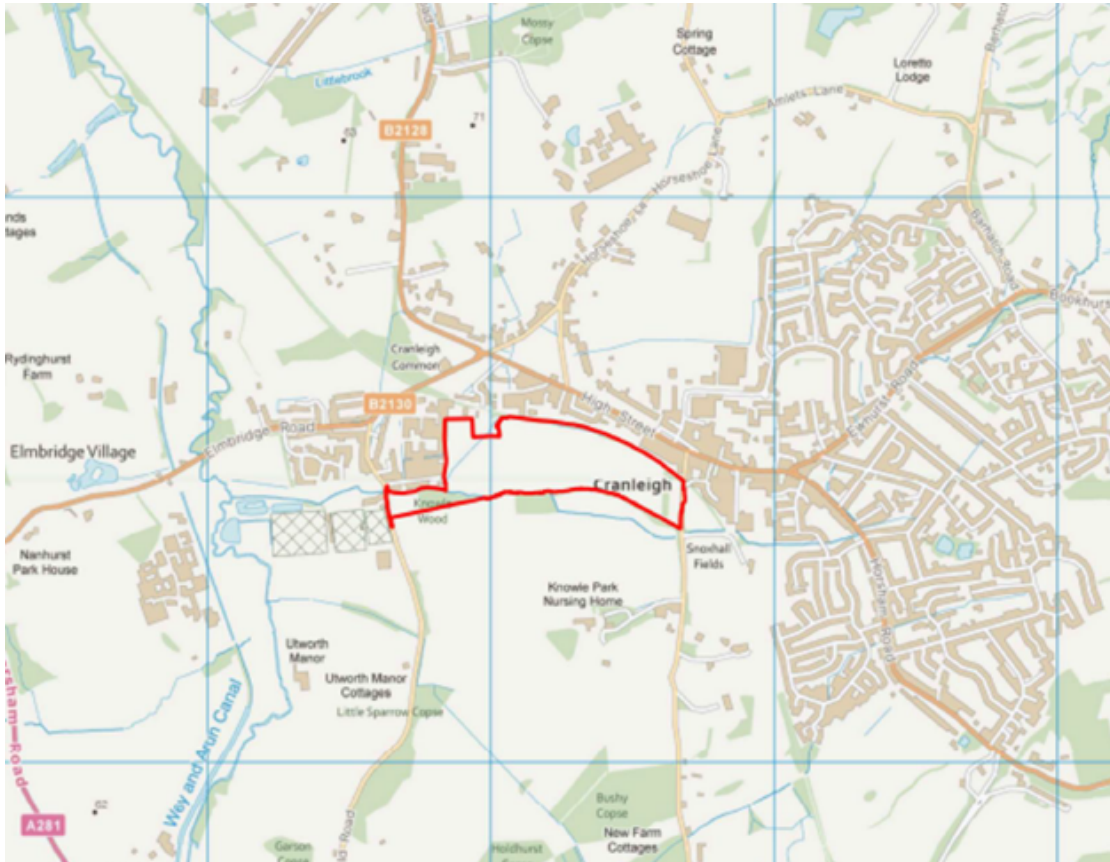
RECOMMENDATION

That, having regard to the Environmental information contained within the application, the accompanying Environmental Statement and responses to it, and compliance with the completed Section 106 agreement under WA/2014/0912, and subject to conditions, permission be GRANTED

Introduction

The application has been brought before the Joint Planning Committee at the request of the Local Member.

Location Plan



Aerial view of the application site



Site Description

The application site measures 20.82 hectares and is located to the south of Cranleigh High Street, between Knowle Lane to the east and Alfold Road to the west.

The site currently comprises agricultural land, subdivided by hedgerows into fields. The eastern part of the site is woodland and was previously used for allotments. The peripheries of the site are well treed with a few mature trees within the central parts of the site also.

A watercourse runs along the southern boundary of the site and also through the western part of the site.

A bridleway runs along the northern boundary of the site (part of the Downs Link) and an unclassified track runs along the southern boundary of the site.

The southern boundary of the site is bounded by a woodland belt, which extends into the site towards the south-western part of the site (this part of the woodland belt is classified as Ancient Woodland). To the south of the site is further agricultural land.

The northern boundary of the site adjoins the rear of the car parks serving the High Street, existing residential houses, a Builders' yard (Jewsons) and Hewitt's Industrial Estate (which also adjoins the majority of the western boundary of the site).

The site is relatively flat. There are a number of field access points; an access is located on Knowle Lane and also on Alfold Road (although there is not currently vehicular access from one side of the site to the other).

Despite the size of the site, there are relatively few views into the site and, due to the tree screening, the site is substantially, visually enclosed.

Proposal

This application seeks permission to vary the wording of Conditions 18, 21 and 22 upon outline permission of WA/2014/0912 under Section 73 of the Town and Country Planning Act (1990) (as amended) in order for the conditions to be discharged per phase of the development. Outline permission was for the erection of up to 426 dwellings including affordable homes and associated works, with new accesses from Knowle Lane and Alfold Road, with

the matters of appearance, landscaping, layout and scale reserved. This included a phasing condition within the Section 106 agreement.

The existing and proposed wording of each condition is set out below:

Condition 18 (existing wording):

Prior to the approval of reserved matters, design details for the Littlemead Brook and Nuthurst Stream river crossings/bridges shall be submitted to and approved in writing by the local planning authority. These details shall be based upon the concepts and information presented in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014 and Drawing number 0576-SK-103, 'Indicative Bridge Elevations', Revision A, prepared by WSP, dated April 2014. The works shall then be implemented as approved, prior to first occupation of any dwelling on the site.

Condition 18 (proposed wording):

Prior to the approval of reserved matters **of the relevant phase**, design details for the Littlemead Brook and Nuthurst Stream river crossings/bridges shall be submitted to and approved in writing by the Local Planning Authority. These details shall be based upon the concepts and information presented in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. The works shall be implemented as approved, prior to first occupation of any dwelling on the site.

Condition 21 (existing wording)

Prior to submission of reserved matters, a sustainable surface water drainage scheme for the site is to be submitted to and approved in writing by the local planning authority. The scheme is to be based on the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.

Condition 21 (proposed wording)

Prior to approval of reserved matters **of the relevant phase**, a sustainable surface water drainage scheme for the phase is to be submitted to and approved in writing by the local planning authority. The scheme is to be based on the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1,

prepared by WSP and dated 28 April 2014. No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.

Condition 22 (existing wording):

No development shall take place until details of future continued maintenance and management of the surface water drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) Timetable for its implementation, and
- b) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Condition 22 (proposed wording):

No occupation of the relevant phase shall take place until details of future continued maintenance and management of the surface water drainage scheme for that phase have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- c) Timetable for its implementation, and
- d) Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Relevant Planning History

WA/2016/2160	Approval of reserved matters for Phase 1 of the site for the erection of 55 dwellings following the Outline Approval for the erection of up to 425 dwellings, a community facility and informal open space (WA/2014/0912).	Pending Decision	
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WA/2014/0912	Outline Planning Application with the reservation for subsequent approval of appearance, landscaping, layout and scale (reserved matters) for the erection of up to 425 dwellings including affordable homes and associated works, and new access points onto Alfold Road and Knowle Lane. This application affects Bridleway 566 and is accompanied by an Environmental Statement.	Refused 06/01/2015	Appeal Allowed 31/03/2016
SO/2013/0008	Request for Scoping opinion for proposed residential development comprising of approximately 400 units.	Scoping Opinion Given	24/09/2013
WA/1986/0426	Outline application for the construction of by-pass to link Elmbridge Road with Ewhurst Road/Horsham Road; retail store (21,500 sq ft) ,together with car park for 300 cars; and mixed residential development for 110 dwellings	Refused	30/06/1986

Planning Policy Constraints

Countryside beyond Green Belt (outside any defined settlement area)

Long Distance Footpath

River bank within 20m

Bridleway

Gas Pipe Line

Flood Zones 2 and 3

Ancient Woodland

Section 106 Agreement (agreed at outline stage)

Guildford/Cranleigh corridor

Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002

D1	Environmental Implications of Development
D2	Compatibility of Uses
D3	Resources
D4	Design and Layout
D5	Nature Conservation
D6	Tree Controls
D7	Trees, Hedgerows and Development

D8	Crime Prevention
D9	Accessibility
D13	Essential Infrastructure
D14	Planning Benefits
C2	Countryside beyond the Green Belt
C5	Areas of Strategic Visual Importance
C7	Trees, Woodlands and Hedgerows
C12	Canals and River Corridors
HE15	Unidentified Archaeological Sites
H4	Density and Size of Dwellings
H10	Amenity and Play Space
CF2	Provision of New Community Facilities
TC1	Town Centre Uses
TC9	Town Centre Enhancement
RD9	Agricultural Land
M1	The Location of Development
M2	The Movement Implications of Development
M4	Provision for Pedestrians
M5	Provision for Cyclists
M7	Footpaths and cycleways
M8	Guildford-Cranleigh Movement Corridor
M14	Car parking Standards

Draft Local Plan Part 1: Strategic Policies and Sites

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy
ALH1	The Amount and Location of Housing
ST1	Sustainable Transport
ICS1	Infrastructure and Community Facilities
AHN1	Affordable Housing on Development Sites
AHN3	Housing Types and Size
LRC1	Leisure, Recreation and Cultural Facilities
RE1	Countryside beyond the Green Belt
TD1	Townscape and Design
NE1	Biodiversity and Geological Conservation
NE2	Green and Blue Infrastructure
CC1	Climate Change
CC2	Sustainable Construction
CC3	Renewable Energy Development
CC4	Flood Risk Management
SS5	Strategic Housing Site at Land South of Elmbridge Road and the High Street, Cranleigh

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) therefore remains 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 (Non-Strategic Policies and Site Allocations) will follow the adoption of Part 1. The new Local Plan builds upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. The Council approved the publication of the draft Local Plan Part 1 for its Pre-submission consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on 19 July 2016. The consultation period commenced in August 2016 and closed on 3 October 2016. On the 21st December 2016 the Council submitted the draft Local Plan Part 1 for Examination. In accordance with paragraph 216 of the NPPF, weight can be given to the draft Plan, but the degree to which it can is determined by the stage the Plan has reached and the extent to which there are any unresolved objections to it. It is considered that significant weight can be given to the submitted Plan following its publication on Friday 19 August, given its history of preparation thus far, the iterations of it and the extent of consultation and consideration on it to date. The weight afforded to the Draft Local Plan will increase as the Plan progresses through Examination and onto its adoption in 2017.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (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 (2015/2016)
- Viability Assessment (2016)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Council's 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 Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)
- Cranleigh Design Statement 2008

Consultations and Town/Parish Council Comments

County Highway Authority	No comments to make.
Parish Council	<p>Object. The development needs to be undertaken as a whole and not phased. It was highlighted that to ensure safe access and egress across the site, the bridges could not and should not be phased, also that the SuDS are designed as whole site project and therefore the Council cannot see how they could be phased.</p> <p>Members highlighted that the proposed Knowle Lane access is located on a highways wet spot which raises strong concerns.</p>
Lead Local Flood Authority	<p>The relevant SuDS conditions pre-date the LLFA role as a statutory consultee and are not as detailed as conditions that would be set for applications at this time.</p> <p>With regard to Condition 18 and the proposed bridges, no comments to make but recommends an informative.</p> <p>With regard to Condition 21, which refers to a phased drainage statement, recommends an overarching outline drainage statement be submitted for the whole site and a detailed drainage statement for each phase. Any</p>

	<p>drainage works that drain the whole site, or multiple phases, need to be installed prior to the development of that particular phase. The drainage statement should be in line with current standards.</p> <p>With regard to Condition 22, which refers to the maintenance of the SuDS, no comments to make on the change of wording for this condition.</p> <p>Recommends an additional condition be included on any permission granted, to require the submission of a Verification Report prior to occupation of dwellings, to ensure the SuDS are constructed as approved.</p> <p>Updated response: Following assessment of the FRA submitted with the outline permission, the applicant has demonstrated that the discharge rates would be at Greenfield level and therefore an overarching drainage statement would not be required for Condition 21, subject to the detailed drainage statements following the principles set out in the FRA.</p>
Council's Environmental Health Officer	The conditions requested to be varied do not impact environmental health matters. A phased development may create additional noise issues on site, and therefore an additional condition is recommended.
Natural England	No comment to make on this application.
Environment Agency	<p>The revised wording of Condition 18 (for the crossings of Littlemead Brook and Nuthurst Stream) would still require details of the bridge crossings to be submitted prior to the approval of reserved matters, and therefore raise no objection to the proposed variation of condition.</p> <p>Conditions 21 and 22 are now a matter for the</p>

	LLFA and therefore no comments to make.
Council's Waste and Recycling Officer	The proposed variations would not affect refuse and recycling collections.
Surrey Wildlife Trust	No comment received.
Thames Water	No comment received.
Forestry Commission	No comment received.
County Rights of Way Officer	No comment received.
Police Architectural Liaison Officer	No comment received.
Auto-cycle Union Ltd	No comment received.
British Horse Society	No comment received.
Byways and Bridleways Trust	No comment received.
Cycling Touring Club	No comment received.
Ramblers Association - Local	No comment received.
Ramblers Association - London	No comment received.
The Open Spaces Society	No comment received.
British Driving Society	No comment received.
Director of Public Health	No comment received.
NHS England	No comment received.
Guildford and Waverley Clinical Commission	No comment received.
Health Watch	No comment received.
Scottish and Southern Energy Plc	No comment received.
Scotia Gas Networks	No comment received.
Surrey County Council Emergency	No comment received.
Wey and Arun Canal Trust	No comment received.
Emergency Planning	No comment received.

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 02/09/2016, site notices were displayed around the site 21/09/2016 and neighbour notification letters were sent on 19/08/2016.

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

General	- The requirements in the conditions as granted on appeal affect the whole site, not only the relevant
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	<p>phase.</p> <ul style="list-style-type: none"> - Developer should be made to stay with what was originally asked for. - To suspend or delay any of these works may mean they are never completed, which would have a severe knock-on effect and impact future developments in the area. - Phases 2/3/4 could be sold off or left undeveloped, and therefore the works should not be allocated to phases. - Given the amount of major developments planned, it would be unwise to set a precedent by allowing the proposed amendments to this application. - Conditions with regards to safe access, surface water flooding and sewage cannot be phased. They impact the viability of the site as a whole.
Condition 18	<ul style="list-style-type: none"> - The bridges were to ensure safe access and egress in the event of flooding as an element of the sequential test. These should be constructed prior to the approval of the reserved matters. - The Section 106 for bridges applies to all development in the area, not just WA/2014/0912. - Land registry documents show that neighbours on Little Mead Industrial Estate own the land right up to the road verge. Any planned bridge crossing of Littlemead Brook would entail encroachment onto their land, which they would not accept. - The bridge over Littlemead Brook puts the road and pedestrian user at a higher risk of accident.
Conditions 21 and 22	<ul style="list-style-type: none"> - Wording should not be altered as the whole site is known to be liable to flooding. The appropriate surface water drainage scheme, and its management and maintenance, for the whole site should be approved, not just the relevant phase, before any development takes place. - The SuDS scheme on the entire site is interconnected and forms a complex hierarchy of surface water run-off control measures. No section can be viewed in isolation and it is imperative that there are no changes to conditions 21 and 22. - The Government and EA published revised climate change allowances which requires applicants and

	<p>developers to assess a range of climate change allowances from 25-70% above the 1% AEP, which is higher than the previous 20% allowances.</p> <ul style="list-style-type: none"> - Alfold Road would be affected by the drainage systems, as part of the lowest laying land of the site and Cranleigh. Phase 1 is higher, and therefore would drain to Alfold Road. - Possible drainage issues across the front of neighbouring dwelling which they have not been consulted on or approve of.
Other	<ul style="list-style-type: none"> - Thought the idea was that they were given the permission to build to enable the area to have more affordable social housing, not just the larger housing first. - Existing sewerage system cannot cope with current workload. - Gross overdevelopment of the site - Perfectly good brownfield site adjacent which could accommodate a large proportion of the development. - Access for vehicles during construction is wholly unsuitable and should be taken up with the Highway Authority - Would destroy this little village. - Flooding, sewerage and traffic generation have not been dealt with. - Roads are too narrow for 425 houses. - No footpaths along the roads for pedestrians. - Traffic congestion within Cranleigh, particularly on a Thursday - High water demand or failures at the pumping station has led to properties in the Winterfold area suffering from a severe drop in water pressure. The effects on the water pressure of the entire proposed development should be assessed. - Impact on doctors surgeries, which are already oversubscribed. - The plans assume a pedestrian footpath across neighbouring land, which they would not agree to. - Construction would result in increased traffic at Alfold Road, even if construction were just for Phase 1 at the Knowle Road end.

1 letter has been received raising a general observation from a neighbour who has also objected:

- The Lead Local Flood Authority response appears to refer to another application. Would be interested to see the LLFA comments for this site. The EA confirms the LLFA are commenting on this application. It is essential these comments are received.

Submissions in support

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

- The proposed amendments are sought in order to enable compliance with the conditions as this will be a phased development.

Determining Issues

- Principle of development
- Planning history and differences with previous proposal
- Prematurity
- Environmental Impact Assessment
- The lawful use of the land and loss of agricultural land
- Location of development
- Housing land supply
- Housing mix and density
- Affordable housing
- Highway considerations, including impact on traffic and parking considerations
- Impact on Countryside Beyond the Green Belt and landscape
- Impact on visual amenity and trees
- Impact on residential amenity
- Provision of amenity and play space
- Contamination on site
- Air Quality
- Flooding and Drainage considerations
- Archaeological considerations
- Crime and disorder
- Infrastructure
- Financial considerations
- Climate change and sustainability
- Biodiversity and compliance with Habitat Regulations 2010
- Community facilities

- Health and Wellbeing
- Water Framework Regulations 2011
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications
- Third Party and Parish Council comments
- Article 2(3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner
- Cumulative / in combination effects
- Referral to Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009
- Conclusion / planning judgement

Planning Considerations

Principle of development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised.

The principle of development was established by the granting of planning permission WA/2014/0912. Whilst the applicant is applying for variation of Conditions 18, 21 and 22 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to several original conditions. In considering the current application, officers have been mindful of any material changes in planning circumstances since the granting of that original permission and the publication of the Pre-Submission Local Plan Part 1: Strategic Policies and Sites in August 2016.

The site has been included within the Draft Local Plan Part 1: Strategic Policies and Sites as part of a strategic site, under Policy SS5 which, together with land adjacent to the site, allocates a total of 765 homes and a country park. It is considered that significant weight can be given to the Plan following its submission for publication on 21 December 2016, given its history of preparation thus far, the iterations of it and the extent of consultation and consideration on it to date.

It is a highly material planning consideration that there is an existing permission. There have not been any material changes in planning circumstances including from a policy or on site point of view that indicate that a different view should now be taken to the principle of development.

Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development.

The appeal decision for WA/2014/0912 is attached at Appendix 1.

Planning history and differences with previous proposal

The planning history is a material consideration.

Outline planning permission has been previously granted on appeal for the erection of up to 425 dwellings, including affordable homes and associated works, and new access points onto Alfold Road and Knowle Lane. The appearance, layout, scale and landscaping were reserved for subsequent approval under any reserved matters application.

The outline permission approved four phases of development, as shown in the plans below, which were included within the signed and agreed Section 106. The phasing is defined within the Definitions section of the Section 106 agreement as:

“means one of the four phases of the Development as shown for illustrative purposes only on the plan attached to this Deed at Appendix 4”.

Phase 1:



Phase 2:



Phase 3:



Phase 4:



With regard to the previously approved scheme, the Inspector found that the proposal was acceptable on the grounds of highways and transport impacts, as well as the contributions secured through planning obligation which would mitigate the infrastructure pressures brought about by a development of this scale.

In terms of the impact on the Countryside, the Inspector found that there is potential for the design to mitigate some of the landscape and visual impacts of the development. The weight attributed to Policy C2 was reduced as at that time the Council could not demonstrate a 5 year housing land supply.

The site is located within the Countryside, but does not fall within the AONB or AGLV, and was considered by the Inspector to have good accessibility to a range of services, facilities and transport choices. Given the number of constraints facing the Borough in terms of Green Belt and AONB, the appeal site was considered an attractive option environmentally and in sustainability terms.

In terms of flood risk, the site was considered to be no more or less sequentially preferred when compared to other SHLAA sites.

Overall, the Inspector found that the social benefits from housing, especially affordable housing, in a sustainable location would outweigh the loss of an undesignated area of countryside and the limited landscape harm that would

ensue. The loss of ancient woodland was considered unavoidable, but would be mitigated against and offset by a compensation package which would enable the remaining woodland to be managed in the future.

The Inspector consequently imposed 29 conditions on the outline permission, of which the applicant is seeking permission to re-word three under this application.

The difference between this application and that previously approved would be the wording of Conditions 18, 21 and 22 that were imposed on the outline permission. The applicant is seeking to amend the wording so that each condition is discharged per phase of Reserved Matters, or at the time of the relevant Reserved Matters, rather than all conditions being discharged prior to the approval of the first Reserved Matters application submitted as it is a phased development.

As such, Condition 18 would be required to be discharged prior to the approval of the Reserved Matters for the phase within which the bridges are sited. Conditions 21 and 22 relate to the Sustainable Drainage Systems and the applicant seeks for the drainage system to be discharged per phase, rather than as a whole.

The test for Members is whether having regard to the changes, the current proposal is materially more harmful than the approved scheme and is acceptable in its own right.

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.

On 19th July 2016, the Council approved the publication of the draft Local Plan Part 1 for its Pre-submission consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period commenced in August 2016 and closed on 3 October 2016. The Draft Local Plan was subsequently submitted for Examination on 21 December 2016.

Within that, draft Policy SS5 identifies an area of land to the south of Elmbridge Road and the High Street, part of which is the application site. The policy proposes a total allocation of up to 765 homes and a country park subject to highway and sustainable transport improvements, connectivity to the village centre, an appropriate buffer alongside the Littlemead Brook and Nuthurst Stream, the provision of a linear park and the built development being focused within Flood Zone 1.

The proposed development on this site, for 425 houses, amounts to 4% of the total housing need across the plan period. It therefore follows that, even if the planning application succeeds, it is far less likely to undermine or predetermine decisions that are required to be made under the plan to find the remaining 96%. It is in any event highly material that there is an existing extant outline permission on the site which has established the principle of development.

The Cranleigh Neighbourhood Plan is in the early stages of its development. For the reasons set out above, namely that the Cranleigh Neighbourhood Plan is not currently being advanced and permission has already been granted on the site, whilst the Local Plan has been submitted to the Secretary of State for examination, the development proposed is not considered to be so substantial, or its cumulative effect so significant, that granting permission would undermine the plan-making process.

Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment'.

An ES is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before the development is allowed to go ahead. An EIA must describe the likely significant effects and mitigating measures envisaged.

The environmental issues that have been most significant relate to traffic and transportation, noise, air quality, ecology and nature conservation, landscape and visual impact assessment, archaeology, water resources and flood risk, climate change and cumulative impacts.

Given that this proposal is sought under Section 73 of the Town and Country Planning Act 1990 (as amended), it is, in effect, seeking a new permission. As such, the applicant is required to demonstrate whether the proposed changes to the scheme would result in any likely significant environmental effects over and above the 2014 Environmental Statement and 2015 Environmental Statement Further Information, both submitted to support the outline permission, reference WA/2014/0912. If any additional effects are found, these must be addressed.

The applicant has submitted a Statement of Conformity to the EIA which identifies that the proposed revised wording of Conditions 18, 21 and 22 would not have a material effect on the significance of effects, the proposed mitigation or the residual effects reported in the 2014 and 2015 Environmental Statements in terms of the following criteria:

Transport and access, noise and vibration, local air quality, ecology, cultural heritage and archaeology, ground conditions and contamination, flooding, drainage, water quality and water resources, landscape and visual impact, artificial lighting, climate change, socio-economics, agriculture and soil resources.

The report concludes that given the minor nature of the amendments, the 2014 Environmental Statement and 2015 Environmental Statement Further Information remains valid and no further environmental information is required to support this application.

Key consultees, such as the Environment Agency and Lead Local Flood Authority, have not identified any new environmental impacts that would arise from the re-wording of the conditions. Following assessment of the Statement

of Conformity, Officers are satisfied that the proposed changes to the wording of Conditions 18, 21 and 22 would not have any additional impacts on the environment over that identified within the Environmental Statements submitted with the outline permission. As such, the original assessment made on outline permission WA/2014/0912 stands and remains relevant to the determination of this application.

The lawful use of the land and loss of agricultural land

The application site consists of agricultural fields. 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.

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.

The Council's records indicate that the site is classified as Grades 2 and 3, which indicates that it is likely to be of agricultural value. There is then a clear conflict with the intentions of Policy RD9 of the Local Plan.

Outline permission has already been granted and remains extant for residential development on the site. Therefore, the principle of the loss of the agricultural use of the site has already been established. There has not been any material change in site circumstances to warrant a different view on this issue.

Location of Development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy C2 of the Local Plan states that building in the countryside, 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.

Policy SP2 of the Draft Local Plan Part 1 refers to the Council's Spatial Strategy to 2032 and the need to maintain Waverley's character whilst ensuring development needs are met in a sustainable manner. Policy SP2 sets out the following:-

- Major development on land of the highest amenity value will be avoided
- Development will be focused at the four main settlements
- Moderate levels of development will be allowed in larger villages
- Limited levels of development will be allowed in and around other specified villages
- Modest levels of development will be allowed in all other villages.
- Opportunities for the redevelopment of suitable brownfield sites will be maximised.
- Strategic and Non-Strategic sites will be identified and allocated through Local Plan Part 2 and Neighbourhood Plans
- Infrastructure, where needed, will be provided alongside new development including funding through the Community Infrastructure Levy (CIL)

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.

The Appeal decision for the outline permission under WA/2014/0912 states that:

“There is a good accessibility to a range of facilities, service and transport choices. The ISA ranked the appeal site highly against the sustainability criteria used to assess a number of site options across the Borough. In the circumstances of the significant landscape constraints facing the Borough, the appeal site represents an attractive option environmentally and in sustainability terms.”

Whilst it is recognised that the application site falls outside of the settlement boundary, within the Countryside beyond the Green Belt, Officers acknowledge that the application site abuts the settlement boundary of Cranleigh at its southern most extreme point. Officers further note the proposed pedestrian/cycle access routes would provide sustainable access links to public transport and to the facilities in Cranleigh Village Centre. As such, Officers consider that the proposal would provide sustainable access to the facilities required for promoting healthy communities and would enhance the vitality of the rural community of Cranleigh. The outline permission has established the principle of this site's location as being suitable for residential development.

Therefore, taking into account the extant appeal decision on the outline application, it is considered that the proposal would not result in isolated dwellings in the countryside and as such the application is not required to demonstrate any special circumstances as required by paragraph 55 of the NPPF.

Housing land supply

The Council has published an updated five year housing supply position statement dated 1st January 2017. The statement sets out the housing requirement for the next five years based on West Surrey SHMA figures and various components of housing supply that the Council expects to come forward in that period. As it stands, the supply of housing is 5.79 years worth of the housing requirement. Therefore, the Council can demonstrate in excess of the requirements of paragraph 47 of the NPPF.

The housing land supply has been calculated to include existing permissions for dwellings within the Borough and all strategic sites included within the Draft Local Plan Part I. As such, given that this site has been granted outline permission for 425 dwellings, and forms part of Strategic Site 5, to the south of Elmbridge Road and the High Street, the proposed housing forms part of the 5.79 years supply worth of housing requirement.

As a result of the current housing land supply, housing land supply policies such as Policy C2 now have substantial weight which differs from the 2014 position when the outline application was submitted and considered. However, as stated above, the principle of development has been established and this site forms part of an emerging plan allocation, under Policy SS5, and therefore forms part of the calculated 5.79 year housing land supply. As a result, the current Housing land supply position is not a reason to take a different approach with regard to these policies.

Housing mix and density

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 AHN3 of the Draft Local Plan Part 1 states the proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

Policy H4 of the 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 West Surrey Strategic Housing Market Assessment September 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 marking housing demonstrated in the SHMA is broadly in line with the specific requirements of Policy H4.

The density element of Policy H4 is given less weight than 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.

Number of bedrooms	Number of units proposed	% mix	SHMA 2015 mix
1-bedroom	30	10.1%	9.3%
2-bedroom	80	26.9%	32.1%

3-bedroom	91	30.6%	38.2%
4-bedroom	68	22.9%	20.4%
5-Bedroom	28	9.4%	
Total	297		

The proposed mix of housing would remain the same as that agreed under the outline permission WA/2014/0912, as detailed within the table above. It is noted that since the granting of the outline permission, the West Surrey SHMA 2015 has been published with updated figures of housing need for Waverley. However, as can be evidenced from the table above, the proposed housing mix would broadly comply with that of the updated SHMA and therefore would remain appropriate and in accordance with the NPPF 2012.

Affordable Housing

There is a considerable need for affordable housing across the borough and securing more affordable homes plays a key role in supporting community wellbeing, a priority in the Waverley Borough Council Corporate Plan 2016-2019. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

Policy AHN1 of the Draft Local Plan states that the Council will require a minimum provision of 30% affordable housing.

The Strategic Housing Market Assessment (SHMA) estimates that there is a need for 515 additional affordable homes to be provided each year over a period of 5 years. It estimates a need for 70% of new affordable homes to be smaller 1 and 2 bedroom properties.

	Number of affordable units proposed	% mix	SHMA 2015 mix
1 bed	36	28.1%	47.3%
2 bed	64	50%	29.2%
3 bed	26	20.3%	21.9%
4 bed	2	1.6%	1.7%
Total	128		

The proposal would deliver 30% affordable housing. The proposed mix of affordable housing would remain the same as that agreed under the outline permission, as detailed within the table above. The proposed tenure, as agreed at outline stage, would be 50% affordable rent and 50% shared

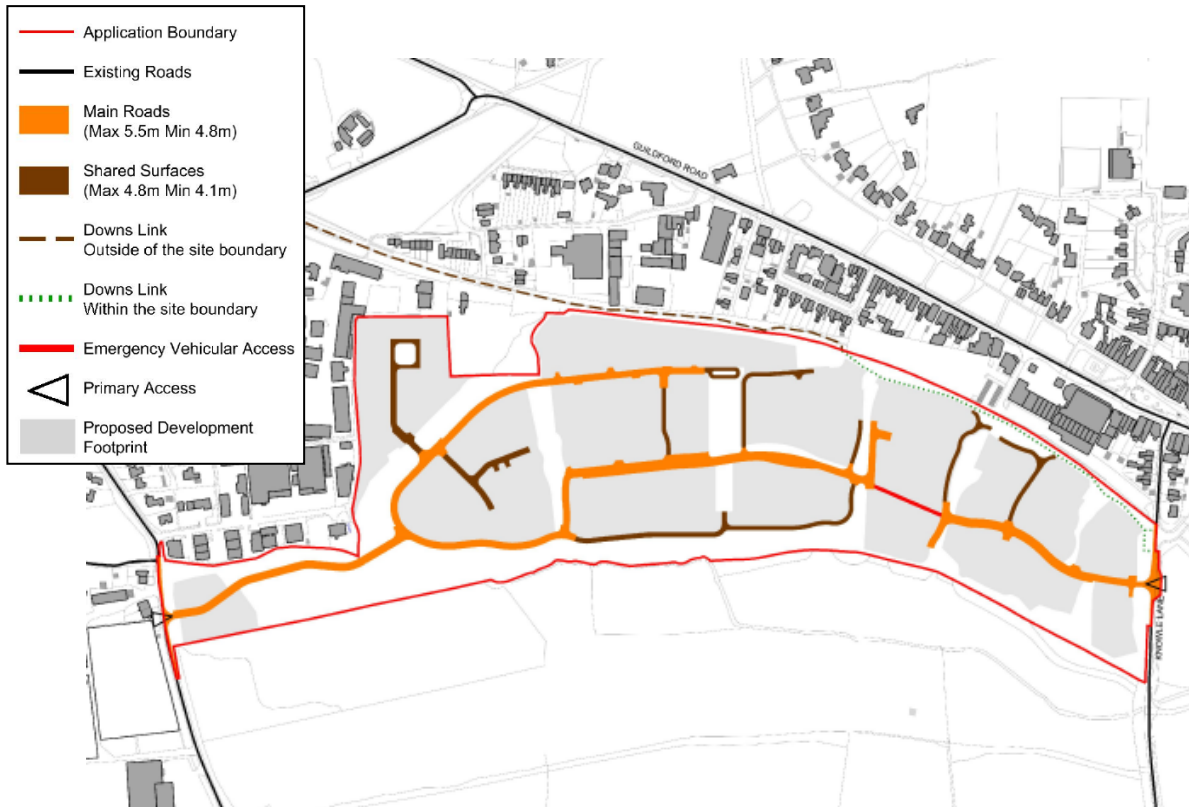
ownership. It was agreed by the Council's Independent Financial Viability Assessor that a mix of 25% shared ownership and 75% affordable rent would not be financially viable.

It is noted that since the outline permission, the West Surrey SHMA 2015 has been published with updated figures of affordable housing need for Waverley. Whilst the proposed mix would have a smaller number of 1 bed dwellings and greater number of 2 bed dwellings than that recommended within the SHMA, given that the housing mix has been agreed under WA/2014/0912 and included within a signed Section 106 agreement, and thus an extant permission exists which could be implemented, Officers consider it would not be appropriate to revisit the housing mix. Furthermore, the majority of the affordable housing would be smaller units, with 78.1% 1 and 2 bed dwellings.

Highway considerations, including impact on traffic and parking considerations

The NPPF 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 limits the significant impact of the development.

Policy ST1 of the Draft Local Plan Part 1 states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.



The above plan shows the main access routes in orange. The Transport Statement submitted with the outline application identified that vehicular access onto Knowle Lane would serve 55 dwellings, and would be likely to generate 33 two-way vehicular movements in the AM peak hour and 37 two-way vehicular movements in the PM peak hour.

The vehicular access onto Alfold Road would serve 370 dwellings, and would be likely to generate 181 two-way vehicular movements in the AM peak hour and 196 vehicular movements in the PM peak hour.

In relation to WA/2014/0912, the County Highway Authority was satisfied that the Traffic Impact Assessment undertaken by the applicant provided a robust and realistic assessment of the likely impact of the development on the highway network, within the context of the likely future cumulative impact of development in Cranleigh. The applicant agreed to provide a package of mitigation measures that directly mitigates the impact of traffic generated by the development and would also provide a reasonable and proportionate level of mitigation to help mitigate the cumulative impact of future development in Cranleigh.

The site has been designed to maximise accessibility by non-car modes of travel and includes pedestrian and cycle routes both within the development site and at its peripheries. The proposed links within the site can be seen on Drawing No. 00734_PP04 'Movement and Access Plan'. The development is connected to the surrounding area via the Downs Link footpath and at the

proposed vehicular accesses onto Alfold Road and Knowle Lane. The Highway Authority is satisfied that all new access points provide safe and suitable access for all highway users.

In terms of highway considerations, the Appeal Inspector in relation to WA/2014/0912, concluded on the outline permission that:

“I have found the proposal to be acceptable on the grounds of its highways and transport impacts, as well as acceptable on the basis that the contributions secured through the planning obligation would mitigate the infrastructure pressures brought about by a development of this scale.”

Given that this Section 73 application seeks the re-wording of three conditions relating to the timing of the discharge of bridge details and Sustainable Drainage Systems, Officers consider that the original conclusions made within the report for the outline permission, WA/2014/0912, and by the Inspector on appeal in terms of highway considerations remain relevant to the determination of this application.

The bridges are located within Phases 2 and 3 of the proposed development. Phase 1 of the development would be accessed from Knowle Lane, and would not utilise the proposed bridges in Phases 2 and 3, and therefore the delayed timing of Condition 18 would not result in the re-routing or movement of construction vehicles for Phase 1. Furthermore, Phases 3 and 4 would utilise the road network of Phase 2, and by such a time as these phases come to be constructed, the bridge details would have previously been discharged and implemented.

As such, Officers are satisfied that the re-wording of Condition 18, with regard to the approval of bridge details prior to the approval of the relevant reserved matters, would not result in any alteration to the movement of construction traffic. The Construction Management Plan condition would remain imposed on any permission granted.

Officers are satisfied that the proposal would accord with Policy M2 of the Local Plan 2002.

Impact on Countryside Beyond the Green Belt and landscape

Paragraph 17 of the NPPF 2012 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.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF, and Policy RE1 of the Draft Local Plan Part 1, states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. The Government's White Paper "The Natural Choice: securing the value of nature" published June 2011 states that as a core objective, the planning system should take a strategic approach to guide development to the best location, to protect and improve the natural environment including our landscapes.

Permission has already been granted and remains extant for residential development on the site. The principle therefore of the development within the Countryside has already been established. There has not been any material change in site circumstances to warrant a different view on this issue.

The proposal would not cause any materially greater harm to the intrinsic character of the Countryside than the extant permission WA/2014/0912.

Impact on visual amenity and trees

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.

Policy TD1 of the Draft Local Plan, Part 1, echoes that of Policies D1 and D4. New development is required to be of a high quality and inclusive in design to respond to the distinctive local character of the area. Development should be designed so it creates safe and attractive environments, whilst maximising opportunities to improve the quality of life, health and well-being of current and future residents.

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

the development in that location clearly outweigh the loss. Policy C7 of the Local Plan states that the Council will resist the loss of woodlands and hedgerows which significantly contribute to the character of the area, are of wildlife interest, are of historic significance and, are of significance for recreation.

With regard to impact on visual amenity, the Inspector stated within the appeal decision for the outline permission (WA/2014/0912) that:

“The effect would be largely confined to the appeal site. The landform and watercourse network would remain unchanged. Built development would be contained by the site’s vegetated boundary features and by the industrial estate and built-up fringe of Cranleigh to the north. The landscape strategy proposes reinforcement of the site’s boundary vegetation.”

“...the density proposed would not be dissimilar to other residential neighbourhoods in the village. Strong vegetation belts and areas of open spaces on the boundaries of the site have the potential to create a suitable landscaped setting to integrate the development within the countryside to the south.”

With regard to the impact on trees, the Inspector stated:

“Harm would be caused by loss of 14.5% of the Ancient Woodland. The condition and ecological quality of Knowle Wood (unchallenged by expert knowledge on the subject from the Council) has some bearing on the weight that should be accorded to the loss, alongside the opportunities that the proposal would bring for on-site and off-site enhancements.”

To enable the site to be developed to its full potential, loss of part of the ancient woodland is unavoidable. The harm would be contained by mitigation measures and offset by a compensation package that would enable the woodland to be managed for the future, and improve upon its current compromised condition. In my judgment, and having regard to the mitigation hierarchy, loss of part of the ancient woodland would also be clearly overcome by the social and economic benefits of delivering a large number of new homes to the area, where currently a shortfall prevails.”

Permission has already been granted and remains extant for residential development on the site. Since the 2014 consent, the Draft Local Plan Part 1 has been published and submitted. Policy TD1 of the Draft Local Plan Part 1

reinforces that the development would be acceptable on the grounds of design and impact on visual amenity. Therefore, the principle of the impact on trees and visual amenity has already been established, as shown above in the extracts from the Inspector's appeal decision. There has not been any material change in site circumstances to warrant a different view on this issue.

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.

Since the 2014 consent, the Draft Local Plan Part 1 has been published and submitted. Policy TD1 of the Draft Local Plan Part 1 reinforces the conclusions made on the outline permission, that the development would not cause harm to the existing neighbouring amenities to the site.

Furthermore, permission has already been granted and remains extant for residential development on the site. The principle therefore of the impact on neighbouring residential amenity has already been established. There has not been any material change in site circumstances to warrant a different view on this issue.

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.

Permission has already been granted and remains extant for residential development on the site. The proposed development would include a combination of both LEAPs (Local Equipped Area of Play) and LAPs (Local

Area of Play) as well as wider areas of public open space, private rear amenity space for all dwellings, and areas of accessible open space for the flatted apartments. The principle of the provision of amenity space has already been established.

The Draft Local Plan Part 1 includes, within the supporting text for Policy LRC1, the updated Fields in Trust Guidance with regard to the provision of formal outdoor space on developments for new housing. Under the updated guidance, a development of this scale would be required to provide a 'Neighbourhood Equipped Area of Play' (NEAP), as well as the LEAPs and LAPs secured at outline stage. However, the new policies do not have full weight that would justify a change in view on this issue.

Therefore, there has not been a material change in site circumstances to warrant a different view on this issue and Officers consider the proposal would provide sufficient and appropriate amenity and play space in accordance with Policy H10 of the Local Plan 2002 and the NPPF 2012.

Contamination on site

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 to adverse effects from pollution, should be taken into account. Policy D1 of the Local Plan sets out that development will not be permitted where it would have a materially detrimental impact to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

Permission has already been granted and remains extant for residential development on the site. There has not been any material change in site circumstances to warrant a different view on the issue of contaminated land. The remediation and discovery strategy, as detailed within the Ground Investigation Report submitted with the outline application WA/2014/0912, would remain conditioned as per the outline permission.

Air Quality

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 to adverse effects from pollution, should be taken into account. Policy D1 of the Local Plan sets out that development will not be permitted where it would have a materially detrimental impact to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

Permission has already been granted and remains extant for residential development on the site. There has not been any material change in site circumstances to warrant a different view on the issue of air quality. The Construction Method Statement conditioned on the outline permission would remain on any permission granted, and would include measures to control the emission of dust and dirt during construction.

Flooding 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.

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.

Policy CC4 of the Draft Local Plan Part 1 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed.

In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate floor risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

In a Written Ministerial Statement on the 18 December 2014, the Secretary of State for Communities and Local Government set out the Government's expectation that 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.

The principle of flooding and drainage issues was considered under the outline permission, WA/2014/0912, granted on appeal. The Inspector for that appeal stated that:

“The proposed development would be constructed entirely within Flood Zone 1. The bridge across the two brooks would like within Flood Zones 2 and 3. However, as the bridges are intended as part of the access/egress routes in the event of a flood, this factor feeds into the ‘safe for its lifetime’ element of the Exception Test.”

“...the appeal site ranks better than all but one site in terms of surface water flood risk. The exercise shows that every one of the comparable sites considered is subject to flood risk to some extent.”

“In the context of the likely need for greenfield sites to meet the Borough’s housing needs, identification of Cranleigh as a growth area and taking other factors into account, the Sequential Test demonstrates that the appeal site is no more or less better placed than other identified SHLAA sites to fulfil the area’s needs.”

“Although Alfold Road has been shown to have a history of flooding, this was found to be due to poor maintenance of highway drainage. A mitigation scheme for alleviating the problem forms part of the Highways Works Package offered in the s106 planning obligation. The works would improve the flow of surface water run-off into the surrounding watercourse system.”

“Overall, the evidence demonstrates adequately that the development can be made safe for its lifetime. Residents would have safe access and egress routes. With a sustainable drainage system in place, flood risk elsewhere would not increase as a result of the proposed development”.

Officers note the concerns raised by third parties with regards to the impact of the proposal on Alfold Road, and that since the outline permission were granted, the Government has revised the climate change allowances.

However, given the Inspector’s findings and that there is an extant permission that could be erected on the site, Officers consider that the proposed sustainable drainage system would be acceptable, subject to appropriate conditions which were imposed on the outline permission. The Flood Risk Assessment submitted with the outline application, and the proposed sustainable drainage system, has been considered as part of the assessment of the proposed changes to the wording of the conditions, in order to ensure that the proposed changes would not result in an increase in flooding on or off site.

Under this application, the applicant seeks to re-word the conditions imposed on the outline permission with regards to Conditions 18, 21 and 22, as described in the 'Proposal' section of the report.

With regard to Condition 18, the proposed bridges that would be constructed over Nuthurst Stream and Littlemead Brook, to provide safe access and egress, would fall, on the indicative plans shown above, within Phases 2 and 3 of the development. The condition requires the applicant to provide details of the bridges prior to the approval of reserved matters. The wording of the condition does not specify which reserved matters, and therefore would require approval prior to the first reserved matters scheme submitted. The applicant seeks to amend the wording in order for the details to be submitted prior to the approval of the relevant phase of Reserved Matters to which the bridges relate.

The Environment Agency has been consulted on this application and given the details of the bridges would still be required prior to the approval of reserved matters, has not raised objection to the amended wording. The Lead Local Flood Authority has recommended an additional informative be imposed on any permission advising that consent is required to undertake works to an ordinary watercourse or main river.

The concerns raised by third parties have been noted. Officers consider that, given the bridges would fall within specific phases of the development, it would be reasonable to amend the wording of the condition so that the details would be required prior to the approval of the relevant Reserved Matters. The condition would require the bridges to be constructed prior to the occupation of any dwelling on the site, and therefore the safe access and egress for residents would be retained. Officers therefore raise no objection to the re-wording of Condition 18.

Condition 21 on the outline permission requires a sustainable surface water drainage scheme to be submitted and approved prior to the submission of reserved matters. The applicant is seeking for the wording to be amended to require a sustainable surface water drainage scheme for each phase of reserved matters to be approved prior to the relevant reserved matters scheme.

The comments raised by third parties have been noted, which raise concern over the implications a phased drainage strategy would have over the cohesiveness of the drainage schemes, given that the drainage scheme would be interconnected but not agreed at one time.

The Lead Local Flood Authority (LLFA) has been consulted on this application. The LLFA considers that in order to ensure the drainage scheme would be cohesive throughout the development, the proposed detailed drainage statements for each phase must follow the principles set out within "The Maples Cranleigh NPPF Flood Risk Assessment" Revision 1, prepared by WSP dated 28th April 2014, which was submitted under outline permission WA/2014/0912. Furthermore, the drainage statements would be required to demonstrate that the off site discharge rates would be no greater than Greenfield discharge rates.

The LLFA has confirmed that the FRA submitted with the outline permission, referenced above, included detailed calculations that demonstrate the off site discharge rates would be no greater than greenfield rates. On this basis, the LLFA is satisfied that phased drainage statements, that would follow the principles of the FRA, would be acceptable.

The LLFA has proposed the following revised wording for Condition 21, which Officers consider to be reasonable, appropriate and necessary:

Prior to approval of the reserved matters of the relevant phase, a detailed surface water management scheme for the relevant phase of development which follows the principles set out in "The Maples Cranleigh NPPF Flood Risk Assessment" Revision 1, prepared by WSP dated 28th April 2014 and submitted under outline permission WA/2014/0912, including a discharge rate offsite no greater than Greenfield discharge rates described therein, shall be submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.

The LLFA recommends that an additional condition be imposed on any permission granted in order for a verification report, in the form of a photographic verification record, to be carried out prior to the occupation of each phase, to ensure that the sustainable drainage scheme has been implemented as approved.

Officers note that the Inspector, in her appeal decision for WA/2014/0912, did not impose such a condition. However, since the submission of the 2014 outline application, the regulations and requirements with regards to Sustainable Drainage Systems have been updated. In this time, the Environment Agency no longer provides comment on SuDS and surface water

drainage, and the Lead Local Flood Authority has taken over this responsibility.

Officers consider that an additional condition to require the submission of a verification report would be reasonable and necessary in this instance, given the high flood risk of the site and the known wetspots. The condition would ensure that any agreed sustainable drainage system would be properly implemented prior to occupation of the development.

Condition 22 relates to the maintenance and management of the sustainable drainage schemes. The original wording required no development to take place until details of maintenance and management have been approved by the Local Planning Authority. The applicant is seeking for the wording to be amended in order that the details of maintenance and management shall be approved prior to the occupation of the relevant phase.

The Lead Local Flood Authority has been consulted on this application and has raised no objection to the revised wording. Given that the amended wording would still require the applicant to have a scheme of maintenance and management of the drainage systems prior to occupation of each phase, Officers consider that the revised wording would be acceptable.

Overall, Officers consider that the revised wording would not result in a loss of control over the proposed sustainable drainage systems and bridge details, and that for each relevant phase the appropriate details would be submitted. As such, the revised wording to the conditions would not result in an increase in flooding, or potential for flooding, on or off the site.

Archaeological 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 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 applicant submitted an Archaeological Desk-Based Assessment on the original outline permission, which concluded that trenching works should be carried out to identify any potential archaeology on the site.

In relation to the extant permission, WA/2014/0912, the County Archaeologist considered the information put forward by the applicant and raised no objection subject to the imposition of a condition to secure further archaeological works.

The principle of the acceptability of the development in archaeological terms has been established. There has been no material change in circumstances to justify taking a different approach to this proposal. The Emerging Local Plan reinforces the previous view taken.

The impact on archaeological interests can be sufficiently controlled through the imposition of conditions. The proposal is therefore considered to comply with Policy HE15 of the Local Plan and advice contained within the NPPF 2012.

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.

Permission has already been granted and remains extant for residential development on the site. Officers concluded on the outline permission that at the Reserved Matters stage there would be opportunity to ensure the

development would minimise the opportunity for crime and disorder, with particular reference to natural surveillance over car parking courts and striking a balance between sufficient lighting of public areas in order for residents to feel safe, and ensuring the character of the countryside is maintained.

The principle of the acceptability of the development in these terms has been established. There has been no material change in circumstances to justify taking a different approach to this proposal. The Emerging Local Plan reinforces the previous view taken.

Infrastructure

From 6th April 2015, CIL Regulation 123 will be amended to mean that the use of pooled contributions under Section 106 of the Town Country Planning Act will be 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 6th April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

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.

A Section 106 agreement was signed on 15th February 2016 following the Inspectors approval of the outline application. Within the signed Section 106 agreement, the following financial contributions were agreed:

Contributions payable to Surrey County Council	
Bus Service enhancements	£125,000
Bus Stop enhancements	£77,000
Downs Link improvements	£100,000
Early Years contribution	£286,046
Primary Education	£1,458,600
Cranleighs Future Requirements	£350,000
Traffic signals at Elmbridge Road	£20,000
On street parking alterations	£10,000
Elmbridge Road improvements	£185,000
Wayfinding signage	£15,400
Travel Plan auditing and monitoring fee	£6,150
Contributions payable to Waverley Borough Council	
Community Facilities	£106,115
Cranleigh School Pitch	£173,000
Cranleigh Skate Park	£120,000
Lashmere Playground	£30,000
Recycling contribution	£23,345
Environmental Improvements	£106,115
Contributions payable to DEFRA	
Ancient Woodland Off site contribution	£380,000
Other contributions	
Travel Vouchers (£100 per dwelling)	£42,500

Furthermore, the legal agreement included additional works to the public highway, which would be controlled by a s.278 agreement.

The signed legal agreement includes a clause that states that the agreement shall apply to any subsequent permission under Section 73 or 73A of the Town and Country Planning Act 1990 (as amended). As such, were permission to be granted, the contributions set out above would remain payable.

The recommendation on this application, if agreed, would need to be subject to compliance with the extant Section 106 Agreement.

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 Committee.

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 £616,250) 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 NPPF sets out that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

In terms of the development, the submitted Environmental Statement for the approved outline permission, WA/2014/0912, sought to address the impact of climate change. The proposed development has demonstrated that the issue of climate change has been taken into account in terms of flood risk. The Travel Plan would assist in promoting sustainable forms of travel. The fabric of the building themselves would be built to modern standards which aim to reduce carbon emissions.

The principle of the acceptability of the development in these terms has been established. There has been no material change in circumstances to justify taking a different approach to this proposal. The Emerging Local Plan reinforces the previous view taken.

Having regard to the measures to minimise carbon emissions in this scheme it is concluded that the proposal would not be objectionable in terms of climate change or sustainability.

Biodiversity and compliance with Habitat Regulations 2010

The NPPF requires that when determining planning application, 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 outline application, reference WA/2014/0912, was accompanied by the following ecology reports:

- Ecological Appraisal
- Dormouse Survey Report
- Water Vole Survey Report
- Badger Survey (Confidential)
- Bat Survey and Addendum
- Reptile Survey Report
- Knowle Wood Mitigation Strategy

The reports submitted outlined mitigation measures for protected species that were identified. It was concluded that the scheme has been designed to minimise the harm caused to biodiversity.

Officers raised no objection on biodiversity grounds subject to conditions to ensure that the recommendations identified in the various ecological reports are carried out. These conditions were imposed on the outline permission, and would be retained were permission to be granted.

The principle of the acceptability of the development in these terms has been established. There has been no material change in circumstances to justify taking a different approach to this proposal. The Emerging Local Plan reinforces the previous view taken.

Community facilities

In promoting healthy communities the NPPF states that the planning system should deliver social, recreational and, cultural facilities and services communities need, and should guard against the unnecessary loss of valued facilities. Policy CF2 of the Local Plan states that, in exceptional circumstances, where there is a genuine local need for new community facilities which cannot be met in any other way, some new community development may be permitted on sites adjoining, or very closely related to in character, appearance and location, the Rural Settlements referred to in Policy RD1 of the Local Plan.

The scheme proposes the provision of a commuted sum towards existing facilities in Cranleigh, as opposed to the provision of a community building on site. This is a positive element of the scheme to be balanced against other issues.

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 provision of open space in the scheme is considered to be positive in terms of the health and well being of future residents and also existing residents near the site. Additionally, the risk of pollution is minimised through the suggested mitigation measures.

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

The principle of the acceptability of the development in these terms has been established. There has been no material change in circumstances to justify taking a different approach to this proposal. The Emerging Local Plan reinforces the previous view taken.

Water Framework 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 NPPG states that water quality is only likely to be a significant planning concern when a proposal would:

- involve physical modifications to a water body such as flood storage areas, channel diversions and dredging, removing natural barriers, construction of new locks, new culverts, major bridges, new barrages/dams, new weirs (including for hydropower) and removal of existing weirs; and/or
- indirectly affect water bodies, for example,
 - as a result of new development such as the redevelopment of land that may be affected by contamination, mineral workings, water or wastewater treatment, waste management facilities and transport schemes including culverts and bridges;
 - through a lack of adequate infrastructure to deal with wastewater.

Officers recognise that an increase in capacity to the waste treatment works in Cranleigh is required to accommodate the additional foul drainage that would arise from the proposed development. However, it is a material consideration that there is an extant permission on this site, for which the Inspector concluded that:

“the matter has to be considered in the context of expected growth and additional homes to be provided in Cranleigh. The EA has not objected to the proposal and it would be for the statutory authorities to take the necessary measures to satisfactorily accommodate the new development.”

The current position with regard to water quality is the same as at the time of the appeal, for which the Inspector made the above comments. It is a material consideration that there is an extant permission on the site, which could be implemented. The Emerging Local Plan reinforces the previous view taken and there has been no material change in circumstances to justify taking a different approach to this proposal.

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.

Third party representations

Where appropriate, the third party representations have been considered within the main report above. However, the following additional comments are made below:

- The outline permission granted on appeal provided for a phased development under Condition 8, and therefore the phasing of the scheme is not requested under this application.
- Phase 1 of the scheme would not include affordable housing, as agreed within the signed legal agreement.
- With regards to setting precedent by allowing proposed amendments, each application must be assessed on its own merits, and any proposed amendments assessed against national and local planning policy. The setting of precedent is not a planning consideration in the determination of the application.
- This application seeks permission for the re-wording of conditions imposed on the outline permission. The Inspector determined the acceptability of matters such as highways and traffic, infrastructure, design, housing mix and accessibility. Given the existing approval on the site for 425 dwellings, and that there have not been a material change in site circumstances since the approval of that application, Officers consider there is no reason to warrant a different view on these matters.
- Matters relating to landscaping, layout, appearance and scale would be considered under a reserved matters application.
- Off site works, such as footpaths and bridge crossings, would require agreement from all owners. This would be a civil matter outside of the planning system.
- The proposed bridge crossings do not include all bridges in Cranleigh, and only refer to two bridges within the site, over Nuthurst Stream and Littlemead Brook.
- The requirement for the bridge over Littlemead Brook was determined at outline stage, and it would not be appropriate to revisit the principle of the bridge given the extant permission on the site.
- The details of the bridges would be subject agreement with the local planning authority.

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.

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.
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion/ planning judgement

Outline permission has been granted under WA/2014/0912 which established the principle of development on this site. The test is whether there have been any material changes in circumstance that justify taking a different view on this application.

This application concerns the re-wording of three conditions imposed on the outline permission. The planning considerations have been reviewed for these

three matters taking into account the Emerging Local Plan and the current position with regard to the 5 year housing land supply.

The proposed wording would allow for the sustainable drainage schemes, their maintenance and management, and the details of the bridges, to be discharged at the time of the relevant reserved matters for that phase (Conditions 18 and 21), or prior to the occupation of dwellings approved (Condition 22).

Following consultation with the Lead Local Flood Authority (LLFA) and Environment Agency (EA), the statutory consultees with regards to flood risk, sustainable drainage systems, together with the Councils assessment of safe access and egress, Officers consider that the revised wording of Conditions 18, 21 and 22 would be acceptable, in that phase.

Condition 18 would require the bridge detailing to be submitted prior to the approval of reserved matters for the relevant phase, and therefore, the details would still be agreed prior to the commencement of development.

Officers consider that subject to Condition 21 being reworded to ensure it would follow the FRA submitted at outline stage, and that the discharge rates would be no greater than greenfield discharge rates, the rewording of this condition would be acceptable.

Officers consider that it would be appropriate, reasonable and necessary to include an additional condition, requiring a verification report prior to occupation of development, to be included on any permission granted to ensure that the drainage scheme would be implemented in accordance with the agreed details.

With regard to Condition 22, Officers are satisfied that the maintenance and management of the sustainable drainage systems could be agreed prior to the occupation of the development.

Overall, Officers consider that the amended wording would not cause material harm and there would be no adverse impacts of the re-worded conditions that would outweigh the benefits of the scheme, when assessed against the NPPF taken as a whole.

Recommendation

That, having regard to the Environmental information contained within the application, the accompanying Environmental Statement and responses to it,

and compliance with the completed Section 106 agreement under WA/2014/0912, permission be GRANTED subject to the following conditions:

1. Condition

Details of appearance, landscaping, layout and scale, (hereinafter called ""the reserved matters"") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason

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

2. Condition

The development hereby permitted shall be carried out in accordance with the following approved plans: 00734_M01 Rev P1, 00734_M02 Rev P1, 00734_M03 Rev P1, 00734_M04 Rev P1, 00734_M05 Rev P1, 00734_PP01 Rev P1; 00734_PP02 Rev P1, 00734_PP03 Rev P1, 00734_PP04 Rev P1, 00734_PP05 Rev P1, 00734_PP06 Rev P1, 0576-D-01 Rev F, 0576/SK/001 Rev G, 0576/SK/018 Rev D, 0576/SK-103 Rev A, 0576/SK/104 Rev A, 0576/SK-106 Rev C, 0576/SK-016 Rev B, D2149L.100 Rev B.

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.

3. Condition

Details of the finished floor levels shall be submitted to and approved in writing by the local planning authority before any phase of the development commences and the development shall be carried out as approved.

Reason

In the interests of achieving a development of high quality and the visual amenities of the area, and to ensure the principles shown in the masterplan and design and access statement are delivered, in accordance with Policies D1 and D4 of the Local Plan 2002.

4. Condition

No development shall take place in any phase of the development until samples of the materials to be used in the construction of the external surfaces of the dwellings to be constructed in that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002.

5. Condition

The development hereby permitted shall comprise no more than 425 dwellings.

Reason

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

6. Condition

Application for approval of the reserved matters of the first phase of the development shall be made to the local planning authority not later than 31 March 2017.

Reason

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

7. Condition

The development hereby permitted shall begin either before the expiration of:

- a) 2 years from the date of this permission; or
- b) 12 months from the date of approval of the last of the reserved matters to be approved, whichever is later.

Reason

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

8. Condition

Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the

local planning authority of a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programme. The Phasing Programme shall indicate the timing of construction of the scheme phases, including the provision of associated external works, commensurate with the phases and associated areas/uses being brought into use.

Reason

To ensure the proper and effective development of the site in the interests of the amenity of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

9. Condition

Notwithstanding the plans listed in Condition 2, access to the site from Alfold Road and Knowle Lane shall be constructed in accordance with schemes submitted to and approved in writing by the local planning authority. The schemes shall be based on drawing nos: 0576/SK/001 Rev G and 0576/SK/018 Rev D. No dwelling shall be occupied until the Alfold Road access to and from the site has been implemented.

Reason

In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy M2 of the Waverley Borough Local Plan 2002.

10. Condition

Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority of the treatment of the pedestrian access to the Downs Link. No dwelling completed in the phase relevant to the pedestrian access shall be occupied until the works are completed in accordance with the approved details.

Reason

Having regard to the character of the area and to ensure a safe and secure pedestrian environment, in accordance with Policies D1, D4 and M4 of the Waverley Borough Local Plan 2002 and the NPPF 2012. This is a pre-commencement condition because the matter goes to the heart of the permission.

11. Condition

Within any reserved matters application pursuant to this approval, the landscape details required by Condition 1 shall include a detailed

landscaping scheme (including detailed designs and specifications). The landscape designs and specifications shall include the following:

- i. Full details of planting plans and written specifications,
- ii. Full details of all proposed methods of boundary treatment including details of all gates, fences, walls and other means of enclosure both within and around the edge of the site.
- iii. Details of all hard surfacing materials (size, type and colour)

The landscaping shall be implemented prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed in writing by the local planning authority.

Reason

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

12. Condition

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas in each phase of the development, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or the phase of the development to which the submitted plan relates. The landscape management plan shall be carried out as approved.

Reason

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

13. Condition

No development shall take place until a scheme for the protection of existing trees and hedges which are to be retained within the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason

To safeguard the roots of the mature trees in the interests of the visual amenity and character of the area, in accordance with Policies D6 and D7 of the Local Plan 2002.

14. Condition

No floodlighting or other form or external lighting scheme shall be installed unless it is in accordance with the details which have previously been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. The lighting shall thereafter be retained in the form approved.

Reason

To protect the appearance of the area and local residents from light pollution in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

15. Condition

Within any reserved matters application pursuant to this approval, the layout details required by Condition 1 shall include a scheme for car and bicycle parking for the residential units proposed in each phase of the development, and for parking of cars and bicycles in communal areas. No dwelling in the relevant phase shall be occupied until the parking arrangements approved in writing by the local planning authority for that phase has been implemented. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason

In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

16. Condition

No dwellings shall be occupied in any phase of the development until one trickle charging point is provided per communal parking area and one charging point provided for each house with a garage.

Reason

In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy M2 of the Waverley Borough Local Plan 2002.

17. Condition

The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. The recommendations and mitigation measures relevant to each phase

of the development shall be implemented prior to the occupation of any dwelling in that phase of the development.

Reason

To prevent flooding by ensuring the satisfactory storage of surface water on site; to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to reduce the risk of flooding to the proposed development and future occupants in accordance with the NPPF 2012.

18. Condition

Prior to the approval of reserved matters of the relevant phase, as defined within the Definitions section of the Section 106 agreement, design details for the Littlemead Brook and Nuthurst Stream river crossings/bridges shall be submitted to and approved in writing by the Local Planning Authority. These details shall be based upon the concepts and information presented in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. The works shall be implemented as approved, prior to first occupation of any dwelling on the site within that phase.

Reason

This condition is sought in accordance with paragraph 103 and 109 of the National Planning Policy Framework (NPPF). The condition is required to ensure that any proposed river crossings do not increase flood risk on site or elsewhere and to protect the river corridor buffer zone and associated flora and fauna.

19. Condition

No land raising will take place in the 1% (1 in 100) plus a 20% allowance for climate change flood extent except that which has been agreed for access through outline planning application WA/2014/0912. Where land raising in the 1% plus a 20% allowance for climate change flood extent is proposed, full details including satisfactory level for level floodplain compensation mitigation measures should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details, and thereafter retained.

Reason

This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) to ensure that flood risk is not increased on site or elsewhere. Failing to satisfactorily address and

mitigate flood risk resulting from the development may result in placing people and property at significant risk.

20. Condition

No dwelling shall be occupied until the approved remediation scheme is carried out in accordance with a Remedial Method Statement (based on the GESL Report GE9749 Knowle Lane) submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out is to be submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

21. Condition

Prior to approval of the reserved matters of the relevant phase, as defined within the Definitions section of the Section 106 agreement, a detailed surface water management scheme for the relevant phase of development which follows the principles set out in "The Maples Cranleigh NPPF Flood Risk Assessment" Revision 1, prepared by WSP dated 28th April 2014 and submitted under outline permission WA/2014/0912, including a discharge rate offsite no greater than Greenfield discharge rates described therein, shall be submitted to and approved in writing by the Local Planning Authority.

No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.

Reason

This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and seeks to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere.

22. Condition

No occupation of the relevant phase, as defined within the Definitions section of the Section 106 agreement, shall take place until details of

future continued maintenance and management of the surface water drainage scheme for that phase have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- a) timetable for its implementation, and
- b) management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason

This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and seeks to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere.

23. Condition

Prior to the first occupation of each phase of the development, as defined within the Definitions section of the Section 106 agreement, a photographic verification record of drainage installation for the relevant phase, verified by a qualified drainage engineer as appointed by the applicant, must be submitted to and approved in writing by the Local Planning Authority to demonstrate that the surface water sustainable drainage system for that phase has been implemented in accordance with the approved detailed surface water drainage scheme for the relevant phase of development.

Reason

This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and seeks to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere.

24. Condition

No development shall commence 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 in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the Written Scheme of Investigation.

Reason

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

25. Condition

The development shall be carried out in accordance with the recommendations set out in the submitted Ecological Appraisal, Dormouse Survey Report, Water Vole Survey Report, Badger Survey (Confidential), Bat Survey and Addendum, Reptile Survey Report and Knowle Wood Mitigation Strategy. If there is not adequate habitat remaining on site to support the reptile population present, prior to the commencement of development, the applicant shall submit details of a suitable receptor site to be approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.

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 D3 of the Local Plan 2002 and the guidance contained within the NPPF 2012.

26. Condition

No development shall take place until a scheme for the provision and management of a minimum 8 metre wide buffer zone alongside the Littlemead Brook and the Nuthurst Stream has been submitted to and agreed in writing by the local planning authority. This distance is measured from the top of the bank and applies to each side of the watercourse but only on land within the control of the applicant.

Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall remain free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- a) plans showing the extent and layout of the buffer zone;
- b) details of any proposed planting scheme;
- c) details demonstrating how the buffer zone will be protected during construction/development of the scheme;
- d) details demonstrating how the buffer zone will be managed and maintained over the lifetime of the development including a

- detailed management plan, information relating to adequate financial provision and named body/parties responsible for management of the buffer zone; and
- e) details of any proposed footpaths, fencing and lighting.

Reason

This condition is sought in accordance with paragraphs 109 and 118 of the National Planning Policy Framework (NPPF), the Water Framework Directive (WFD) and the Natural Environment and Rural Communities Act.

27. Condition

Prior to the commencement of the development hereby approved or site preparation works, further survey works, as detailed in Section 5.2.10 of the HDA Bat Survey Report, dated August 2015, shall be carried out and submitted for approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.

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 D3 of the Local Plan 2002 and the guidance contained within the NPPF 2012. This is a pre-commencement condition because the matter goes to the heart of the permission.

28. Condition

Prior to the commencement of development or site preparation works, further survey works, as detailed in Section 4.9 of the submitted HAD Badger Survey Report dated November 2015, shall be carried out and submitted for the approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.

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 D3 of the Local Plan 2002 and the guidance contained within the NPPF 2012. This is a pre-commencement condition because the matter goes to the heart of the permission.

29. Condition

The land identified on indicative plan no. 00734_S106_01 Rev 01 shall only be used for the purposes of community use within the meaning of Class D1 of the Town and Country Planning (Use Classes) Order (1987). This land shall be shown on any subsequently submitted reserved matters layout plan for the phase in which the land is located. Use of the land for community purposes shall only proceed in accordance with details of the management and operation of the use submitted to and agreed in writing by the local planning authority.

Reason

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

30. Condition

No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) vehicle routing
- b) the hours of work
- c) the parking of vehicles of site operatives and visitors
- d) loading and unloading of plant and materials
- e) storage of plant and materials used in constructing the development
- f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- g) wheel washing facilities
- h) measures to control the emission of dust and dirt during construction
- i) a scheme for recycling/disposing of waste resulting from demolition and construction works
- j) means of protection of trees and hedgerows during site preparation and construction; and
- k) access arrangements for emergency vehicles during the construction phase.

Reason

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

Informatives

1. If the applicant proposes to undertake structural works to an ordinary watercourse then consent is required, forms are available on request

from SUDS@surreycc.gov.uk. If the applicant proposes works to a main river then an Environmental Permit is required. Application forms are available online: <https://www.gov.uk/topic/environmental-management/environmental-permits>.

2. 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.

Appeal Decision

Inquiry held on 2-5 February 2016

Inquiry closed in writing on 29 February 2016

Site visit made on 2 February 2016

by Ava Wood DipARCH MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 March 2016

Appeal Ref: APP/R3650/W/15/3129019

Land to the east of Alford Road and west of Knowle Lane, Cranleigh, Surrey GU6 8RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Berkeley Strategic Land Limited against the decision of Waverley Borough Council.
 - The application Ref: WA/2014/0912, dated 30 April 2014, was refused by notice dated 6 January 2015.
 - The development proposed is described as 'residential development of up to 425 dwellings including a mix of private market housing and affordable units. A community facility; formal and informal open space; landscaping and two new access points; one off Alford Road and one off Knowle Lane'.
-

Decision

1. The appeal is allowed and planning permission is granted for residential development of up to 425 dwellings including a mix of private market housing and affordable units. A community facility; formal and informal open space; landscaping and two new access points; one off Alford Road and one off Knowle Lane at land to the east of Alford Road and west of Knowle Lane, Cranleigh, Surrey GU6 8RU, in accordance with the terms of the application Ref: WA/2014/0912, dated 30 April 2014, subject to the 29 conditions set out in Annex C to this decision.

Procedural and Preliminary Matters

2. As agreed in open session at the inquiry, closing submissions would be sent to the Planning Inspectorate by 16 February 2016 along with the completed s106 planning obligation. On receipt of the material requested, the inquiry was closed in writing on 29 February.
 3. Access to the site falls to be considered as part of this application. All other matters of detail are reserved for subsequent approval. That is the basis on which the Council determined the application, and I have considered the appeal in the same terms.
 4. The planning obligation offers a range of financial and other contributions, including affordable homes. I return to the matter later in the decision. At this stage it is sufficient to record that, in the light of the provisions of the planning
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obligation, the Council did not pursue Reasons for Refusal 3 and 4 at the inquiry.

Main Issues

5. The main issues are:
- i) The effect the proposed development would have on the character and appearance of the area.
 - ii) Its impact on the Knowle Wood Ancient Woodland.
 - iii) The flooding implications of the proposal.
 - iv) Whether in the light of the conclusions on the above, and on other matters identified in the representations made, any adverse impacts arising from the proposed development would be significantly and demonstrably outweighed by its benefits, and the proposal amounts to sustainable development.

Reasons

Character and Appearance

Policy Framework

6. Policy C2 of the Waverley Borough Local Plan 2002 (LP) establishes the approach to development in the countryside beyond the Green Belt, which is to be protected "*for its own sake*" and "*building in the open countryside away from existing settlements will be strictly controlled.*"
7. The Council agrees with the appellant that a five-year supply of deliverable housing sites cannot be demonstrated. Paragraph 49 of the NPPF confirms that under such circumstances relevant policies for the supply of housing should not be considered up-to-date. The recent Court of Appeal judgement¹ has clarified that the concept of "*policies for the supply of housing*" extends to plan policies whose effect is to influence the supply of housing land by restricting the location where new housing may be developed, such as (inter alia) policies for the general protection of the countryside.
8. That interpretation of housing supply policies applies to Policy C2, because the containment of settlements by the policy is a product of the LP's meeting of historical housing needs and because of the likely release of some greenfield sites around Cranleigh to meet future needs². For the purposes of paragraph 14 of the NPPF, therefore, the policy is out-of-date.
9. The underlying aim of Policy C2 (expressed in supporting text) is to protect parts of the Borough that are not in the Green Belt from development, as they are regarded as an important part of the rural area of Waverley and integral to the whole area of countryside. That is not inconsistent with the NPPF principle of recognising the intrinsic character and beauty of the countryside. However, in the particular circumstances of this case (the site's location in relation to Cranleigh, the present housing land supply position and inevitable release of greenfield sites), the weight to be attached to Policy C2 is tempered by its development restraining functions.

¹ 17 March 2016 [2016] EWCA Civ 168

² CDB21 - Waverley Borough Local Plan - Emerging Spatial Strategy

10. Policies D1 and D4 cover general overarching environmental considerations and design of development. They resonate with the NPPF's desire to achieve high quality developments responding to local character and surroundings, and are relevant to determination of the appeal scheme as part of the development plan.

Effect on Character and Appearance

11. The appeal site, extending to approximately 20.83 Ha, comprises three agricultural fields lying on a relatively flat valley floor. The landscape around the site is undulating. To the north, beyond Cranleigh, the land rises into the Surrey Hills, and the elevated parkland landscape of Knowle Park lies to the south beyond the public right of way (PRoW 393). There are small areas of woodland towards the site's eastern and western boundaries plus two lines of trees and hedge lines crossing the site north to south. A number of trees are located along the Knowle Lane side of the site and along Littlemead Brook. The lie of the land and the site's features display the key characteristics of the Low Weald National Landscape Character: "*broad low lying...clay vale...intimate landscape enclosed by an intricate mix of small woodlands, a patchwork of fields and hedgerows.*"
12. The site falls within the Cranleigh sub-area CL1-B, as described in the Landscape Study of August 2014 commissioned by the Council. The Study aims to assess the ability of the landscape to accommodate future residential development; it forms part of the evidence base informing the emerging Local Plan. It goes on to recognise that there is potential capacity in this area, and also confirms what I observed on site that intervisibility is low with views to the north, east and west screened by intervening vegetation even during winter months.
13. In evidence to the inquiry, the Council's witness did not shy away from the Study's conclusions, but accepted the suitability of the site for development for a number of reasons: proximity to the village centre; distance from designated landscapes and relative visual containment. The objection however is to the scale of the development proposed which would bring about a major change to the landscape, with little opportunity to soften the development's impact. The deciding question therefore is whether a development of 425 new dwellings can be accommodated on the appeal site without causing undue harm to the area's character or appearance.
14. Looking first at character, replacement of green undeveloped fields with a development of over 400 dwellings and attendant roads and footways is bound to result in a notable change in the site's landscape character. The development would result in loss of an area of countryside marking the extent of the village and contributing to its setting. The magnitude of change could be described as 'major adverse'.
15. On the other hand, the effect would be largely confined to the appeal site. The landform and watercourse network would remain unchanged. Built development would be contained by the site's vegetated boundary features and by the industrial estate and built-up fringe of Cranleigh to the north. The landscape strategy proposes reinforcement of the site's boundary vegetation. Retention of an undeveloped strip of land alongside Littlemead Brook combined with the block of open countryside buffering the parkland setting of Knowle Park would further contain incursion by new built development into the

countryside. The hills and undulating landscape character of the surrounding areas would remain intact.

16. As for appearance, I agree that topography and vegetation would screen the development from distant views. Its visual impact would be most apparent from PRoW 393 and the Downs Link passing to the south and north of the site respectively. No amount of new planting or sensitive positioning of buildings could disguise the substantial visual changes that would result.
17. From the south, views of Cranleigh's buildings and rooftops currently visible through and above tree-lined edges and the fields in the foreground would be replaced by an extensive housing development, with all the attendant roadways and activities that a proposal of this size and scale would bring. Views from the Downs Link would also be dominated by the urbanising effects of the new development extending towards the floodplain of the Littlemead Brook.
18. In its favour, the development would not alter long range views across to the Surrey Hills and the Knowle Parkland. The Ozier Beds and the Littlemead Brook flood plain would provide a countryside edge (albeit much truncated) when looking towards Cranleigh from PRoW 393. There is also scope in the layout to implement a landscaping strategy that would achieve a green infrastructure along much of the southern boundary of the appeal site.
19. The Downs Link already passes by the urban edge of Cranleigh. It is bordered by buildings and car parks accessed from High Street, and the route runs close to built development including the industrial estate visible in the approach from the west. The new development would add to the amount of urban development alongside the Downs Link but only where it passes through the village and where the experience is already that of an urban edge. With a landscape strategy in place to soften the northern fringes of the proposed scheme, the visual impact of the proposal could be softened, but by no means would the urbanising effects be alleviated.
20. Views from residential properties would change significantly, although the line of trees and other vegetation would provide some screening. More importantly the proposal would not be so close to the existing dwellings as to dominate the outlook. The separation distance between the new development and existing properties would ensure good standards of light, privacy and outlook for existing and new residents.
21. The indicative Masterplan and the Design and Access Statement (DAS) illustrate the extent to which the layout is looking to capitalise on the site's existing features. Existing tree belts and hedgerows within the body of the site would be retained, and the layout shows a desire to create green corridors with a north-south visual and green connection between Cranleigh and the countryside. The Masterplan also shows how the developable areas of the site would provide a series of public spaces, with opportunities for good connectivity through the site.
22. Design and layout are reserved for future consideration. Nevertheless, the material submitted provides sufficient evidence of the potential for accommodating 425 dwellings on the developable areas of the site. I am less convinced that, at a net density of just over 30 dwellings per hectare, the developed parcels of land could deliver the 'garden suburb' setting claimed in

the DAS. Furthermore, there would be little scope to replicate the pattern of development characterised by the mix of common land and widely spaced properties to the north of High Street.

23. On the other hand, the density proposed would not be dissimilar to other residential neighbourhoods in the village. Strong vegetation belts and areas of open spaces on the boundaries of the site have the potential to create a suitable landscaped setting to integrate the development with the countryside to the south. The opportunities for connections through the site and into Cranleigh centre would help to enmesh it into the fabric of the village. Criticisms of the formality of the landscape design are premature, given the outline status of the permission being sought, and could be overcome at the detailed design stage.
24. Concluding on this issue, the proposal would comply with Policy D4, insofar as a new housing development on the site has the potential to complement its surroundings and achieve high quality design. However, there would be harm to the land's rural character and therefore a breach of Policy D1. As a development in the countryside the proposal would also fall foul of Policy C2. The harm caused and the breach with Policy C2 and Policy D1 are matters to be weighed in the balance as part of the final issue, and having regard to the reduced weight to be accorded to Policy C2.

Ancient Woodland

Policy Framework

25. The supporting text to Policy C7 recognises the Borough's inheritance of tree cover as amongst its "*richest environmental assets....A high proportion of the woodland areas is ancient semi-natural woodlandThe woodlands are especially valuable habitats...*" It is in this context that the loss of woodlands is resisted under Policy C7.
26. Policy D7 seeks to preserve trees in the countryside and states that permission will not be granted for development that results in loss of important groups of trees. Ancient woodland is not specifically mentioned. Neither policy allows for balancing the loss of trees or woodland against needs or benefits, as required by the fifth bullet of NPPF paragraph 118. The inconsistency with the NPPF in that respect limits the weight to be attached to the policies.

Loss of ancient woodland

27. Knowle Wood, situated on the south western edge of the appeal site, is classified in the Ancient Woodland Inventory as ancient semi-natural woodland. It extends to some 0.69 Ha and comprises Hazel coppice with mature Oak standards. This area of ancient woodland lies to the west of a ditch separating it from an area of woodland (0.27 Ha) of more recent origin, which is not classified. Approximately 0.1 Ha of the 0.69 Ha of ancient woodland (or 14.5%) would be lost as a result of a new access road to be constructed to serve the new development. The proposed development would result in the loss of nine trees within the ancient woodland interior, a further six trees beyond the woodbank to the west, two stands of Holly and a number of Hazel coppice stools. The losses would be irreplaceable, given the ancient woodland status of the land. Also, loss of part of the last remnant of what was a much larger ancient woodland until the 1960s diminishes its historic value.

28. The impacts of the industrial estate affecting the northern section of Knowle Wood could spread to the areas alongside the new access road. Added to which, the woodland would be fragmented and the ecological significance and habitat value of the strip of woodland to the north of the new road would be compromised.
29. The first bullet of paragraph 118 of the NPPF introduces the principle of the 'mitigation hierarchy'. The Planning Practice Guidance (PPG) advises that the requirements of the mitigation hierarchy need to be satisfied otherwise permission should be refused. Harm should be shown to be avoidable before mitigation or compensation is considered. Similarly, loss or deterioration of irreplaceable habitats (such as ancient woodland) has to be shown to be clearly outweighed by the need for and benefits of development in that location. In other words, while seeking to protect ancient woodland, Paragraph 118 allows for circumstances where the loss can be outweighed by other considerations.
30. The appellant's evidence points to factors already compromising the ecological significance of Knowle Wood - its small size, relative isolation, limited diversity of species, presence of invasive species, proximity of the Hewitts Industrial Estate and lack of management, for instance. The evidence was not challenged by an ecology expert appearing on behalf of the Council. Natural England (NE), however, describes small blocks of woodland as stepping stones, with a role in connectivity and genetic exchange of mobile species. Size alone should not be used as an indicator of a woodland's quality.
31. Furthermore, there is no indication in either paragraph 118 of the NPPF, or corresponding advice in the PPG, that issues of need or unavoidability should have regard to the value or quality of ancient woodland. Inspectors' decisions referred to in support of the appellant's alternative approach do not assist on this matter, as none is directly comparable. The question of ecological quality was not part of the unavoidability, need or benefit discussions in the Hermitage Lane case³, and only 1.8% of the designated woodland was due to be lost. In the Hermitage Quarry case⁴, the Secretary of State agreed with the Inspector that *"...in order to properly balance the harm against benefits, the characteristics of the ancient woodland in question must be assessed."* The evidence of actual ecological value therefore may well have a bearing on considerations of harm/benefits, but, from my reading of the NPPF, it has no place in an assessment establishing whether the loss or harm is unavoidable.
32. Similarly, under the approach promoted in the PPG, considerations of minimising harm through effective mitigation arise after it is demonstrated that significant harm cannot be wholly or partially avoided. Compensation is regarded as a last resort in the event of significant residual harm. NE's standing advice similarly describes compensation as a last resort and advises against it forming part of the assessment of the merits of the proposed scheme.
33. Turning then to the question of whether harm can be avoided. In this case, the issue turns on whether there is a need for the access road to cut through the ancient woodland. At the inquiry the Council pursued an objection to the proposal on the grounds that the appellant had failed to provide evidence that alternative access options would be unacceptable. The Statement of Common

³ APP/U2235/A/14/2226326 & APP/H2265/A/14/2226327

⁴ APP/W2275/V/11/2158341

Ground (SoCG), however, categorically states that to "*secure the necessary highway access to the development from Alfold Road, it is necessary for an access road to pass through the ancient woodland leading to the loss of some ancient woodland.*" The availability or appropriateness of alternative routes was not raised in the reason for refusal or in the Council's Statement of Case. The Environmental Statement (ES) additionally shows that the matter had been considered and the Council had not requested further information concerning any of the sites assessed in the ES.

34. Additional information (ID19) was produced at the inquiry to supplement the ES evidence. The new material largely focussed on land ownership matters. Third party ownership of land is surmountable and not a convincing enough justification for discounting access through Hewitts Industrial Estate. However, having recently refused permission for redevelopment of the estate for residential purposes, for reasons of preserving employment opportunities, the Council cannot then seek to promote an access through the estate as part of some future (and unknown) redevelopment scheme.
35. A route crossing the Downs Link does not of itself preclude the option of an access from the north. The Downs Link is crossed by highways at various points along its route. Knowle Lane is a good example of that. However, a route through Stocklund car park and crossing the Link raises complex issues, given that there are some 29 leasehold interests over the car park. Loss of car parking in an area already under parking stress could count against such an option, although no evidence was provided to support that view presented by the appellant.
36. The reluctance to introduce an access from the south is understandable. It would involve development extending further into the countryside and into a sensitive area. The Knowle Lane option is only acceptable for a smaller development of 75 dwellings, due to highways capacity issues. In any event, flooding concerns on Knowle Lane brings into doubt the permissibility of an access to serve more than 75 dwellings from that option.
37. From what was said at the inquiry it does appear that the appellant had explored a number of options for the purposes of the ES before settling on the present access route from Alfold Road. In the light of the evidence before the inquiry (albeit limited), and having regard to the Council's previous position accepting that access through the Knowle Wood is unavoidable, my judgement on this matter is very finely balanced in favour of the appellant's position. From this conclusion it follows that there is a 'need' for the access road in the location proposed and that loss of a section of Knowle Wood would be unavoidable. That alone does not override the harm caused, but requires the need for the development in this location and its benefits to be additionally weighed into the balance. This is a matter for the final issue.
38. The next stage of the mitigation hierarchy requires me to assess the extent to which the scheme's design and other measures would minimise the adverse effects identified.
39. The Knowle Wood Mitigation Strategy commits to confining the new access road as far north as possible in order to maintain the majority of the woodland as a single block to the south. The area of woodland isolated to the north would be retained as a buffer to the stream, to ensure its ecological function, although that strip of woodland would continue to be affected by the proximity

of the industrial estate. The connectivity afforded by the block of woodland to the south would be maintained. No houses would back on to the woodland and only a small number would be sited in its vicinity.

40. Measures are proposed for protection of woodland habitats during construction. The ancient woodland would not form part of the public open space once the development is implemented. Access to the woodland would be restricted by fencing and scrub planting. With the exception of the access road, a buffer of a minimum width of 15m is to be maintained between the ancient woodland boundary and the proposed development.
41. The development would also provide the opportunity for managing retained and newly created habitats, where currently management of the existing woodland is practically non-existent. The measures include restoration of the pond within the eastern area of Knowle Wood, control of non-native and invasive species, removal of debris, and thinning of canopy to encourage more diverse ground flora and woodland structure.
42. All of the above design and management commitments could be secured by condition or in the planning obligation. The mitigation package would prevent further deterioration or erosion of the woodland's ecological significance. The adverse impacts would nevertheless remain. It is also likely that many of these measures would have been necessary even if an alternative route was proposed, given the scale of the development in proximity to ancient woodland.
43. Looking at the compensation element of the mitigation hierarchy, on-site measures (soil translocation and new habitat creation) are proposed which would complement the retained woodland. In addition to that, the planning obligation offers off-site measures comprising restoration of degraded Wealden gill corridor of approximately 450m and creation of some 0.75 km of woodland ride habitat at Chiddingfold Forest. The package of measures was developed with the Forestry Commission and would restore and enhance ancient woodland associated with the Chiddingfold Forest SSSI.
44. These are substantial proposals that would bring significant biodiversity benefits to Chiddingfold Forest which lies approximately 4km to the south west of the appeal site. There would be an overall net ecological gain in the Borough. But the measures would not offset the losses where they would occur, which reduces the weight that can be accorded to the off-site compensatory components in the overall balance
45. To conclude on this issue, I have found that loss of part of ancient woodland would be unavoidable and is necessary to enable the proposed development to proceed. The proposal would however result in significant harm due to loss of ancient habitats and fragmentation of the woodland. The mitigation measures proposed would prevent further damage during construction and operation of the development. A compensation package would allow for the woodland's long term management and for off-site benefits of at least equivalent value, but neither the mitigation nor the compensation would fully cancel out the harm caused. There would be residual harm, which is carried forward to be considered against the need for the development and its benefits.

Flooding

Policy Framework

46. The LP does not have a policy on flood risk. The NPPF aims to avoid inappropriate development in areas at risk of flooding by directing development away from areas of highest risk. Where development is necessary, it is to be made safe without increasing flood risk elsewhere. The PPG sets out the main steps to be followed. In effect, if there are better sites in terms of flood risk, or a proposed development cannot be made safe, it should not be permitted.

Flood Risk

47. The proposed Masterplan however shows that built development would lie wholly within an area of the appeal site falling within Flood Zone 1. The Nuthurst Stream flows in a southern direction and cuts through the western section of the site. The Littlemeads Brook runs along its southern boundary. The site therefore lies partly in Flood Zone 2 and Flood Zone 3 due to the two water courses flowing through parts of the site.
48. As parts of the site (in particular the access routes over the water courses) are at risk from fluvial and surface water flooding, a Sequential and Exception Tests report and an access appraisal were submitted. These were added to the Flood Risk Assessment (FRA) submitted with the application, and in response to the Environment Agency's (EA) objection to the application⁵.
49. The EA withdrew its objection in the light of all the information submitted to support the application, subject to a number of conditions. An independent report commissioned by the Council noted that the development would sit outside the floodplain and above the 1 in 1,000 year flood level. The report went on to state that the proposed mitigation measures would provide an acceptable solution to flood risk associated with safe access and egress to the development. In the light of the material submitted by the appellant, as well as responses from the EA and the independent consultant, the officer reporting to committee concluded that the development would be "*safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere, and would reduce flood risk overall.*" (NPPF paragraph 102)
50. I understand that the matter was debated at some length when the application was considered at committee. The issue of flooding however was not a reason for refusal and the Council did not pursue the matter at inquiry. Nevertheless, third parties (including the Rt Hon Anne Milton MP) continue to question the validity of the Sequential Test undertaken as well as suitability of the site for development. Legal opinion on the subject was submitted on behalf of the Cranleigh Civic Society. Serious concerns are expressed about the safety and insurability of the new properties and the risk of flooding elsewhere as a result of the development. The empirical evidence of flooding events provided in the third party representations is no less valid than the technical evidence of consultants, as their concerns are based on experience and local knowledge. I therefore turn to examine whether the site passes the Sequential Test, and if so whether the development would be acceptable against the Exception Test.

⁵ EA's objection was triggered by representations from third parties

The Sequential Test

51. The Council determined that the Sequential Test should be applied to the 15 SHLAA sites in and on the edge of Cranleigh, on the basis that the settlement is a location for housing growth under each of the four housing delivery scenarios identified in the emerging LP. Cranleigh is also identified as one of four largest settlements in the Borough requiring new homes. This is a reasonable approach to establishing the area to which the Sequential Test should apply, and corresponds with advice in the PPG.
52. The appellant's assessment shows that of the 15 original sites included in the analysis only six are genuine contenders to be considered in the Sequential Test; the remainder being excluded for reasons of non-availability within five years, low yields or because permission has been granted on particular sites. Four of the sites left in the running lie wholly within Flood Zone 1. However, every one of the six sites is subject to surface water flood risk to one extent or another. In other words, each of the sites to which the Sequential Test applies is at risk of flooding from either pluvial or fluvial sources. Each of the sites is therefore subject to the Sequential Test.
53. The PPG confirms that it is for the local planning authorities (or by implication the decision maker) to consider the extent to which the Sequential Test considerations have been satisfied, taking into account the particular circumstances in any given case.
54. In this case, the proposed housing would be constructed entirely within Flood Zone 1. The bridge across the two brooks would lie within Flood Zones 2 and 3. However, as the bridges are intended as part of the access/egress routes in the event of a flood, this factor feeds into the 'safe for its lifetime' element of the Exception Test. Four of the comparable and available SHLAA sites are better placed because of the lesser risk from fluvial flooding, but the appeal site ranks better than all but one site in terms of surface water flood risk. The exercise shows that every one of the comparable sites considered is subject to flood risk to some extent.
55. In the context of the likely need for greenfield sites to meet the Borough's housing needs, identification of Cranleigh as a growth area and taking other factors into account, the Sequential Test demonstrates that the appeal site is no more or no less better placed than other identified SHLAA sites to fulfil the area's needs.

The Exception Test

56. The appellant prays in aid of the September 2014 Interim Sustainability Appraisal (ISA) report which gave the appeal site the highest score when tested against a range of criteria. This, it is said, points to the "*wider sustainability benefits to the community that outweigh the flood risk.*" I disagree.
57. The ISA report was produced with the intention of informing the consultation and subsequent preparation of the emerging LP. It provides a broad understanding of the comparative sustainability credentials of housing site options outside of settlement boundaries. When assessed against a wide range of sustainability related criteria, the appeal site was one of only 15 available sites (of the 144 assessed) to be assigned a 'green' score, or "*more likely to*

meet the criteria for allocation (either as a strategic site in Local Plan Part 1 or as an allocation 2 or a neighbourhood plan)."

58. However, the ranking of sites in this way is only one step in a three-stage process assisting the Council with selection of initial alternative housing scenarios. The 'green' score may say something about the sustainability credentials of the site in the context of a Borough-wide assessment produced for a specific purpose. That assessment though does not provide an analysis of the sustainability benefits of this development, or how the benefits to the community are sufficient to outweigh flood risk. In my view, this element of the Exception Test goes beyond the broad exercise carried out in the ISA. It requires a much more focussed consideration of the scheme's sustainability benefits, and the balancing of those benefits against the flood risk. I have carried out the exercise as part of the final issue and report on it in due course.
59. As for the second bullet point of paragraph 102 of the NPPF, safety of the development for its lifetime is dependent upon the safety of access routes out of the site in the event of a flood. The access appraisal describes the risks associated with the three proposed access routes from the site. Alfold Road and foot access to the village are shown as 'very low hazard' during the 1 in 100 year event (plus an allowance for climate change), whereas for the Knowle Lane access route the predicted level of hazard is categorised as 'danger to some'. The routes were assessed for fluvial and surface water flood risks.
60. The developed area of the site would be in a safe zone free from flood risk and the homes would provide a safe refuge. The EA accepts the appellant's findings that the Alfold Road route would remain safe for residents and emergency services. Similarly, there would be a safe walking route to the town centre for supplies if necessary. There is no objection to the proposal from the Lead Local Flood Authority (Surrey County Council).
61. Third parties have argued otherwise. I was provided with evidence of flooding on Alfold Road as recently as January 2016. Images of flooding events at Alfold Road, Elmbridge Road, Knowle Road and the Littlemead Industrial Estate were also submitted in evidence. There are understandably very serious concerns about the potential risks to property and lives, given the evidence of experience on the ground of local residents armed with local knowledge.
62. However, the images do not conclusively show that the flood waters from fluvial or pluvial sources extend to the area of the site that is to be developed with new houses. Furthermore, although Alfold Road has been shown to have a history of flooding, this was found to be due to poor maintenance of highway drainage. A mitigation scheme for alleviating the problem forms part of the Highways Works Package offered in the s106 planning obligation. The works would improve the flow of surface water run-off into the surrounding watercourse system. Surrey County Council as Lead Local Flood Authority finds the solution acceptable and has not raised any objections to the proposal, albeit that was not the position initially held by the authority.
63. Fluvial flood risk is to be managed by locating all new houses within Flood Zone 1, and those close to watercourses to have finished floor levels at least 300mm above the adjacent 1 in 100 year (plus climate change) levels. The soffit levels of bridges are proposed to be set at least 600mm above the 1 in 100 year plus 20% climate change flood level.

64. The NPPF also requires that flood risk to land is not increased as a result of development. Third parties articulate concerns regarding the risk of increased flooding elsewhere, pointing to recent catastrophic events to befall residents of a property in Cranleigh. The site specific FRA identifies the measures that would be incorporated into the design of the development to ensure that the volumes and peak discharge rates of surface water leaving a development site are no greater than the rates prior to the development.
65. The FRA acknowledges that the shallowness of the perched groundwater may restrict effectiveness of infiltration SuDs techniques. A hierarchy of surface water run-off control measures have been considered with source control measures connected to site control and finally regional control to ensure implementation of at least three treatment stages of the surface water run-off. Source control measures would consist of a combination of permeable paving, underground cellular storage and interconnecting swales. Detention basins at the lowest part of the development parcels, and within area designated as open space, are proposed to be designed to attenuate flow prior to discharge via hydraulic control structures. Surface water management measures and continued management and maintenance during the lifetime of the systems installed could be secured by conditions. With these measures in place, the development would not increase flood risk elsewhere. The improvements forthcoming from the Highways Works Package would additionally improve current conditions on Alfold Road.
66. Overall, the evidence demonstrates adequately that the development can be made safe for its lifetime. Residents would have safe access and egress routes. With a sustainable drainage system in place, flood risk elsewhere would not increase as a result of the proposed development.

Other Matters

67. A number of third parties mentioned the inadequacy of the infrastructure in and around Cranleigh to accommodate the additional dwellings. The planning obligation offers contributions towards a range of facilities, highways and transport improvements to mitigate the effects of the proposed development. Furthermore, it must be remembered that Cranleigh has been identified as one of four areas to which new development is to be directed in the future.
68. The inquiry was informed by the Cranleigh Society that allowing the development to proceed could be in contravention of the Water Framework Directive, as the sewage treatment capacity is unlikely to support the anticipated increase in demand. Again, the matter has to be considered in the context of expected growth and additional homes to be provided in Cranleigh. The EA has not objected to the proposal and it would be for the statutory authorities to take the necessary measures to satisfactorily accommodate the new development.
69. The capacity of the local highway network has also been questioned. The SoCG confirms that the Highway Authority has not objected to the scheme, subject to a package of highway improvements designed to mitigate the development's impacts. The Highway Authority's position comes from consideration of a traffic impact assessment which was found to be robust and realistic about the likely impact on the highway network. A package of walking, cycling and public transport improvements would improve the site's accessibility by non-car modes, in a location that is well placed to take advantage of local facilities and

services. There is very limited evidence to counter the findings of the traffic assessment or to refute the evidence given to the inquiry. There is no reason for me to take a different view to the Highway Authority or the Council on the matter of transport and highways.

70. Third parties agree that there is a need to provide more affordable home. The scheme was independently reviewed on behalf of the Council and found to result in a deficit when compared to the existing land use value. Nevertheless, 128 affordable homes (30%) are offered through the planning obligation, and would comply with the NPPF's policy of achieving mixed and balanced communities.
71. The issue of land ownership raised by Mr Iafrate is a private matter and has no bearing on the planning merits of this case.

The Planning Balance

72. I have found the proposal to be acceptable on the grounds of its highways and transport impacts, as well as acceptable on the basis that the contributions secured through the planning obligation would mitigate the infrastructure pressures brought about by a development of this scale. The absence of harm on these points does not add to the case for the development nor tell against it. The weight to be attached to these matters is neutral.
73. Development in the countryside and intrusion by the appeal scheme into the landscape character and appearance of the area would contravene LP Policies C2 and D1. There is potential for the design to mitigate some of the landscape and visual impacts of the development, and the weight attached to Policy C2 is reduced for reasons explained earlier.
74. Harm would be caused by loss of 14.5% of the ancient woodland. The condition and ecological quality of Knowle Wood (unchallenged by expert knowledge on the subject from the Council) has some bearing on the weight that should be accorded to the loss, alongside the opportunities that the proposal would bring for on-site and off-site enhancements. These matters form part of the overall assessments. Furthermore, the harm identified and the policy breach attached to that harm has to be balanced against a number of factors.
75. To start with I turn to the Council's housing land supply position. At the time the SoCG was drafted, it was agreed that the Council's latest monitoring report (dated 1 April 2015) showed a supply of nearly four years of deliverable housing sites. During the course of the appeal, the Council claimed an updated position showing a supply of 4.33 years, which in its view did not justify the scheme's urbanising impact or loss of the ancient woodland. The five-year supply position was not tested at the inquiry and did not form part of the parties' evidence in any great detail, largely because agreement had been reached as confirmed in the SoCG. While the extent of the shortfall may be a material consideration, the requirement for the local planning authority to demonstrate a five-year supply has to be seen in the context of the NPPF's exhortation to "*boost significantly the supply of housing*" and against a background of imperative of delivery.
76. The SoCG confirms that the Council's preference is for previously developed land to be developed prior to greenfield sites. But it also acknowledges that a deliverable supply of housing sites cannot be identified for the housing demand

for the next five years to be met. Indeed, each of the scenarios for accommodating growth and distribution of housing between 2013-2031 envisages homes to be delivered on greenfield sites at the four larger settlements (which includes Cranleigh). The numbers vary from 1,200 to 4,450 dwellings depending on the particular scenario.

77. The Council and third parties refer to the potential for the Dunsfold Aerodrome and Hewitts Industrial Estate to deliver large numbers of new homes on previously developed sites. A residential development on the latter was refused recently by the Council on the basis of loss of employment, and cannot be relied upon to contribute to the area's needs. The planning acceptability or otherwise of a large redevelopment proposal at the aerodrome has yet to be tested. The Council's planning witness conceded that there are accessibility issues with regard to that site that need to be resolved. None of the two brownfield sites identified brings any surety to the supply of housing over the next five years. Indeed, from all of the evidence submitted to the inquiry, there is little doubt that the release of some greenfield land at Cranleigh is inevitable.
78. The ISA confirms that 61% of the Borough falls within the Metropolitan Green Belt and 80% of the countryside is designated as an Area of Outstanding Natural Beauty and/or Area of Great Landscape Value. The appeal site is accorded none of these designations. There is good accessibility to a range of facilities, services and transport choices. The ISA ranked the appeal site highly against the sustainability criteria used to assess a number of site options across the Borough. In the circumstances of the significant landscape constraints facing the Borough, the appeal site represents an attractive option environmentally and in sustainability terms. In terms of flood risk too the appeal site is no more or less sequentially preferred when compared to other qualifying SHLAA sites.
79. As for benefits, the 425 dwellings would make a significant contribution to an acknowledged shortfall in deliverable sites for the five-year period, and would help boost the area's supply generally. The new homes can be delivered speedily, as confirmed by the appellant. The Council recognises the need for a large number of affordable homes in the Borough. Third parties too made an eloquent case for providing more affordable homes, given the difficulties faced by young people in accessing affordable accommodation. Delivery of affordable and market homes in the context of the constraints that apply to the Borough would therefore comprise the most significant social benefit to flow from the proposed development and would be consistent with the NPPF's basic imperative of delivery.
80. The proposal would deliver economic gains from a number of sources, including construction-based employment and increases in local spending. The financial contributions towards open space, education and improving the Downs Link arise largely from the need to mitigate the effects of the development. Such matters do not weigh in favour of it. There is no evidence for or against the need for land for a new community facility. In the absence of a tangible proposal for the land or guarantee of future funding for its development or management, the matter can be given only limited weight.
81. Turning then to the overall planning balance. The social and economic benefits of the scheme are considerable. The need for new housing in the area is undisputed and in Cranleigh greenfield sites are expected to make a

contribution to the overall supply. The homes would be delivered speedily on land that sits high in the sustainability ranking of sites. Having accepted the need for greenfield sites to help fulfil the Borough's housing obligations, the loss of an undesignated piece of countryside abutting the urban edge of Cranleigh, with limited harm to the wider landscape, would be outweighed by the social and economic gains identified. The Council's suggestion that only part of the site be developed would also involve loss of countryside but without meaningful contribution to the area's housing needs.

82. To enable the site to be developed to its full potential, loss of part of the ancient woodland is unavoidable. The harm would be contained by mitigation measures and offset by a compensation package that would enable the woodland to be managed for the future, and improve upon its current compromised condition. In my judgement, and having regard to the mitigation hierarchy, loss of part of the ancient woodland would also be clearly overcome by the social and economic benefits of delivering a large number of new homes to the area, where currently a shortfall prevails. The extent of the shortfall at 4.33 years does not lessen the obligation to boost significantly the supply of housing in the area.
83. In the light of all that is said above, the benefits of allowing this development would significantly and demonstrably outweigh its adverse impacts. It would amount to sustainable development, bringing wider sustainability benefits to the community. The Exception Test would thus be fulfilled.
84. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and, as Government policy, merits significant weight. The proposal would be in compliance with the NPPF when assessed against its policies as a whole, and merits the presumption accorded to sustainable developments. The breach with the development plan is justified on that basis, particularly in the face of the reduced weight accorded to Policies C2, C7 and D7.

Conditions and Planning Obligations

Conditions

85. A list of suggested conditions was circulated before and during the inquiry. The reasons for imposing conditions are recorded below and where necessary the wording has been modified for clarity or to accord with advice in the PPG⁶.
86. As an outline application, a condition to secure the submission of reserved matters is necessary (1). A condition specifying the relevant drawings is imposed, as it provides certainty (2). In the interest of achieving a development of high quality, as well as to ensure that the principles shown in the Masterplan and articulated in the DAS are delivered, it is necessary to secure approval for floor levels (3), samples of external materials (4), landscaping and management of the site (11, 12) and protection of existing trees and hedges (13). To limit the scope of the permission to that applied for, and considered in the evidence, the number of dwellings is not to exceed 425 (5).

⁶ Numbers in brackets refer to the condition numbers listed in Annex C

87. To ensure that the proposed development delivers new homes as soon as possible, the time limits for submission of reserved matters and implementation on site have been reduced as agreed at inquiry (6, 7). A phasing scheme is necessary for a properly planned and co-ordinated development (8).
88. To provide safe and workable vehicular access routes, it is necessary to impose a condition requiring the accesses to be constructed in accordance with agreed details (9). Mr McKay's (highways consultant for the appellant) evidence to the inquiry indicates that the access details have changed from the approved drawings, so a separate condition is imposed to address access. Pedestrian access from the development site to the Downs Link requires careful consideration, and a condition for such routes to be constructed in accordance with approved details has been included (10). External lighting requires careful control to avoid disturbance to wildlife in the area, particularly within Knowle Wood. Condition 14 would assist with securing a suitable lighting scheme.
89. In the interest of highway safety, and to avoid inconvenience to highway users within and outside the development site, a condition requiring car parking and bicycle spaces to be provided to agreed details has been imposed (15). Such a condition would accord with LP Policy M2. I hesitate to describe provision of trickle charging points as necessary to acceptability of the scheme. A condition along those lines is included (16), however, to comply with the Surrey County Council 'Vehicular and Cycle Parking Guidance' and to add to the scheme's sustainability credentials.
90. To protect the site from flood risk, it is necessary to secure the FRA mitigation measures and recommendations and to ensure that the crossings/bridges would be constructed in accordance with approved details (17, 18). Similarly, to ensure that flood risk is not increased on site or elsewhere, a condition is included to control land raising or to ensure it is undertaken in accordance with agreed details (19). A condition is necessary to establish and counter the possible presence of contamination in the ground (20).
91. For reasons explained earlier, implementation of a suitable surface water strategy is essential. A condition requiring the development to be undertaken in accordance with an approved scheme is imposed accordingly (21). The s106 provides for a company to be set up to manage water attenuation measures. There is also a need to secure details of future management arrangements to ensure that the surface water drainage system installed is managed and maintained for its lifetime. A condition is imposed to secure such measures (22). Another condition is included to investigate and provide, if necessary, a programme for works to be undertaken in relation to archaeological remains (23).
92. Given the ecological significance of Knowle Wood and possible presence of protected species on the site, Conditions 24, 25, 26 and 27 are necessary to preserve and protect the habitats and species. There is insufficient information on the need for land for community purposes. However, a condition is included to reserve the land for such purposes, in the event that future evidence points to a need for it (28). Finally, to ensure that neighbouring properties, residents and highways users are not unduly affected by construction of the development, a condition is included requiring the construction works to be

undertaken in accordance with an approved Construction Method Statement (29).

S106 Planning Obligation

93. Earlier I referred to the on-site management measures for Knowle Wood and the off-site contributions which would lead to net ecological gains in the Borough. These would come forward through the planning obligation. The 128 affordable homes proposed (64 each of rented and shared ownership units) are also offered through the s106. These are necessary to make the scheme acceptable and compliant with NPPF policy.
94. I am also satisfied that the range of financial contributions promised in the s106 are necessary and in accordance with the Community Infrastructure Levy Regulation 122 (CIL Regs) as they are required to mitigate the impacts of the development. The contributions are directed to identified relevant facilities or relate specifically to the needs arising from the proposed scheme. The Council confirms that none of the named facilities to which the contributions would be directed has been subject to previous s106 contributions.
95. The highways and transport packages include submission and implementation of a Travel Plan, contributions towards off-site highway works and bus contributions. Each of these elements of the s106 meets the CIL Reg 122 tests, for the relevance and necessity of the works in the interest of highway safety, flood prevention or to enhance the sustainability aspects of the development.
96. The provision and subsequent management of play and open space as part of the proposed development are intended to meet the LP Policy H10 requirements to provide such facilities in accordance with the national standards and the Council's strategies. These too would meet the requirements of the CIL tests. The justification for the community orchard is less clear cut, and I have not taken that element of the planning obligation into account when making my decision.

Conclusions

97. I have taken account of all the matters raised in the third party representations, including those referred to in the two letters from the Rt Hon Anne Milton MP. For the reasons explained, I am allowing the appeal subject to the 29 conditions, attached at Annex C, and find that other matters raised either individually or collectively do not alter the balance of my considerations or weigh against my decision.

Ava Wood

Inspector

ANNEX A - APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Trevor Ward of Counsel	Instructed by Johanna Ayres, Solicitor, Waverley Borough Council
He called:	
Sue Sutherland	Sue Sutherland Landscape Architects
BSc(Hons) BPhil, CMLI	
Brian Wood BA(TP)	Managing Director, WS Planning
MRTPI	

FOR THE APPELLANT:

Martin Kingston QC	Instructed by Steven Sensecall
He called:	
Andrew Smith	Fabric Limited
BSc(Hons) MSc CMLI	
Adrian Meurer BSc	Director of Ecology, Hankinson Duckett Associates
(Hons) MCIEEM	
Colin McKay BSc(Hons)	Technical Director, WSP Parsons Brinckerhoff
CEng MILT	
Dominic Chapman	Partner, JTP
BA(Hons) BArch RIBA	
AoU	
Simon Purcell BSc(Hons)	Director, WSP UK Ltd
MSc CEng MICE	
Steven Sensecall	Partner, Kemp and Kemp LLP
BA(Hons) DipTP MRTPI	

INTERESTED PERSONS:

Anthony Iafrate	Employer, Littlemead Industrial Estate
Liz Townsend	Chair, Cranleigh Civic Society
Adrian Clarke	Cranleigh Civic Society
Richard Bryant	Cranleigh Civic Society
Cllr Patrica Ellis	Cranleigh Parish and Waverley Borough Councillor
Cllr Mary Foryszewski	Waverley Cranleigh East and Cranleigh Parish North
Ken Reed	Local resident
Dominique Mcall	Cranleigh Civic Society
S Jeacock	Local resident

ANNEX B
Documents submitted during open inquiry session

No	Title	Date	Submitted by
1	Inquiry Notification letter	2/2/16	WBC
2	Justification for Infrastructure Contributions	2/2/16	WBC
3	Mr Purcell's response to 3 rd party	2/2/16	App
4	Cranleigh SHLAA sites remaining to be considered in the sequential test	2/2/16	App
5	Written Statement by Mr Clarke	2/2/16	Mr Clarke
6	Mr Kingston's opening	2/2/16	App
7	Mr Ward's opening	2/2/16	App
8	Mr Iafrate's written statement	2/2/16	Mr Iafrate
9	Cranleigh Civic Society (CCS) counter response	3/2/16	CCS
10	Cllr Ellis' Statement	3/2/16	Cllr Ellis
11	Natural England Standing Advice April 2014	3/2/16	WBC
12	Email from Stephen Whale	3/2/16	CCS
13	Cllr Mary Foryszewski's written statement	3/2/16	Cllr Foryszewski
14	Mr Bryant's written statement	3/2/16	CCS
15	Mr Reed's written statement	3/2/16	Mr Reed
16	S106 (draft)	4/2/16	App
17	Mrs Smyth's (FoE) suggested condition from Surrey County Council on site at land west of Alfold Crossways	5/2/16	3 rd party
18	Statement of Common Ground	5/2/16	App/WBC
19	Note from appellant re: alternative accesses to site	5/2/16	App
20	Suggested landscape condition	5/2/16	WBC
21	Drawings referred to in condition 29	5/2/16	App
22	SCC Vehicular and Cycle Parking Guidance	5/2/16	WBC

Documents submitted during the adjournment and before the inquiry closed

No	Title	Date	Submitted by
23	Closing submissions on behalf of Waverley Borough Council	11/2/16	WBC
24	Closing submissions on behalf of appellant	16/2/16	App
25	Completed s106	16/2/16	App

ANNEX C – Conditions

Approval of Details

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
00734_M01 Rev P1, 00734_M02 Rev P1, 00734_M03 Rev P1, 00734_M04 Rev P1, 00734_M05 Rev P1, 00734_PP01 Rev P1, 00734_PP02 Rev P1, 00734_PP03 Rev P1, 00734_PP04 Rev P1, 00734_PP05 Rev P1, 00734_PP06 Rev P1, 0576-D-01 Rev F, 0576/SK/001 Rev G, 0576/SK/018 Rev D, 0576-SK-103 Rev A, 0576/SK/104 Rev A, 0576-SK-106 Rev C, 0576-SK-016 Rev B, D2149L.100 Rev B.
3. Details of the finished floor levels shall be submitted to and approved in writing by the local planning authority before any phase of the development commences and the development shall be carried out as approved.
4. No development shall take place in any phase of the development until samples of the materials to be used in the construction of the external surfaces of the dwellings to be constructed in that phase have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
5. The development hereby permitted shall comprise no more than 425 dwellings.

Timing of Implementation

6. Application for approval of the reserved matters of the first phase of the development shall be made to the local planning authority not later than 12 months from the date of this permission
7. The development hereby permitted shall begin either before the expiration of:
 - a) 2 years from the date of this permission; or
 - b) 12 months from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Phasing

8. Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority of a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programme. The Phasing Programme shall indicate the timing of construction of the scheme phases, including the provision of associated external works, commensurate with the phases and associated areas/uses being brought into use.

Access

9. Notwithstanding the plans listed in Condition 2, access to the site from Alfold Road and Knowle Lane shall be constructed in accordance with schemes submitted to and approved in writing by the local planning authority. The schemes shall be based on drawing nos: 0576/SK/001 Rev G and 0576/SK/018 Rev D. No dwelling shall be occupied until the Alfold Road access to and from the site has been implemented.
10. Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved in writing by the local planning authority of the treatment of the pedestrian access to the Downs Link. No dwelling completed in the phase relevant to the pedestrian access shall be occupied until the works are completed in accordance with the approved details.

Landscaping

11. Within any reserved matters application pursuant to this approval, the landscape details required by Condition 1 shall include a detailed landscaping scheme (including detailed designs and specifications) The landscape designs and specifications shall include the following:
 - i. Full details of planting plans and written specifications,
 - ii. Full details of all proposed methods of boundary treatment including details of all gates, fences, walls and other means of enclosure both within and around the edge of the site.
 - iii. Details of all hard surfacing materials (size, type and colour)

The landscaping shall be implemented prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed in writing by the local planning authority.

12. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas in each phase of the development, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or the phase of the development to which the submitted plan relates. The landscape management plan shall be carried out as approved.
13. No development shall take place until a scheme for the protection of existing trees and hedges which are to be retained within the site has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Lighting

14. No floodlighting or other form or external lighting scheme shall be installed unless it is in accordance with the details which have previously been submitted to and approved in writing by the local planning authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. The lighting shall thereafter be retained in the form approved.

Parking and Travel

15. Within any reserved matters application pursuant to this approval, the layout details required by Condition 1 shall include a scheme for car and bicycle parking for the residential units proposed in each phase of the development, and for parking of cars and bicycles in communal areas. No dwelling in the relevant phase shall be occupied until the parking arrangements approved in writing by the local planning authority for that phase has been implemented. Thereafter the parking areas shall be retained and maintained for their designated purpose.
16. No dwellings shall be occupied in any phase of the development until one trickle charging point is provided per communal parking area and one charging point provided for each house with a garage

Flooding

17. The development hereby permitted shall be carried out in accordance with the recommendations and mitigation measures set out in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. The recommendations and mitigation measures relevant to each phase of the development shall be implemented prior to the occupation of any dwelling in that phase of the development.
18. Prior to the approval of reserved matters, design details for the Littlemead Brook and the Nuthurst Stream river crossings/bridges shall be submitted to and approved in writing by the local planning authority. These details shall be based upon the concepts and information presented in the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014 and Drawing number 0576-SK-103, 'Indicative Bridge Elevations', Revision A, prepared by WSP, dated April 2014. The works shall then be implemented as approved, prior to first occupation of any dwelling on the site.
19. No land raising will take place in the 1% (1 in 100) plus a 20% allowance for climate change flood extent except that which has been agreed for access through outline planning application WA/2014/0912. Where land raising in the 1% plus a 20% allowance for climate change flood extent is proposed, full details including satisfactory level for level floodplain compensation mitigation measures should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details, and thereafter retained.

Contamination

20. No dwelling shall be occupied until the approved remediation scheme is carried out in accordance with a Remedial Method Statement (based on the GESL Report GE9749 Knowle Lane) submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out is to be submitted to and approved in writing by the local planning authority.

Surface Water Drainage

21. Prior to submission of reserved matters, a sustainable surface water drainage scheme for the site is to be submitted to and approved in writing by the local planning authority. The scheme is to be based on the Flood Risk Assessment titled 'The Maples, Cranleigh, NPPF Flood Risk Assessment', Revision 1, prepared by WSP and dated 28 April 2014. No dwelling shall be occupied until the drainage works required for that dwelling have been implemented in accordance with the approved details.
22. No development shall take place until details of future continued maintenance and management of the surface water drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - a) timetable for its implementation, and
 - b) management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Archaeology

23. No development shall commence 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 in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the Written Scheme of Investigation.

Ecology

24. The development shall be carried out in accordance with the recommendations set out in the submitted Ecological Appraisal, Dormouse Survey Report, Water Vole Survey Report, Badger Survey (Confidential), Bat Survey and Addendum, Reptile Survey Report and Knowle Wood Mitigation Strategy. If there is not adequate habitat remaining on site to support the reptile population present, prior to the commencement of development, the applicant shall submit details of a suitable receptor site to be approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details.
25. No development shall take place until a scheme for the provision and management of a minimum 8 metre wide buffer zone alongside the Littlemead Brook and the Nuthurst Stream has been submitted to and agreed in writing by the local planning authority. This distance is measured from the top of the bank and applies to each side of the watercourse but only on land within the control of the applicant. Thereafter, the development shall be carried out in accordance with the approved scheme. The buffer zone scheme shall remain free from built development including lighting, domestic gardens and formal landscaping.

The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- details of any proposed planting scheme;

- details demonstrating how the buffer zone will be protected during construction/development of the scheme;
 - details demonstrating how the buffer zone will be managed and maintained over the lifetime of the development including a detailed management plan, information relating to adequate financial provision and named body/parties responsible for management of the buffer zone; and
 - details of any proposed footpaths, fencing and lighting.
26. Prior to the commencement of the development hereby approved or site preparation works, further survey works, as detailed in Section 5.2.10 of the HDA Bat Survey Report, dated August 2015, shall be carried out and submitted for approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.
27. Prior to the commencement of development or site preparation works, further survey works, as detailed in Section 4.9 of the submitted HDA Badger Survey Report dated November 2015, shall be carried out and submitted for the approval in writing by the local planning authority. The development shall thereafter be carried out in accordance with the measures and recommendations set out in the approved Report.

Community Land

28. The land identified on indicative plan no. 00734_S106_01 Rev 01 shall only be used for the purposes of community use within the meaning of Class D1 of the Town and Country Planning (Use Classes) Order (1987). This land shall be shown on any subsequently submitted reserved matters layout plan for the phase in which the land is located. Use of the land for community purposes shall only proceed in accordance with details of the management and operation of the use submitted to and agreed in writing by the local planning authority.

Construction

29. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- a) vehicle routing
 - b) the hours of work
 - c) the parking of vehicles of site operatives and visitors
 - d) loading and unloading of plant and materials
 - e) storage of plant and materials used in constructing the development
 - f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - g) wheel washing facilities
 - h) measures to control the emission of dust and dirt during construction
 - i) a scheme for recycling/disposing of waste resulting from demolition and construction works

- j) means of protection of trees and hedgerows during site preparation and construction; and
- k) access arrangements for emergency vehicles during the construction phase.

End of Conditions

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