Waverley Borough Council
Council Offices, The Burys,
Godalming, Surrey
GU7 1HR
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To: All Members and Substitute Members of the Joint Planning Committee (Other Members for Information)

When calling please ask for:
Ema Dearsley, Democratic Services Officer
Policy and Governance
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Direct line: 01483 523570
Calls may be recorded for training or monitoring
Date: 17 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 Foryszewski	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: TUESDAY, 28 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 15 February 2017 (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.

Applications subject to public speaking

5. A1 - WA/2016/1418 - WOODSIDE PARK, CATTESHALL LANE, GODALMING GU7 1LG (Pages 5 - 86)

Proposal
Outline application for the erection of up to 100 dwellings, including 17 affordable, together with associated amenity/play space; the erection of a building to provide a community use (Use Class D1) at ground floor level with office (Use Class B1) above following demolition of existing buildings except the ambulance station together with associated works (revision of WA/2016/0101) (as amended by email received 19/12/2016, plan received 18/01/2017 and Affordable Housing Viability Report received 18/01/2017)

Recommendation

RECOMMENDATION A - That subject to the completion of a S106 legal agreement to secure 17% affordable housing, infrastructure contributions towards off site highway improvements, primary education, provision of and public access to rear open space, management and maintenance of on-site SuDS within 3 months of the date of resolution to grant permission and conditions, permission be GRANTED.

RECOMMENDATION B - That, if requirements on Recommendation A are not met, permission be REFUSED.

Applications not subject to public speaking

6. B1 - WA/2016/1419 - WOODSIDE PARK, CATTESHALL LANE, GODALMING GU7 1LG (Pages 87 - 108)

Proposal
Change of use of land ancillary to existing commercial park to open space

Recommendation

Recommendation A - That, subject to conditions, permission be GRANTED

Recommendation B - In the event that permission is refused for WA/2016/1418, permission be REFUSED

7. 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.

8. 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

A1 WA/2016/1418
R Trendle
Woodside Park Properties Ltd
19/07/2016

Outline application for the erection of up to 100 dwellings, including 17 affordable, together with associated amenity/play space; the erection of a building to provide a community use (Use Class D1) at ground floor level with office (Use Class B1) above following demolition of existing buildings except the ambulance station together with associated works (revision of WA/2016/0101) (as amended by email received 19/12/2016, plan received 18/01/2017 and Affordable Housing Viability Report received 18/01/2017) at Woodside Park, Catteshall Lane, Godalming, GU7 1LG

Committee:	Joint Planning Committee
Meeting Date:	28/02/2017
Public Notice:	Was Public Notice required and posted: Yes
Grid Reference:	E: 497925 N: 143893
Town:	Godalming
Ward:	Godalming Central and Ockford
Case Officer:	Jenny Seaman
13 Week Expiry Date:	18/10/2016
Neighbour Notification Expiry Date:	26/08/2016
Time extension agreed to:	31/03/2017

RECOMMENDATION A

That subject to the completion of a S106 legal agreement to secure 17% affordable housing, infrastructure contributions towards off site highway improvements, primary education, provision of and public access to rear open space, management and maintenance of on-site SuDS within 3 months of the date of resolution to grant permission and conditions, permission be GRANTED.

RECOMMENDATION B

That, if requirements on Recommendation A are not met, permission be REFUSED.

Introduction

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

The application was deferred at the Joint Planning Committee on 19/12/2016 for the following reasons:

- An improved indicative layout and design.
- A greater proportion of proposed employment uses in the scheme.
- A reduction in number of residential dwellings.
- A fully worked out parking plan

The applicants have sought to address these matters and have submitted a revised indicative layout plan, which indicates an increase in underground parking provision (66 spaces), an Affordable Housing Viability Report, which results in a reduction of affordable housing provision to 17% and an increase in Class B1 office space from 287 sq m to 574sqm.

Location Plan

Site Description

The application site measures 1.61 hectares and has a long established use, since the 1850's, for industrial purposes. The site is located on the south side of Catteshall Lane and slopes up from Catteshall Lane, with the existing buildings constructed into the hillside.

The site comprises a range of modified light industrial and commercial buildings with associated access roads and car parking areas that surround the buildings. The buildings are up to three storeys in height and predominantly massed in the northern part of the site fronting Catteshall Lane. The existing buildings comprise a mix of Class B1 office space, Class B8 storage and distribution, sui-generis car repair uses, Class D1 non-residential institution and Class D2 assembly and leisure uses. These are likely to be the lawful uses.

The majority of the site (the northern part of the site closest to Catteshall Lane) is within the settlement boundary of Godalming. The southern part of the site, which accommodates a number of existing buildings and large areas of hardstanding used for parking and open storage is located within the Green Belt.

Beyond the southern boundary of the site there is a wooded hillside and a small lake which are owned by the applicant (but do not form part of the current planning application) and are also located within the Green Belt.

Trees provide screening along the western and eastern boundaries of the site, with dense groups of trees to the east and forming the woodland to the south.

In the Waverley Borough Pre-Submission Local Plan Part 1: Strategic Policies and Sites, Woodside Park is identified as a Strategic Site for around 100 homes, community and employment uses (Policy SS8: Strategic Mixed Use Site at Woodside Park, Godalming).

Proposal

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access. If outline planning permission is granted, any details reserved for future consideration would be the subject of future reserved matters application(s).

The reserved matters, which do not form part of the current planning application, include:

- Appearance - aspects of a building or place which affect the way it looks, including the exterior of the development

- Landscaping - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.

- Layout - includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.

- Scale - includes information on the size of the development, including the height, width and length of each proposed building

The proposal is for the redevelopment of the existing commercial park to provide up to 100 dwellings, including 17 affordable, together with associated amenity/play space; the erection of a building to provide 320sq.m for children's nursery (Use Class D1) at ground floor level, with 574sq.m for office (Use Class B1) at first and second floor level, following demolition of the existing buildings, except the ambulance station, together with associated works.

The proposal for up to 100 dwellings will be spread between flats and houses and comprise the following mix:

- 30 no. 1 bed / 2 person apartments
- 36 no. 2 bed / 4 person apartments
- 14 no 3 bed / 5 person houses
- 12 no. 4 bed / 6 person houses
- 8 no. 4 bed / 7 person houses

The proposed density of the development is 60 dwellings per hectare.

Parking provision will amount to 219 car parking spaces provided across the site. Of the 219 spaces proposed, 23 would be provided as undercroft spaces and 66 would be provided underground. For the 34 houses, cycle parking (one or two spaces per unit) will be accommodated within the curtilage of each plot either in sheds or garages. Cycle parking for the 66 flats (one space per unit) will be accommodated in secure cycle stores.

Existing layout

The line through the site shows the boundary of the settlement (developed area to the left of the line and Green Belt to the right of the line)

Proposed illustrative layout

Original illustrative Layout

Existing Street scene (top), Street scene of office building approved in 2013 (middle) and Proposed Street Scene (bottom)

PLANNING

The applicants have amended the indicative site layout to address Members reasons for deferral at the Joint Planning Committee in December 2016. This includes the replacement of 2 blocks of flats at the front of the site with houses; reduced amount of visible car parking on the surface through provision of underground parking; greater variances in designs for the dwellings, and improved indicative layout and internal road network.

Heads of Terms

To secure for the County Council:-

1. Section 106 Contributions to County Highways Authority to secure:-

   Fund the cost (up to a maximum of £5,000) of advertising and implementing a Traffic Regulation Order (TRO) for the provision of no waiting parking restrictions on the Catteshall Lane boundary of the application site, or an alternative scheme as determined by Surrey County Council.

   Prior to first occupation of the 40th residential dwelling to pay to the county council the sum of £100,000 towards the following transport sustainability improvements:

   - Pedestrian safety and capacity improvement scheme at the Catteshall Road priority junction with Meadrow.

   - Provision of new and widened shared use cycle and pedestrian path between the Catteshall Road priority junction with Meadrow and the Old Portsmouth Road (A3100) roundabout junction with New Pond Road (B3000).

   - Improvements at Godalming Station for additional passenger seating/shelter, automatic door openings to station/access to platform to improve accessibility to the station, improved LED lighting which will help provide a greater feeling of safety for passengers at the station.

   - Improvements to bus stop furniture along the bus corridors between the site and the surrounding area by raising kerbs to provide greater accessibility and improving the bus stop furniture to include route & destination information. The improvements will also provide improved bus information by adding the buses serving these routes to the County Council's Real Time Passenger Information system. This will enable residents to have greater & safer accessibility to buses at bus stops

both to & from their destination and have information on buses to & from their destinations.

- Improvements to bus services, working in partnership with bus operators to provide a better passenger transport provision.

2. Section 106 Contributions to County Education Authority; £239,828 towards primary infrastructure

   The developer contribution requested for this development would be applied to a project at Farncombe Church of England Infant School to provide internal refurbishment, to allow the school to accommodate more children.

To secure for Waverley Borough Council:-

- Provision of Public Open Space
- Provision of Affordable Housing (17%)
- A contribution of £2119.00 for the provision of refuse and recycling containers

Relevant Planning History

WA/1979/1972	Extension to enlarge garment retail services to provide additional wash room and drying area to the laundry and to provide additional boiler and plant room area.	Approved 05/02/1980
WA/1980/0911	Extension to form additional sorting area for linen and lorry unloading bay	Approved 10/07/1980
WA/1982/0260	Erection of two separate industrial units, comprising one single and one four unit blocks following demolition of canteen building	Withdrawn
WA/1982/0963	Erection of a single block comprising two units for industrial use, including additional car parking, following demolition of canteen	Approved 22/02/1983
WA/1989/1418	Erection of a two storey building to provide office and workshop	Approved 27/03/1990
WA/1990/1453	Erection of six light industrial units (Class B1) with ancillary two-storey office accommodation to two of the	Approved 22/04/1991

	units	
WA/1993/0327	Siting of a portable building for office use (renewal of WA88/0038).	Approved 15/04/1993
WA/1995/0902	Use of premises for pizza preparation and delivery	Approved 17/08/1995
WA/1996/0307	Alterations to elevations.	Approved 13/06/1996
WA/1996/0308	Display of a non-illuminated sign.	Approved 12/06/1996
WA/1998/0408	Erection of first floor extension.	Approved 23/04/1998
WA/1998/0942	Erection of two buildings to provide Class B1 light industrial use with ancillary office accommodation	Approved 05/10/1998
WA/1999/0051	Erection of a two storey building to provide Class B1, units (office/ light industrial) following demolition of existing building	Approved 08/04/1999
WA/2001/0512	Removal of condition 3 of WA99/0051 (condition limits use of ground floor to light industrial use only).	Approved 24/05/2001
WA/2007/1312	Application for consent to display of non-illuminated signs.	Advertisement Consent Granted 27/07/2007
WA/2007/1817	Application for consent to display of non-illuminated signs (follows advertisement consent WA/2007/1312).	Advertisement Consent Granted 04/10/2007
WA/2010/1068	Change of use from Class B1 (Office) to Class D2 (Fitness Centre).	Approved 12/08/2010
WA/2013/0546	Change of use of unit 28 (part) to nursery school	Approved 29/05/2013
WA/2013/0368	Change of use from office to health/day centre	Approved 02/05/2013
WA/2013/0957	Application for a new planning permission to replace extant permission WA/2007/2284 outline application for the erection of a building to provide a replacement ambulance station and office space within class B1(a) and B1(b)	Approved 05/08/2013
WA/2015/1120	Outline application for the erection of	Refused

	87 dwellings and the erection of a building to provide a community use (Class D1) at ground floor level with alternative proposals above. Option 1: Class B1 office use, Option 2: 20 dwellings; together with associated amenity/play space, landscaping and parking following demolition of existing buildings. Access only to be determined at outline stage.	15/12/2015
WA/2015/1121	Change of use of woodland to use for purpose of public open space	Refused 15/12/2015
WA/2016/0101	Outline application for the erection of 107 dwellings, including 27 affordable together with the erection of a building of 930 sq. m. to provide a community use (Class D1) at ground floor level with office use (Class B1) above; together with associated amenity/play space, landscaping and parking following demolition of existing buildings. Access only to be determined at outline.	Refused 03/06/2016
WA/2016/0102	Change of use of land ancillary to existing commercial park to public open space (Revision of WA/2015/1121)	Refused 03/06/2016
WA/2016/1419	Change of use of land ancillary to existing commercial park to public open space	Pending

Planning Policy Constraints

Southern part of the site:
Godalming Hillsides
Green Belt – outside developed area
Heritage Feature
Surrey Hills AONB
AGLV
Wealden Heaths I SPA 5km

Remainder of site:
Developed Area of Godalming

Wealden Heaths I SPA 5km

Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002
Policies D1, D4, D5, D6, D8, D9, D12, C1, C3, BE5, HE10, H4, H10, CF2, CF3, IC1, IC2, M1, M2, M4, M5, M14 of the Waverley Borough Local Plan 2002.

Waverley Borough Pre-Submission Local Plan Part 1: Strategic Policies and Sites:

Policy SP1: Presumption in Favour of Sustainable Development
Policy SP2: Spatial Strategy
Policy ST1: Sustainable Transport
Policy ICS1: Infrastructure and Community Facilities
Policy AHN1: Affordable Housing on Development Sites
Policy EE2: Protecting Existing Employment Sites
Policy LRC1: Leisure, Recreation and Cultural Facilities
Policy RE2: Green Belt
Policy RE3: Landscape Character
Policy TD1: Townscape and Design
Policy HA1: Protection of Heritage Assets
Policy NE1: Biodiversity and Geological Conservation
Policy CC4: Flood Risk Management
Policy SS8: Strategic Mixed Use Site at Woodside Park, Godalming

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 Pre-submission 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 Policy Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Waverley Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)
- Surrey Design Guide (2002)
- Councils Employment Land Review 2014

<u>Consultations and Town/Parish Council Comments</u>

County Highway Authority	No objections subject to conditions and the following: To enter into a Section 278 agreement to provide the following highway works:

	• Construction of proposed modified vehicular site accesses • Provision of bus cage road markings and improved passenger waiting facilities and information at the westbound bus stop on Catteshall Lane adjacent to the development site • Provision of improved uncontrolled crossing facilities on Catteshall Lane adjacent to the development site, Section 106 payments: Within a period of five years following occupation of the development, if required by Surrey County Council the applicant shall fund the cost (up to a maximum of £5,000) of advertising and implementing a Traffic Regulation Order (TRO) for the provision of no waiting parking restrictions on the Catteshall Lane boundary of the application site, or an alternative scheme as determined by Surrey County Council. Prior to first occupation of the 40th residential dwelling to pay to the county council the sum of £100,000 towards the following transport sustainability improvements: • Pedestrian safety and capacity improvement scheme at the Catteshall Road priority junction with Meadrow. • Provision of new and widened shared use cycle and pedestrian path between the Catteshall Road priority junction with Meadrow and the Old Portsmouth Road (A3100) roundabout junction with New Pond Road (B3000). • Improvements at Godalming Station for additional passenger seating/shelter, automatic door openings to station/access to platform to improve accessibility to the station, improved LED lighting which will help provide a greater feeling of safety for passengers at the station. • Improvements to bus stop furniture along the bus corridors between the site and the surrounding area by raising kerbs to provide greater accessibility and improving the bus stop furniture to include route & destination information. The improvements will also provide improved bus information by adding the

	buses serving these routes to the County Council's Real Time Passenger Information system. This will enable residents to have greater & safer accessibility to buses at bus stops both to & from their destination and have information on buses to & from their destinations. • Improvements to bus services, working in partnership with bus operators to provide a better passenger transport provision. <u>Further consultation following the submission of an amended illustrative site layout plan.</u> Additional response: The County Highway Authority has no comments to make on the amendment/additional information.
County Education Authority	Request a contribution of £239,828 towards primary infrastructure. The developer contribution requested for this development would be applied to a project at Farncombe Church of England Infant School to provide internal refurbishment, to allow the school to accommodate more children. Surrey County Council would not request a contribution for early years infrastructure for this development as this development would include rebuilding the existing provision at Rocking Horse Nursery which currently is able to accommodate up to 52 full time nursery places. At the current time, Surrey County Council would not request a contribution towards secondary education infrastructure as there is sufficient capacity in the local area.
County Lead Local Flood Authority	No objection subject to conditions
County Archaeologist	The application site is large - over the 0.4 hectares which is recommended for archaeological assessment and possibly evaluation under policy HE15 of the Waverley

	Borough Council Local Plan. The application is accompanied by a desk based archaeological assessment prepared by CgMs Consulting that aims to identify and assess the significance of any Heritage Assets with archaeological significance that may affected, and the potential impact of the proposal on any such assets, so enabling decisions to be made on what further archaeological work is necessary. The Assessment has consulted all currently available sources including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that past development of the site will have removed any potential for buried archaeological remains to be present. However, the report does identify that the current factory and laundry buildings date from the late 19th century and are of some local historic interest. These buildings should therefore be considered as a non-designated heritage asset. The Assessment suggests that as the buildings are of local significance a programme of historic building recording in advance of demolition would offer appropriate mitigation for their loss. Agree that this would be a proportionate response and so advise a condition should be attached to any planning permission that may be granted. The Written Scheme should set out proposals for the recoding of the buildings to Historic England Level II standard.
Natural England	The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Thursley, Hankley and Frensham Commons and Thursley, Ash, Pirbright and Chobham Special Protection Area (SPA) and Special Area of Conservation (SAC), respectively, which is a European site. The site is also

	notified at a national level as Thursley, Hankley and Frensham Commons Site of Special Scientific Interest (SSSI). Furthermore, the development is in close proximity to the Wey Valley Meadows SSSI. No objection to the proposal, provided it is carried out in strict accordance with the details of the application, as submitted. Expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application: • local sites (biodiversity and geodiversity) • local landscape character • local or national biodiversity priority habitats and species. Advise consultation with AONB Conservation Board. Their knowledge of the location and wider landscape setting of the development should help to confirm whether or not it would impact significantly on the purposes of the AONB designation. They will also be able to advise whether the development accords with the aims and policies set out in the AONB management plan. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

	Should apply Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
Thames Water	It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required There are public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application. Would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

	The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend a condition be imposed for impact studies to be carried out.
Surrey Hills AONB Planning Adviser.	The rear part of the application site falls within the AGLV. Neighbouring woodland to the east and south of the land edged blue on the site plan as being within the same ownership, lies with the Surrey Hills AONB. No development is proposed within the AONB. The protection of views into and from the AGLV is not protected in the same way as they are for the AONB. The Landscape Character Assessment carried out by consultant landscape architects advising Natural England over the forthcoming Surrey Hills AONB Boundary Review recommended this part of the AGLV as a candidate area (parcel 20-2) for possible inclusion in the AONB. Currently, the AGLV part of the site is used for extensive car parking and occupied in part by a sizeable building. As this is an outline planning application only an indicative layout has been submitted. Semi-detached houses are proposed in the AGLV part of the site. The Planning Authority will need to satisfy itself that if planning permission is granted this proposed level of development could be satisfactorily accommodated on the AGLV part of the site. The illustrative layout suggests an intensive development. But then development on the site generally is already intensively developed and the buildings tend to be of a large scale. The Planning Authority should satisfy itself that a grant of planning permission for this level of development would allow in the AGLV part of the site sufficient space for trees to be planted with room to grow without coming too close to buildings. This would allow views of the development from the north to be softened. Account has been taken that the buildings would be seen against a wooded backdrop and they would not break the skyline. The pond is currently overgrown. The proposals suggest that some thinning would take place which together with the proposed public access to this general area would be welcome and constitute a landscape enhancement.

Environmental Health (Contamination)	Phase 1 Desk study, Woodside Park, Catteshall Lane, Albury S.I. Ltd Report reference 15/10364/NAM – REV3 July 2015 references numerous potentially contaminative former uses at the site including a laundry and vehicle repair/workshops. Intrusive soil sampling is recommended at the site. On this basis and in order to ensure compliance with clause 120 and 121 of the NPPF, recommend that model contaminated land conditions are attached to the planning permission
Environmental Health (Noise and other potential nuisances)	No objections subject to conditions
Waste and Recycling Coordinator	The roads within the development will need to be capable of accommodating a collection vehicle 2530mm wide and 9840mm overall length, with a maximum gross weight of 26 Tonnes. Suitable turning provision to be included. A contribution requested of £2119.00 for the provision of refuse and recycling containers. For the 34 houses space should be available on the property to accommodate the following containers: 1 x 140 litre black refuse bin 1 x 240 litre blue recycling bin 1 x 240 litre brown garden waste bin (Optional subscription service) 1 x 23 litre food waste green kerbside caddy For the 2 No three storey (18 x 1 bed) the following communal waste storage is specified: 2 x 1100 litre 4 wheeled, flat lidded black refuse bins 12 x 240 litre blue recycling bins 1 x 140 litre communal food waste bin For the 2 No three storey (12 x 1 bed, 12 x 2 bed,) the following communal waste storage is specified: 3 x 1100 litre 4 wheeled, flat lidded black refuse bins 15 x 240 litre blue recycling bins 1 x 140 litre communal food waste bin For the 1 No three and a half storey (20 x 2 bed 4 x 3bed)

	the following communal waste storage is specified: 3 x 1100 litre 4 wheeled, flat lidded black refuse bins 15 x 240 litre blue recycling bins 1 x 140 litre communal food waste bin A contribution requested of £2119.00 for the provision of refuse and recycling containers.
Council's Green Spaces Manager	Requests a contribution of £98,750 to provide:- £37,500 towards footpath upgrade in Philips Memorial park £56,250 towards Broadwater Park Changing Room.
Council's Leisure Services Manager	Requests a contribution of £85,500 to provide:- Funding towards the provision of an extension to the gym and dedicated indoor cycling studio
Godalming Town Council	No objections

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 05/08/2016 site notices were displayed around the site and neighbour notification letters were sent on 22/07/2016.

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

- Although there has been a reduction in the number of dwellings density is still too high/development far too crowded
- Contrary to planning policy H4 as density is above 50 dwellings per hectare and Catteshall Lane is not a major node, nor does it have good quality public transport and nor is it situated along a good public transport corridor
- Linden homes development has a density of 41 dwellings per hectare
- Although parking has been improved there is still an insufficient number of parking spaces
- Traffic congestion is already bad
- Catteshall Lane is already full of parked cars and makes travelling in a car or exiting Langham Close difficult and dangerous

- Prime Place is not yet finished so cannot assess the impact of proposal on local amenities and traffic congestion
- Although height of flats has been reduced they are still right on the kerb which is out of keeping. Houses should be at the front and flats in the middle of the development
- Three storey flats along the road frontage out of character
- Noted by councillors on a recent visit that Woodside appeared to be a thriving business park. Space for these businesses is limited and so businesses on site will have to move elsewhere
- Big reduction on proposed office space
- Why is Ambulance station being kept if it is deemed surplus to requirements? Would this be converted to housing later?
- Loss of privacy to houses in Langham Close
- Godalming is changing for the worse due to overdevelopment
- The green belt argument still stands
- Don't consider proposal overcomes objections to previous proposal

15 letters have been received expressing support for the following reasons:

- Woodside Park has been earmarked for redevelopment for some years. Would rather see a brownfield site like this built on rather than Green Belt.
- People desperately need places to live and this will increase the available number of houses in the area
- Number of houses has been reduced and flats lowered in height
- New amenity area open for residents of Catteshall Lane would be very welcome
- This tired old industrial site is quite obviously a ideal location to re-develop and meet the increasing demand for new housing in the area
- As the owner of a business based at Woodside Park, fully aware of the age and condition of the site and the serious need for its re-development. Clear that a large proportion of the buildings on site have surpassed their life expectancy. Low demand for industrial space both on site and in the surrounding area is clear and occupancy of the site noticeably low. Commercial elements on site will house large majority of existing businesses and where this is not possible the landlord has given reassurances that help will be given in finding alternative premises.
- Traffic will be more spread out with housing than the businesses which start and finish at the same time each day
- Less traffic would be beneficial for the area
- Retention of the ambulance station is very positive
- New modern office space and a purpose built nursery would be very welcome

- As the manager of the Rocking Horse Nursery consider that proposal will provide purpose built, bespoke facilities in a modern eco friendly building (meaning lower running costs), a larger purpose built playground with new equipment and the ability to increase the number of children. The revised scheme relocates the nursery away from the main road whilst providing a significant amount of parking and a designated drop off point which will provide safer and easier access for parents and children

1 letter makes a general observation:-

- If planning consent is granted all construction traffic must be made to access the site from Wharf Road. Linden Homes construction traffic caused congestion and ruined the road surface from the Meadrow junction.

Following receipt of an amended indicative site layout, and changes set out under the 'Introduction' section of this report, neighbours were notified of the amendments on 24/01/2017. The following additional letters of representation have been received:

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

- Reduction of affordable housing to 17%.
- The amended site plan does not show where the proposed building type would be located.
- No indication has been given with regard to the height of the buildings.
- Examples of other Linden Homes at 3 and 3.5 storey are overbearing and out of character.
- Consideration should be given to the height of the office development in relation to Sandford House.
- Reference to a proposed LEAP has been removed from the amended layout drawing.
- Parking on Catteshall Lane has become intolerable in recent months.
- The amended scheme is still too intensive and represents an overdevelopment of the site.
- 80 dwellings would be a more suitable number
- The amended scheme does not address the concerns of Members or nearby neighbours.

3 letters have been received expressing support for the following reasons:

- The revised scheme would provide a larger nursery for Rocking Horse Nursery, a larger playground and improved access to the woodland to

the rear of the site. Such facilities would allow the nursery to significantly improve the quality of service provided to children in the area.

- It is clear that a large proportion of buildings on site have simply surpassed their life expectancy.
- The commercial element included in the proposals will house the large majority of the existing businesses and where this is not possible, the landlord has given reassurance that help will be given in finding alternative premises.
- The re-development is essential for the construction of new modern offices and the continued occupancy of the site.
- Without the residential element of the scheme, the provision of new office space would not happen.
- The proposals will provide a significant reduction in traffic using the site – the traffic report clearly shows this.
- The existing site is an eyesore and the proposal would tidy up this area of town and provide a significant amount of new housing on a brownfield site in clear need of redevelopment.
- The revised plan provides an improved layout and more parking.

Submissions in support

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

- The redevelopment of Woodside Park Commercial Centre is necessary to provide a long term future for the site, as the existing facilities and uses are not viable anymore.
- All the units on site are dated and no longer suitable for modern business use and will need to be significantly refurbished or demolished and rebuilt to be able to provide for modern office use and needs.
- The site has been continuously marketed for both sale and lettings for in excess of 5 years through various trade publications, such as the Estates Gazette. After exhausting all opportunities, Gascoignes commercial agents were appointed three years ago to re-market the property. This included marketing through the trade and over the last year through the Estates Gazette.
- The marketing exercise undertaken demonstrated that the current mix and provision of commercial use was not viable in the long term in this location and that redevelopment of the same uses would be done at a loss in the current market.
- As the current provision of land use is considered not to have a long-term future, more viable opportunities were explored, in particular residential-led schemes.

- Part of the developed site is within the Green Belt. It is considered that the proposed scale of development in this part of the site will have no greater impact on its openness than the existing and thus should be classified as appropriate in Green Belt terms.
- Regarding the Green Belt, the developed land within could be considered 'previously developed land'
- If it's not considered to be inappropriate development in the Green Belt, the benefits arising from the development including increased biodiversity, smaller massing, reduced traffic related pollution and increased access and enhancement of the visual amenity of the Green Belt, will outweigh the harm and constitute 'very special circumstances'.
- Traffic impacts arising from this development will be reduced from existing by around 50%.

The current application has responded to the reasons for refusal on the previous planning application by:-

- Reduction of the apartment blocks at the front of the site from four to three storey in height;
- Dividing the buildings at the front of the site to provide smaller blocks separated by gaps of 2.5 meters to provide views through the site;
- Number of dwellings reduced to 100, and the proposal for *up to* 100 dwellings;
- Amendments to layout to provide an increased parking provision;
- Retention of the ambulance station following concerns raised by local residents and Councillors at the loss of this community service, and improvements to the site layout accordingly.
- Proposal to infill Green Belt at eastern corner of site removed;
- Units adjacent to the south western of the site repositioned away from the boundary, and amendments to Arboricultural Report to ensure the vegetation forming the screening on this boundary is both maintained and enhanced.

The applicants provided a statement on the future of existing businesses at Woodside Park and made the following points:-

- Woodside Park Commercial Centre currently has 49 tenants providing a range of commercial services, including a personal training gym, a yoga company, various garages, car body repairs and a solicitor.
- The tenants operate out of a mix of industrial, warehouse and office buildings on the estate, which are dated and do not comply with modern occupier requirements; some are not centrally heated, do not

benefit from mains services and do not comply with current Building Regulations.

- Given the obvious limitations of the present buildings, the site owner has been happy to alter them to accommodate new uses, and has also been willing to offer them at low rents to try and ensure full occupancy. Despite this, occupancy varies on a month-on-month basis and has been as low as 58%, with the size of lets usually just one or two people. Had the owner not introduced serviced offices for small lets the occupancy would be even lower.
- Because of the short-term nature of the tenants' rental arrangements, the site owner does not have the necessary financial security to invest in upgrading the present buildings. We have also tried to market the site in its current condition as a Freehold Commercial Investment, based on its existing employment use and current tenancy / income schedule. Unfortunately no party has been willing to purchase the site on this basis.
- Given the poor state of the buildings and the lack of interest from both prospective tenants and commercial investors, it appears that redevelopment is the only way to secure the site's future. The applicants have explored redevelopment options that would enable most of the tenants to remain on-site, providing new office (B1), industrial (B2) or warehouse (B8) space; however we have concluded that these options are not commercially viable. Even if they were viable and the tenants wished to stay, rents would inevitably have to increase to market rates. In commenting on the previous application for mixed use development submitted in April 2015, the Council's Estate Valuation Manager concluded that "the vast majority of the site had no future viable commercial use"
- The applicants have therefore decided to proceed with a planning application to redevelop the site primarily for residential use, providing 100 new homes as well as one 930 sqm building with community use (D1) at ground-floor level and office use (B1) at first and second floor level. The applicants have kept tenants regularly updated on the progress of this application and are working with them to ensure any transition is as smooth as possible.
- Should this planning application be consented, the applicants intend to offer every tenant the opportunity to either move into the new modern commercial building, or will find them alternative accommodation. The new office unit will be available to current tenants but inevitably won't be able to accommodate all of them on-site due to the variety of business uses, and the applicants have already begun finding them alternative accommodation. The applicants have already offered to purchase one property to accommodate tenants, and we are also

talking to another developer to take a head lease on a large unit with a view to sub-letting it to our tenants. In addition, the applicants have appointed a local agent to find accommodation for all those that wish to move or that we cannot accommodate.

- The applicants have also been happy to help our tenants in additional ways. An example of this is the taxi company that currently operates from our site, which still uses an old-fashioned aerial mast system. The applicants have agreed to pay for the company to connect to a modern Uber-type mobile phone app system, making contact with customers considerably easier. Another tenant has need of a high-volume gas supply, and the applicants have agreed that if the applicants cannot find suitable alternative premises with such a supply the applicants shall pay for the installation of a new supply in whichever premises they relocate to.
- Although it is no longer possible for the applicants to maintain these old, unsuitable buildings with low rents, the applicants are committed to using resources to seek out alternative accommodation more suited to the tenants. Regardless of whether they choose to stay or move on, the applicants have decided that building works will not commence for a period of 12 months after planning consent is granted, to allow the tenants the time to ensure that any disruption to their businesses is kept to an absolute minimum.
- The site can only be developed with a reduction in affordable housing provision to 17%, due to the additional costs with the scheme.

<u>Determining Issues</u>

Principle of development
Relevant Planning History
Prematurity
Impact on Green Belt
Impact upon AGLV
Loss of Suitably Located Industrial and Commercial Land
Housing land supply
Housing mix and density
Affordable Housing and viability
Highway considerations, including impact on traffic and parking considerations
Indicative layout and impact on visual amenity
Impact on the Godalming Hillsides
Impact on residential amenity
Provision of Amenity Space
Land Contamination
Archaeological considerations

Flooding & Drainage
Infrastructure
Crime and disorder
Financial Considerations
Climate change and sustainability
Biodiversity and compliance with Habitat Regulations 2010 and effect upon the SPA
Comment on third party representations and Town Council comments
Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
Environmental Impact Regulations 2011
Very Special Circumstances
Development Management Procedure Order 2015 - Working in a positive / proactive manner

Planning Considerations

Principle of development

A small part of the site is located within the Green Belt outside any defined settlement area. Within the Green Belt there is a general presumption against inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances.

The majority of the site is within the developed area of Godalming wherein development may be considered acceptable subject to its impact on visual and residential amenities.

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access. As such, the applicant is seeking a determination from the Council on the principle of the development of the site for residential dwellings, a community use, office use and associated access.

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

- **An economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

- **A social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

- **An environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

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

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: inter alia any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies within the Framework indicate development should be restricted. In such cases, the presumption in favour of development does not apply. Footnote 9 to paragraph 14 confirms that this relates to sites within the Green Belt, which is relevant in the determination of this application.

The loss of suitably located industrial and commercial land is resisted in accordance with Policy IC2. In giving consideration to applications which conflict with this policy, the Council will require the applicant to demonstrate that there is no need for the site to be retained for employment purposes.

The proposal involves a substantial redevelopment of the site and as such the impact of the envisaged traffic movements on highway safety and capacity will be considered and the County Highway Authority will be consulted.

The proposal is for a substantial residential development and as such the Council's policies on housing density, size of dwellings and affordable housing are relevant.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity.

Planning history and differences with previous proposal

The planning history is a material consideration.

Planning application reference WA/2015/1120 was refused for the following (summarised) reasons:-

- Need for some employment to be retained on site
- Level of affordable housing and mix of housing inadequate
- Layout did not demonstrate an acceptable relationship between uses, parking and open space and did not provide on site play space
- Did not demonstrate that the existing mains drainage system has capacity for new development
- Failed to enter into a legal agreement to secure highways improvements and necessary infrastructure contributions

Planning application reference WA/2016/0101 was refused for the following (summarised) reasons:-

- Failed to demonstrate that the number of dwellings and employment floor space could be adequately accommodated on site without causing material harm to the visual and residential amenities of future residents. This would be due to the cramped layout, loss of trees and insufficient car parking.
- The proposed change of use of the south-eastern section of the site would constitute inappropriate development within the Green Belt. No 'very special circumstances' exist that would outweigh the harm by way of its inappropriateness.
- Failed to enter into a legal agreement to secure highway improvements, necessary infrastructure contributions and to secure affordable housing

The differences between the current proposal and the previous application are:-

- Reduction of the apartment blocks at the front of the site from four to three storey in height;
- Dividing the buildings at the front of the site to provide smaller blocks separated by gaps of 2.5 meters to provide views through the site;
- Number of dwellings reduced to 100;
- Amendments to layout to provide an increased parking provision;
- Retention of the ambulance station following concerns raised by local residents and Councillors at the loss of this community service (and

due to no firm decision by the ambulance service on whether they wish to stay on the site or not in the future), and improvements to the site layout accordingly.
- Proposal to infill Green Belt at south eastern corner of site removed;
- Units adjacent to the south western of the site repositioned away from the boundary, and amendments to Arboricultural Report to ensure the vegetation forming the screening on this boundary is both maintained and enhanced.
- Mix of dwellings change to include an increase in provision of 1-bed dwellings and reduction in 2 and 3-bed dwellings.
- Reduction in office floorspace provision.

Following the deferral of the application on 19/12/2016 by the Joint Planning Committee, the following has been amended:

- Replacement of 2 blocks of flats at the front of the site with houses.
- Reduction in visible surface parking provision through the provision of underground parking.
- Greater variances to the proposed designs of the dwellings.
- Alteration to internal site layout and road network.

Proposed indicative Site Layout

The test for Members is whether having regard to the changes; the current proposal has overcome the objections to the previously refused scheme, has addressed the Members reasons for deferral at the JPC on 19/12/2016, 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.

Officers conclude that while the Pre-submission Local Plan has been submitted to government, this is still subject to examination by the Secretary of State for Communities and Local Government and the Godalming Neighbourhood Plan is at an early stage in its development. In addition, whilst the site forms a draft Strategic Housing allocation in the Draft Local Plan, its scale is not so significant, nor considered cumulatively with other development, would it undermine plan making process. Having regard to the advice of the NPPG, officers consider that a reason for refusal on prematurity could not be substantiated.

Impact on Green Belt

Part of the site is located within the Green Belt outside any defined settlement area. Within the Green Belt there is a general presumption against inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances.

Paragraph 88 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 of the NPPF sets out that the construction of new buildings should be regarded as inappropriate development, exceptions to this include:

- Buildings for agriculture and forestry;

- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The proposed residential development is considered to fall within one of the exceptions listed above: the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, subject to the relevant assessment.

The NPPF 2012 defines previously developed land as:
"…land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."

Officers are satisfied that the current condition and planning history of the site indicate that the site is previously developed land that accords with the definition of the NPPF 2012. It also includes the curtilage of the developed land and includes the siting of hardstanding and car parking areas associated with the previous commercial use of the site.

Under paragraph 89 of the NPPF 2012, redevelopment of previously developed sites will not amount to inappropriate development where it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

There is no policy definition of the term ‘openness’ as referred to under Green Belt policy. Case law, however, indicates that openness may be best thought of as the freedom or absence of development.

Furthermore, in assessing appeal APP/R3650/D/13/2199065 (‘Oldwicks Copse, Godalming), the Inspector considered the meaning of openness: ‘The term ‘openness’ is not defined but can be taken to mean the absence of visible development. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk and site coverage. That is to say its quantum and its physical effect [on the appeal site] rather than any visual or other impact on its surroundings’.

Therefore, openness can be considered to be the absence of built form and is primarily concerned with the quantum of development rather than any visual impact on its surroundings.

Whilst the proposed application is in outline form, the applicants have provided an assessment of the existing building capacity and the likely overall capacity of the proposed dwellings and commercial buildings.

At present there is a building volume of approximately 4,814 cubic metres `within the Green Belt, consisting of a large three storey industrial building, the inclusion of sections of two other industrial buildings and a large area of hardstanding. This will be replaced by a building volume of 4,775 cubic metres and replacement of hardstanding with gardens. These new buildings will be two-storey in height and would have a reduced volume from the existing buildings within the Green Belt and so would reduce the impact on the openness of the Green Belt. Furthermore, the amended scheme would provide 66 car parking spaces underground, which would further reduce the impact on openness of the proposal.

The indicative drawings suggest that some of the buildings would be 3 storeys in height. However, these buildings are shown in part of the site that falls within the developed area of Godalming. Those buildings proposed on land within the Green Belt are all indicated as being 2 storeys in height. As a result, these would be lower than the existing 3 storey building and of a similar height to the section of structures which already exist within the Green Belt section of the site.

Consequently, the proposed residential development is considered to not constitute inappropriate development within the Green Belt, according to paragraph 89 of the NPPF 2012, and Policy C1 of the Waverley Borough Local Plan.

Impact upon the AGLV

Part of the southern most part of the site is located within an Area of Great Landscape Value wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Officers note that this part of the site is already developed with hard surfacing and provides car parking spaces to serve the existing uses on the site. The land is therefore read within the context of the existing commercially developed parts of the site and does not contribute significantly to the wider character of the designated AGLV. Whilst this area of the site would be developed with buildings, rather than hard surfacing only, the new buildings would be read in the context of the wider redevelopment of the site.

On that basis, officers consider that there is no objection to the scheme on landscape grounds and the proposal is considered to accord with Local Plan Policy C3.

Impact on trees

There are no Tree Preservation Orders on the site and the site is not in a conservation area. There are no trees of any significance on the part of the site where the proposed development is located and the council's landscape and trees officer has not raised objections to the removal of the trees.

The landscape and tree officer raises concern that space to provide landscaping is limited and considered that new tree planting should be primarily focused to build frontages and with sufficient space adjacent to communal areas such as car parking areas to enable some trees of future stature to be integrated within the layout. The officer also notes that the pond is neglected and controlled management would likely be beneficial, the primary constraint being impacts on ecology. Overall, officers are satisfied the proposal would not cause the loss or harm to trees of significant public amenity value. The amended indicative layout includes 6 houses which would front the public road, which would allow for soft landscaping in the front gardens.

Loss of Suitably Located Industrial and Commercial Land

The NPPF establishes 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 include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

At paragraph 18 the NPPF highlights the Government's commitment to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

At paragraph 22, the NPPF sets out that planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 160 of the NPPF states that Local Planning Authorities should have a clear understanding of business needs within the economic markets operating in and across their area. Paragraph 161 requires local planning authorities to assess the needs for land or floorspace for economic development and assess the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs.

Waverley Borough Local Plan 2002 is consistent with the NPPF with regards to securing economic growth. The Keynote Policy of the Local Plan states: "The Council, through the Local Plan, will seek to maintain and improve the quality of life in Waverley without compromising the ability of future generations to meet their needs and to enjoy a high quality environment. This means protecting and enhancing the Borough's environmental quality and

providing for homes, jobs, infrastructure and services without undermining the value of the built, natural and man-managed environmental resource."

Taking account of the planning context for Waverley, the Keynote Policy can be developed into a number of aims relating to the themes of inter alia securing a healthy economy. Aim 5 of the Local Plan seeks to help to achieve a healthy economy in a way which conserves and enhances the quality of the Borough's environment and infrastructure.

The application site was identified as a rejected site for housing within the Council's published Strategic Housing Land Availability Assessment (2014) due to the loss of employment land that would result.

However, in the Land Availability Assessment 2016, Appendix 2, Woodside Park (ID:648) is identified as a potential housing site to provide 100 dwellings.

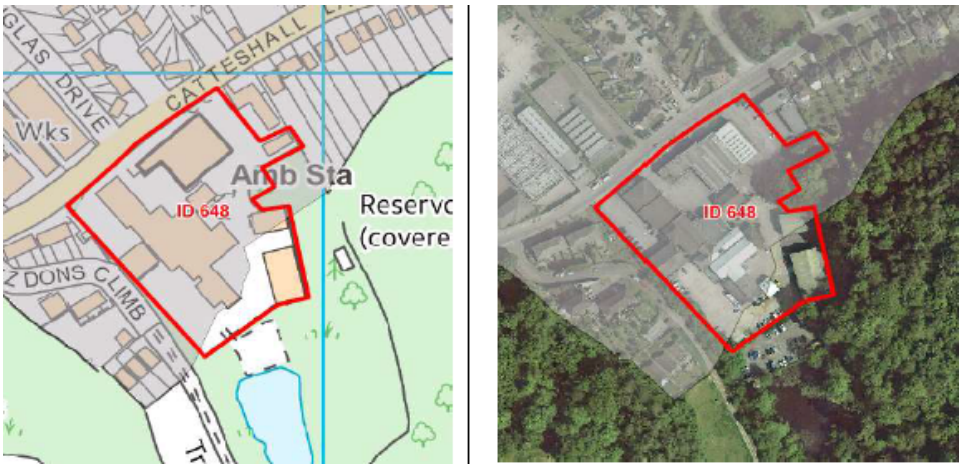
Map from Appendix 3: Potential Housing sites (LAA April 2016)

The Land Availability Assessment 2016 assessed the suitability of the site as follows:

"Whilst part of this site lies within the Green Belt, given that the site is previously developed land it is considered that redevelopment proposals have the potential to constitute appropriate development within the Green Belt. There is potential for a mixed use development subject to the loss of employment space being addressed. Given previous uses as both a laundry

and vehicle repair workshop there is potential for contamination to be found on site. The site lies within 5km of the Wealden Heaths SPA (Phase I). Proposals for residential development must demonstrate that there will not be a significant adverse effect on the SPA. The impact of proposals will be considered on a case-by-case basis. Where necessary, a project-specific Habitats Regulations Assessment will be required".

Map from LAA Appendix 4b: Detailed assessment of potential sites



In the Waverley Borough Pre-Submission Local Plan Part 1: Strategic Policies and Sites, Woodside Park is identified as a Strategic Site for around 100 homes, community and employment uses (Policy SS8: Strategic Mixed Use Site at Woodside Park, Godalming).

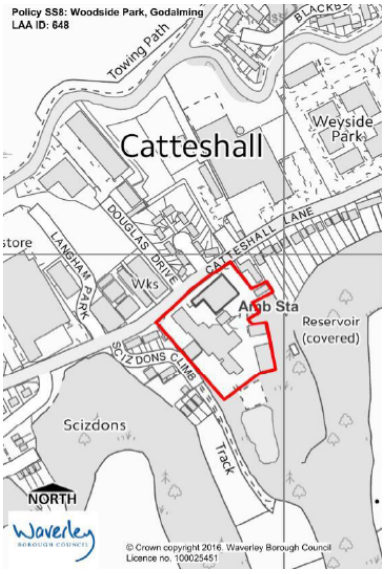
In paragraph 18.27 of the Waverley Borough Pre-Submission Local Plan Part 1: Strategic Policies and Sites it states as follows:

This 1.6 hectare site (ID 648 in the LAA) is located on the southern side of Catteshall Lane to the east of Godalming. It is currently in mixed light industrial / commercial use. Whilst part of the site lies within the Green Belt, given that the site is previously developed land it is considered that redevelopment proposals have the potential to constitute appropriate development within the Green Belt. Given previous uses as both a laundry and vehicle repair workshop there is potential for contamination to be found on site. The site lies within 5 km of the Wealden Heaths Phase I SPA. It is anticipated that this site would be delivered by 2021.

Policy SS8: Strategic Mixed Use Site at Woodside Park, Godalming

Land at Woodside Park, Godalming as identified on the Adopted Policies Map and on the plan below, is allocated for around 100 homes, community and employment uses subject to the following:

a) The appropriate mitigation being undertaken for any contamination which may be found on the site.
b) The achievement of satisfactory detailed access arrangements to the development onto Catteshall Lane.



The Council's Employment Land Review (ELR), which was updated in 2014, provides an analysis of the Borough's employment land supply as well as an assessment of the likely demand for employment land and premises up until 2031. The ELR is a supporting document, which is to inform the emerging Local Plan and therefore is not an adopted Policy document, but is a material consideration in the determination of this application.

The ELR includes three different scenarios, an Experian based scenario, a Higher growth scenario and a Trend based scenario, which all suggest a different need for the Borough. The ELR recommends that a scenario that is more realistic and better aligned to the Council's policies and aspirations lies between the Experian based scenario and the Trend based Scenario. Taking the middle point between the Experian based scenario and Trend based scenario, the ELR found that there is a demand for some 16,000 sqm of additional B1a/b floorspace in the Borough by 2031. However, there would be limited demand for additional B2 and B8 class uses.

The ELR found that the key challenge for Waverley will be to safeguard its good quality employment sites in order to be able to meet the needs of local businesses, while releasing surplus industrial and warehousing land that is not fit for purpose in order to help relieve the strong housing pressures. However, it does recommend that opportunities for bringing forward new employment land and the redevelopment / intensification of existing allocated sites should be considered.

The loss of suitably located industrial and commercial land will be resisted. Sites will be regarded as being suitably located where they meet one or more of the following criteria:-

(a) the continued use of the site for commercial or industrial purposes would not have a materially adverse impact on the local environment or the amenities of nearby residents;
(b) they lie within or close to residential areas which can provide a source of labour;
(c) they are conveniently located to customers/markets and to other firms;
(d) they are located where the highway network can satisfactorily absorb the traffic generated; and
(e) they are conveniently served by public transport and/or are conveniently accessible from nearby residential areas by walking/bicycle.

Areas of suitably located industrial and commercial land over 0.4 hectares (1 acre) are identified on the Proposals Map.

The existing units on site comprise various units, which equates to approximately 1,375 sq. metres of Class B1 (a) (office) floor space, 695 sq. metres of Class B1(c) (light industrial) floor space, 1,337 sq. metres of Class B2 (General Industry) floor space and 2462 sq. metres of Class B8 (storage and distribution) floor space. A Class D1 (Nursery) use also exists on-site; however, the specific floor area of this use has not been made available. A Class D2 (gymnasium) use also exists following the change of use of 255 sq. metres of Class B1 (a) (office) floorspace. This equates to a total of 7,240 sq. metres of available floor space.

The site is well located in terms of access to the strategic highway network, access to Godalming Town Centre, access to a centre of population (Godalming) capable of providing source of labour, and is conveniently located in terms of access to public transport. The site is identified on the Proposals Map as being suitably located, and the above assessment confirms that the site still continues to meet the criteria of Policy IC2. Therefore Policy IC2 of the Local Plan is engaged.

Policy IC2 of the Local Plan requires that in giving consideration to applications which conflict with this policy the Council will require the applicant to demonstrate that there is no need for the site to be retained for employment purposes. Officers consider that in practical terms, the requirements of Policy IC2 and the guidance on market signals contained within paragraph 22 of the NPPF can be tested by assessing the effective market demand for the site.

In seeking to demonstrate that there is no need for the site to be retained as industrial and commercial land, the previous application (WA/2015/1121) was supported by a Commercial / Marketing report which was undertaken by Gascoignes Chartered Surveyors in April 2015. The report assessed the need for the site for employment purposes and provided evidence of the site's marketing since the current owner acquired the site in 2006.

The applicants' own assessment confirmed that there was not a need for the entire site to be retained for industrial / commercial uses; however, there remained a need for an element of employment floorspace to be retained on-site. The Council's Estates and Valuation Manager recommended that an element of small units should be maintained / provided on site to meet a local need.

In respect of the evidence presented by the applicants and the statement on the future of existing businesses, officers would comments as follows.

A number of the uses on site are not uses traditionally found on industrial and commercial estates. (Uses normally encouraged on such sites being light and general industrial, research, offices, warehouses, storage and distribution). Uses such as a gym, yoga centre, solicitors do not need to locate in an industrial estate and have greater opportunities to find sites elsewhere, such as within town centres/shopping areas. Nevertheless, such uses provide employment possibilities.

It is assumed that a number of non traditional uses are on site due to the outdated nature of the buildings and due to the owners of the site trying their best to secure occupancy of the site.

Buildings on site will continue to deteriorate if the owners cannot secure full occupancy and long term leases to provide them with the necessary financial security. Further deterioration of the buildings will increase the difficulties in securing occupancy of the buildings.

The applicants appear to have done all they can to market the site, with no success, and from all the evidence available it seems unlikely that they could viably develop the whole site for industrial and commercial purposes.

There is little to be gained from trying to ensure that the whole site is developed for industrial and commercial uses when the market signals point to there being no viable prospect that such development will be brought forward. The NPPF sets out that planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

There may be some uses normally found in an industrial estate, such as general industrial uses, that would not be appropriate on the site since it is surrounded by residential properties.

The proposal does mean that some of the existing businesses could remain on the site so there will be employment opportunities available on the site. The applicants have also shown a clear commitment to help those who cannot remain on the site, including looking for sites that they could buy to provide alternative accommodation.

In light of the evidence submitted demonstrating that the site in its current form is not a viable entity, nor is wholesale redevelopment viable, the loss of the entire site is regrettable but must be accepted.

The evidence provided by the applicant and the Council's Estate Team does, however, suggest the need to retain some employment space. This therefore forms a part of the application which retains some employment space on the site, including the retention of the ambulance station and provision of 574sqm of office space. The amended proposal increases the provision of B1(a) office space from 287sqm to 574sqm. Further, the loss of employment use of the site was not a reason for refusal under the previous application WA/2016/0101 (this application included the same quantum of office/employment floorspace as the amended scheme now proposes), and there has not been any material change in circumstances in terms of need and viability since the previous decision of the committee on WA/2016/0101.

Housing Land Supply

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

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their Local Plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Furthermore, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where

possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

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

On 1 February 2017, the Council published an updated five year housing supply position statement. 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.

Notwithstanding this point, the 100 dwellings as proposed forms a part of the above supply in the Council's most recent assessment, and therefore makes a significant contribution to housing supply.

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

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

The current application proposes the following mix of dwellings on site:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
	30 units (30%)	36 units (36%)	14 units (14%)	20 units (20%)

Whilst it is accepted that the proposal provides a higher number of 1 and 2 bed units than that recommended in the SHMA, officers consider that the indicative mix of housing would provide a suitable mix of house types, sizes and tenures of market and affordable homes to comply with evidence contained within the West Surrey Strategic Housing Market Assessment 2015 and Policy H4. The mix of affordable housing provision would comprise 8 x 1-bed, 5 x 2-bed units and 4 x 3-bed units. The mix of affordable housing proposed would provide a good mix that would help meet the need for affordable 1, 2 and 3 bed dwellings.

Affordable Housing and Viability

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

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

This site is located in part within the developed area of Godalming and partly within the Green Belt. The Council's existing planning policy is to retain suitably located industrial and commercial land, as set out in Local Plan Policy IC2. However, paragraph 22 of the NPPF states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Local Plan Policy H5 requires at least 25% affordable housing on qualifying sites with a density above 40 dwellings per hectare; this policy only applies to sites within settlements, with part of this site falling into the Green Belt. A higher level of affordable housing than would have otherwise have been required is a significant community benefit which could be assessed when considering whether the objections in principle to the development of this site can be outweighed. 40% affordable housing on schemes outside the developed area has already been agreed on sites in the Borough at Amlets Lane, Cranleigh; Sturt Farm, Haslemere; Furze Lane, Godalming; and Crondall Lane, Farnham.

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

The Council’s Housing Enabling Manager has recommended that all affordable tenures must meet the definitions set out in Annex 2 of the NPPF. The Council’s Strategic Housing Market Assessment recommends 70% of new affordable homes to be for rent and 30% to be for intermediate tenures, although account must now be taken of the recent changes to rent levels. The proposed affordable housing mix would include 6 as affordable rent (35%) and 11 as intermediate tenures (65%). This mix has been informed by a Viability Assessment.

The affordable housing provision on new sites should have the same appearance as the market housing in terms of details, build quality, materials etc. so that the tenures are indistinguishable.

Officers consider that the proposed affordable housing should be integrated within market housing in order to create a mixed and balanced community so that the affordable housing is not to be easily distinguishable from market housing. In any subsequent reserved matters application, the affordable housing would need to be integrated within the market housing, distributed in small clusters across the site, which the design allows for within this development.

A legal agreement is required to secure the provision of affordable housing.

An amended illustrative site layout and Affordable Housing Viability Assessment, undertaken by Woodside Park Properties Ltd dated January 2017, has been submitted in the course of the assessment of the application since the deferral on 19/12/2016.

As part of the amendments to the scheme, the provision of affordable housing has been reduced from 25 units to 17 units. The affordable housing mix would be as follows:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Affordable Units	8 (47%)	5 (29%)	4 (24%)	0 (0%)	17 (100%)

This would be broken down into the following:

Unit Type	Tenure Type	No of units
1-bed flat	Affordable rent	2
2-bed flat	Affordable rent	2
3-bed house	Affordable rent	2
1-bed flat	Intermediate	6
2-bed flat	Intermediate	3
3-bed house	Intermediate	2
Total		17

Affordable rent units would amount to 6 units (35%) and intermediate units would amount to 11 units (65%).

The Viability Assessment addresses the financial viability, and sets out that redevelopment of the site would only be deliverable at this reduced rate of affordable housing provision, whilst allowing the scheme to make a reasonable developer's return.

This report takes account of a number of additional construction costs which have been identified since the previous financial viability report (in relation to WA/2016/0101 seeking permission for 107 dwellings) and following further on-site assessment since the deferral of this current application on 19/12/2016. These include the following:

- Infiltration testing on site in order to investigate the ground conditions on the site. These tests have identified a variable water table across the site, resulting from the lake at the highest point of the site and the slope of 9 metres down to the lowest point of the site, coupled with the existence of a number of natural springs. This necessitates the requirement for pile foundations throughout the site: Structural engineers have recommended the use of CFA piles with reinforced ground beams and clay heave protection. This has also determined the type of SuDS drainage scheme that could be achieved on site.

- Level of parking provision has been increased to provide 66 underground parking spaces and 23 undercroft spaces, which has added a significant additional cost to the construction. This is proposed in order to address one of the reasons for deferral by Members at the Joint Planning Committee on 19/12/2016.

- The proposed layout is more detailed and the applicant's structural engineers have therefore been able to calculate the costs of retaining walls, which are included within the viability costs.

- All the general costs as per the original viability report have been included.

The conclusions of the Applicant's Viability Report are as following:

- The revised application reduces the number of units to 100 and provides an increased element of commercial on the site through the retention of the ambulance station.
- There are additional construction costs (as outlined above).
- Taking into account the identified additional cost parameters, the site can only be developed if affordable housing is provided at the reduced level of 17%.

The Council has sought the views of an external valuation specialist, 'DVS Property Specialists', with regard to the submitted viability information.

DVS Property Specialists have advised that the level of affordable housing provision has largely been affected due to the provision of the underground

parking provision costs associated. The DVS agree with the applicant's viability assessment that 17% affordable housing provision is the reasonable amount that could be provided on the site, given the costs associated with the proposed development. The DVS further outline that if the abnormal costs are substantiated the scheme certainly could not provide any more than 17% affordable housing reflecting the applicant's tenure mix and a case could be made for the figure to be lower than this. Among the highest costs for the development is the provision of the underground parking and remediation works for site contamination. The DVS have outlined that the current cost adopted by the developer for the underground car parking is at the lower end of the range often considered for underground car parks. The costs of the underground car park could therefore be higher than stated, which could further affect the viability of the scheme.

Given the advice received, it is considered that the amount of affordable housing provision would be acceptable in this instance, as it has been demonstrated that this is the maximum that could be provided to make the scheme viable, taking into consideration the overall costs associated with developing the site. As such, a departure from the Local Plan requirement for affordable housing is accepted in this instance.

Highway considerations, including traffic and parking considerations

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

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

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

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

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The application is accompanied by a Transport Assessment (TA) which assesses existing transport conditions in the area and assesses the impact of the proposed development. The County Highway Authority has considered the submitted Transport Assessment and has confirmed that from a highway safety and capacity point of view, the proposed development would not have a severe impact upon highway safety, subject to an appropriate agreement being secured for improvements to the local highway network.

The current site is occupied by 1,630sqm of Class B1; 695sqm of Class B1c; 1,337sqm of Class B2; 2,462sqm of Class B8, 715sqm of Class D1 and 401sqm of Class D2. The trip rate analysis shows that the permitted site uses have the potential to generate some 188 two-way vehicular trips in the weekday morning peak hour and some 172 two way vehicular trips in the evening peak hour.

The site is proposed to be redeveloped to provide up to 100 dwellings and a building to provide a community use (Use Class D1) at ground floor level (320sq.m) with office space above (Use Class B1) (574sq.m). The existing ambulance station would also be retained.

An analysis of the trip generation of the scheme has shown that the development proposal is likely to generate the following two-way vehicle movements: 81 in the morning peak hour and 78 in the evening peak hour. This represents a reduction in traffic when compared to the potential trip generation of the permitted uses on the site in both the morning and evening peak hour of circa 50% in both periods. The proposed scheme would therefore have a positive impact upon the network capacity of the highway.

Subject to conditions and implementation of the above improvements, the proposal is considered to be acceptable on highway safety and capacity grounds and would not result in severe residual cumulative impacts. The County Highway Authority has reviewed the revised indicative layout and increase of B1 office space, and raise no concerns or additional conditions or requirements.

In terms of parking provision, the Council has adopted its own parking guidelines, which requires the following parking provision to be made: 1 bed: 1 space per unit; 2 bed: 2 spaces per unit; 3 bed +: 2.5 spaces per unit; B1 Office – Range between 1 per 30sqm to 1 per 100sqm under the threshold of 2500sqm. D1 Non-residential institutions and specifically a Day Nursery are based upon an individual assessment/justification.

Parking requirements for residential

No. of units	Dwelling Type	Recommended parking WBC guidelines	Recommended Parking SCC guidelines
30	1 bedroom flat	1 space (30)	1 space (30)
36	2 bedroom flat	2 spaces (72)	1 space (36)
14	3 bedroom house	2.5 spaces (35)	1+ space (14)
20	4 bedroom house	2.5 spaces (50)	2+ space (40)
100		**187 spaces**	**120 spaces**

219 parking spaces are proposed in total to serve the development (which include 66 underground and 23 undercroft). 187 parking spaces for the residential units would be required by the WBC Parking Guidelines. In seeking to address members deferral reasons, the application has been amended to provide 66 spaces underground. This was done in order to help reduce the number of vehicle parking spaces dominating the surface of the site layout. The proposal demonstrates that the required level of parking provision can be provided on the site for the residential dwellings, taking into account the proposed mix.

Parking requirement for commercial use:

The parking provision recommended for the office space (574sqm) is 6 spaces in the context of both WBC and SCC guidelines when applying one space per 100sqm of floorspace. The proposal would provide 16 designated spaces for the offices and 8 spaces for the ambulance station (which currently has 3 spaces). The provision of an underground car park has allowed a greater portion of car parking allocation available on the surface that has allowed an increase in provision for the proposed offices and existing ambulance station.

Parking requirement for proposed D1 use (nursery):

It is expected that there will be 13 members of staff and the nursery could accommodate up to 43 children at any one time. Based on the above the maximum parking provision allowable under SCC guidelines is 19. In terms of WBC guidelines as the proposed Class D1 Nursery will replace an existing use that operates from the site with 8 spaces, re-providing this level of provision is considered acceptable. The indicative site layout shows that the new nursery use would be sited near to the western vehicle entrance which would allow for easy access for vehicles serving this use. It should also be noted that the current nursery is situated well within the site where vehicles have to drive through the internal road network to its very end.

Overall, there would be a requirement of 212 spaces, to secure the overall mixed use development. A total of 219 spaces are proposed, which results in a small overprovision of on-site parking. This change to the previous scheme is considered to address any previous member concern with the quantum of on-site parking provision.

Officers therefore accept that the proposed development has demonstrated that a level of on-site car parking can be provided to serve the level of accommodation proposed, in compliance with the requirements of Local Plan Policy M14 and Council's Adopted Parking Guidelines 2013.

Indicative layout and impact on visual amenity

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

Policy H10 requires residential development to incorporate amenity space that is adequate to meet the needs of residents; in particular each dwelling should have access to a usable outdoor area where dwellings suitable for family occupation should make appropriate provision for children's play space.

The application submission includes an indicative layout, showing a mix of blocks of flats, semi-detached and detached houses, and two commercial buildings. Each house has a private garden and the flats have access to communal gardens. There would be a requirement for on-site (LEAP) provision, and the proposed layout demonstrates that such provision could be

made, however, this exact siting is subject to the Reserved Matters and is secured by condition.

Two access points, one to the side of the new commercial unit, and one between two of the detached houses would provide access to the adjoining Green Belt Land (which is proposed as public open space under application reference WA/2016/1419). An area is also indicated for potential stairs in the south western boundary to provide access to the Public Open Space for residents of Scizdons Climb. It is considered that the introduction of the proposed public open space is a positive aspect of the scheme, and would provide a high quality amenity space available to the public.

The two access points proposed as part of the current application would provide an inviting approach into the adjoining Green Belt. No public open space would be provided within the site except for a LEAP, so ensuring that the access point into the Green Belt is acceptable would be an important aspect of the proposal.

Whilst the final site layout remains as a reserved matter, it is considered that the indicative layout demonstrates that the proposed development could be accommodated on the site. The indicative layout has been amended following Members deferral reasons. Local and National policy requires new development to result in a good standard of design and layout and that schemes should improve the visual amenities of the particular locality. The reduction in indicated height of the proposed residential buildings that would front the road is considered to address Members previous concerns with the previous scheme. The revised indicative layout further provides a better layout and reduces the number of car parking spaces visible, due to the provision of underground parking.

It is the view of officers that the proposed site could adequately accommodate the number of dwellings as well as providing the appropriate level of amenity space, parking provision and an appropriate relationship with the open space (proposed under WA/2016/1419) to the south of the site. Officers consider that the amended indicative layout would provide a high quality development and demonstrates that 100 dwellings could be accommodated on site.

The proposed scheme would therefore comply with the requirements of Local Plan Policies D1, D4 and H10 and paragraphs 17 and 56 of the NPPF.

Impact on the Godalming Hillsides

The NPPF states that, as a core principle planning should take account of the different roles and character of different areas. The site is located adjacent to

the Godalming Hillsides wherein development will not be acceptable where it would diminish the wooded appearance of the hillside, to the detriment of the character and setting of the town. The NPPF states that the planning system should contribute and enhance the natural and local environment by protecting and enhancing valued landscapes. This accords with the Godalming Hillside Policy BE5 of the Local Plan.

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.

The site has been subject of some pre-emptive felling on the eastern side which appears to have been restricted to trees outside of the designated Ancient Woodland (AW) hillside, located outside of the blue line of the site. The nearest indicatively shown proposed housing (edge of red line) would retain a buffer of at least 15 metres in this respect.

The belt of trees illustratively shown for retention as a buffer between the existing residential dwellings to the west would be sited further from the dwellings and amenity areas on this side of the development to ensure their retention. It is considered that the retention of a mature vegetated buffer would be valuable and this has been recognised in moving the buildings further from the boundary line. However, the layout of the site remains a reserved matter.

The belt of woodland that wraps around the southern boundary and covers the hillside to the east (adjacent to the AW) should be retained as a landscape, biodiversity and recreational resource (principally within the AGLV and ASEQ). This area of land is proposed as public open space under WA/2016/0102, to provide public open space adjacent to the proposed housing scheme. Whilst the use of the land will be considered under the separate application, the fact that this will be retained is noted.

In terms of the Ancient Woodland which is located to the south of the site, it is considered that the proposed development would not result in any unacceptable impacts on this, nor would it diminish the wooded Godalming Hillside.

The proposal is therefore considered to be acceptable, when considered against Policies BE5 and C7 of the Local Plan. As a result, based on the current layout, officers consider that the number of dwellings proposed could be adequately accommodated without harm to the tree belt along the western boundary of the site.

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.

Whilst the application is an outline application, an illustrative layout plan has been submitted. The indicative layout is considered to demonstrate that a high quality layout could be provided which would provide a good level of amenity for future occupiers of the development. The indicative layout has been amended in order to help address Members reasons for deferral.

The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network. However, these issues are transient and could be minimised through the requirements of planning conditions to secure an appropriate construction management plan, if outline permission is granted.

Although in outline form with all matters other than access reserved, Officers believe the quantum of development proposed could be adequately accommodated within the site and would allow for a good standard of amenity for future residents. Officers acknowledge that there would be some effect on the outlook from some surrounding existing residential dwellings, particularly those to the north along Catteshall Lane, beyond the proposed B1/D1 building. However, officers consider that, based on the indicative layout, the proposal would not cause material harm to surrounding residential amenity.

Officers consider that the proposal would therefore comply with Polices D1 and D4 of the Waverley Local Plan and guidance contained within the NPPF.

Provision of Amenity 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. The Council uses the standard recommended by Fields in Trust (FIT) for assessing the provision of outdoor playing space.

The proposed development would require the provision of a Local Equipped Areas for Play (LEAP). A LEAP comprises a play area equipped mainly for children of early school age (4-8 years old). LEAPs should be located within five minutes walking time from every home (400m walking distance). The main activity area should be a minimum of 400sqm with a buffer between it and the boundary of the nearest residential property. This buffer zone would include footpaths and planted areas.

An appropriately sized area for a LEAP could be adequately provided on site, and would be detailed in any Reserved Matters application.

There will be enhancements to the mature planting and lake area to create a new area of public space and opportunities for public recreation focussed around the lake. The new public space would be accessed through the site.

All the proposed houses would have their own private gardens and communal gardens would be provided for the proposed flats. The indicative layout suggests that the individual garden sizes would be appropriate and that all flats would have access to useable outdoor amenity space. Further, the planning application WA/2016/1419 would provide an area of public open space, which is a significant additional benefit to the scheme.

Therefore it is considered that private amenity space, the LEAP and the proposed new public space are acceptable and comply with the requirements of the NPPF and Policy H10 of the Local Plan.

Land Contamination

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed

development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment 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.

A Phase 1 Contaminated Land Desk Study has been submitted in support of the application which identifies that a number of potential sources of contamination have been identified on and within the immediate vicinity of the site which may pose a risk to the proposed development. Therefore, an intrusive ground investigation is recommended to assess the identified risks. The Desk Study recommends that the proposed scope of investigation should be agreed with the Local Authority.

The Council's Contaminated Land Officer and the Environment Agency have noted the significant number of potential contaminative former uses and on this basis they have recommended a number of conditions to secure appropriate remediation monitoring works to prevent a risk to future occupants.

Officers conclude that, subject to compliance with the recommended conditions, the proposal would be in accordance with Policy D1 of the Waverley Local Plan and guidance contained within the NPPF.

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 has submitted an Archaeological Desk-Based Assessment, which concludes that trenching works should be carried out to identify any potential archaeology on the site.

The application is accompanied by a desk based archaeological assessment that aims to identify and assess the significance of any Heritage Assets with archaeological significance that may affected, and the potential impact of the proposal on any such assets, so enabling decisions to be made on what further archaeological work is necessary.

The Assessment has consulted all currently available sources including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that past development of the site will have removed any potential for buried archaeological remains to be present. However, the report does identify that the current factory and laundry buildings date from the late 19th century and are of some local historic interest.

The Assessment suggests that as the buildings are of local significance a programme of historic building recording in advance of demolition would offer appropriate mitigation for their loss. The County Archaeologist has agreed that this would be a proportionate response and has advised that in line with the National Planning Policy Framework and Local Plan Policy, conditions should be attached to any planning permission granted.

The impact on archaeological interests could 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.

Flooding & Drainage

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 highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term

The site lies within Flood Zone 1 and is therefore located within an area which is of the lowest flood risk. The Flood Risk Assessment identifies a potential flood risk on-site as being from exceedance of the on-site sewer systems. It is suggested that regular maintenance of the drainage systems on the site should result in a low residual risk of these events happening.

In terms of drainage, the scheme would be required to incorporate a sustainable drainage system (SuDS). In a Written Ministerial Statement on the 18th 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.

The Statement requires decisions on planning applications relating to major developments should ensure that SuDS for the management of surface water 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 National Planning Practice Guidance states at paragraph 080 that generally, the aim should be to discharge surface water run off as high up the following hierarchy of drainage options as reasonably practicable:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Particular types of sustainable drainage systems may not be practicable in all locations. Any future drainage design would need to consider the above hierarchy and provide evidence to inform the final design. 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. 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 Department for Environment, Food and Rural Affairs (DEFRA) has published non-technical standards for SuDS (March 2015) which will be taken into account by the LLFA and local planning authorities in assessing the acceptability of SuDS schemes.

Surrey County Council as the Lead Local Flood Authority has reviewed the surface water drainage proposal and assessed it against the NPPF, its accompanying PPG and Technical Standards.

Surrey County Council is satisfied that a viable method of dealing with surface water could be achieved, which would not increase flood risk. This is because of a 17% reduction in the impermeable area and hence a consequential reduction in using the existing system. Therefore there is no objection to this outline application subject to submission of an appropriate SuDS design at the detail design stage. They recommend that should planning permission be granted, suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. They have also suggested conditions requiring submission of a Surface water drainage scheme.

Thames Water has raised no objection to the scheme. They have however advised that the existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend a condition be imposed for impact studies to be carried out. Members are advised that once the impact studies have been carried out, Thames Water may ask for infrastructure works to be carried out, but would more commonly aske for an amount of money to carry out improvement works themselves (e.g. new pipes or a pumping station).

Infrastructure

Policy D13 of the Local Plan states that "development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements". Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

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

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

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

Surrey County Council has requested a financial contribution towards primary education, in order to mitigate the impact upon existing service provision following the construction of new homes. The contribution would be used for an internal refurbishment to accommodate an increase in pupils at Farncombe Church of England Infant School within 2 miles of the proposed development.

In addition, Surrey County Council as Highway Authority has sought a number of contributions and improvements works to the local highway network, which have been set out in detail above. This will improve the connectivity of the site and ensure that a safe means of access into the site for vehicles, pedestrians and cyclists can be achieved.

The Council's Waste and Recycling Co-ordinator seeks a contribution for the provision of appropriate refuse and recycling provision.

Leisure and open spaces contributions are also sought for community improvements including a footpath upgrade in Philips Memorial park, towards Broadwater Park Changing Room and to provide funding towards the provision of an extension to the gym and dedicated indoor cycling studio. Since the deferral at Joint Planning Committee on 19/12/2017, officers have reviewed the requested contributions towards leisure and open spaces. Having regard to the fact that these contributions were not sought under WA/2016/0101, which was for 107 dwellings, officers do not consider that the financial contribution of £184,250 could be justified in this case. Nor is it considred that this could be delivered from a financial viability point of view.

It is considered that the contributions sought (apart from leisure and open spaces) are fully justified and would meet the tests set out within CIL Regulation 122, in that they are necessary to make the development acceptable in planning terms; they are directly related to the development; and they are fairly and reasonably related in scale and kind to the development as they address impacts resulting from the proposed scheme.

The applicant is willing to enter into a legal agreement to secure the relevant infrastructure improvements, so as to adequately mitigate the impact of the development upon existing services and facilities and the highway network. Subject to this agreement being completed, the proposals would comply with the requirements of Policies D13 and D14 of the Local Plan and paragraph 203 of the NPPF.

Crime and disorder

S17 (1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Given the scale and nature of the proposal, together with its indicative layout at this stage, it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF.

In the Design and Access Statement accompanying the planning application it confirms that the proposal has been designed to prevent crime in line with the information provided by ‘Secure by Design’ the New homes 2014 design guidelines. ‘Secured by Design’ is the official UK Police flagship initiative supporting the principles of 'designing out crime'.

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/decision maker.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total of £145,000 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.

Biodiversity and compliance with Habitat Regulations 2010 and effect upon the SPA

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

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 National Environment and Rural Communities Act 2006 states that the Council as local planning authority has a legal duty of care to protect biodiversity.

The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

The application site is within the 5km buffer zone of the Wealden Heaths I Special Protection Area (SPA) and Special Area of Conservation (SAC), respectively, which are European sites. The sites are also notified at a national level as Sites of Special Scientific Interest (SSSI). Additionally, this site is also in close proximity to the Wey Valley Meadows SSSI.

Natural England has confirmed that it would not raise any objection to the scheme, subject to it being carried out in strict accordance with the details of the application. The conclusions by Natural England will confirm that the scheme would not result in damage to or destroy the interest features for which the above sites have been notified, subject to the scheme being completed in strict accordance with the application details. Natural England concur with the view that there would not be any significant effects upon the SPA as a result of the proposed development. As such, an Appropriate Assessment is not required.

The application is also supported by a number of ecological surveys. The submitted surveys do not contain an assessment of potential adverse impacts from either facilitation works or from a post-development increase in people linked pressures; this consideration applies to both the retained unbuilt area

and the Ancient Semi-Natural Woodland adjacent to the site's south-eastern boundary.

Surrey Wildlife Trust provided comments on a previous application and confirmed that it would be difficult to assess the ecological impact of the development, particularly if the proposals rely on the planned provision of accessible open space within the 'non-built' portion of the site (proposed under WA/2016/1419).

Given this limited scope of the submitted details, and notwithstanding the above comments, SWT recommended previously that the applicant should be required to undertake the mitigation and enhancement actions recommended. Of particular importance is the adoption of a precautionary approach to dense vegetation clearance which considers the need to avoid potential harm to great crested newt, hazel dormouse, reptiles and nesting wild birds, all of which are legally-protected in the UK.

Subject to appropriate conditions being applied to any approval, securing the mitigation and enhancement works, officers are of the view that the proposed scheme would not have an unacceptable impact upon biodiversity. Biodiversity enhancement measures would be captured and sought under any future reserved matters application.

Comment on third party representations and Town Council comments

Officers have considered the Town Council's comments and the third party representations received in detail and all the matters raised are considered to have been addressed above.

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.

Environmental Impact Regulations 2011 (as amended)

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

Pre Commencement Conditions

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

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

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

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:-

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

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

The Council can currently identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand for the next five years. Notwithstanding this, account needs to be taken of the NPPF’s exhortation to “boost significantly the supply of housing” and to approve proposals which are considered to be sustainable, as well as the fact that this site forms a part of the Council’s calculated supply.

In terms of the benefits of the scheme, the 100 dwellings would make a significant contribution to the provision of housing and would help boost the area’s supply generally. Delivery of affordable and market homes in the

context of the constraints that apply to the Borough would comprise the most significant social benefit to flow from the proposed development and would be consistent with the NPPF's basic imperative of delivery. The site is a strategic site in the Council's Draft Local Plan Part 1 (Strategic Policies and Sites) for delivery of 100 homes. This is a clear steer for the proposal to be supported in planning terms. In addition, the site is subject to draft allocation on the Draft Local Plan Part 1, under draft Policy SS8. The proposal is considered to comply with the specific criteria of this policy.

The applicants have also agreed an appropriate mix of both market and affordable housing to meet the needs Borough as identified in the West Surrey SHMA. The level of affordable housing provision and the mix of housing will be secured by the S106 agreement. The applicant's Affordable Housing Viability Assessment has been independently reviewed by the DVS Property Specialists, which concludes that 17% affordable housing provision is the amount of affordable housing that can be provided in order for the scheme to be viable, together with the associated remediation and construction costs.

The application site is considered to comprise previously developed land, therefore, while some of the site extends into the Green Belt, the overall outline of built form on site would be reduced and the proposal would not comprise inappropriate development in the Green Belt. The form and indicative size of the buildings and future landscaping is also considered to comprise a landscape enhancement, therefore it would preserve the character and appearance of both the AONB and AGLV.

The proposal would result in the loss of suitably located industrial land but does seek to provide some replacement employment floor space. Furthermore, the proposal would assist in the provision of much needed housing in the local area and in the Borough in general and would also have an active role to play in achieving positive growth. The previous decision of the Council on WA/2016/0101 accepted the loss of the employment uses, and no material change in circumstances have occurred since the previous refusal. The Draft Local Plan allocation further support, the redevelopment of this site, for the quantum and form of development proposed.

The site is located within a sustainable location in terms of access to services and facilities, and the scale of development would not result in a significant level of vehicular movements and the layout of the site reflects the density and form of the existing settlement.

The revised scheme, by means of the changes to the number of dwellings, scale and car parking is considered to overcome the previous reasons for

refusal of WA/2016/0101 as well as concerns raised under the Council's reasons for deferral of this application by the Joint Planning Committee in December 2016. All other matters are found to be acceptable, including matters relating to highway safety, parking, ecology, flood risk and drainage. Further, amendments have been implemented by the applicant in order to seek to address Members reasons for deferral.

A draft S106 has been submitted to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development, a primary education contribution; provision of an on site nursery; affordable housing provision; a condition will also secure the on-site provision of a Locally Equipped Play Area. Should Members accept the Officers recommendation to approve the application, the S106 will be completed to secure the above obligations.

Therefore, subject to the completion of the S106 legal agreement, the proposal would effectively limit the impacts of the development. In addition, the proposal would improve accessibility to the site by non-car modes of travel.

Officers therefore consider that the benefits of the scheme would significantly and demonstrably outweigh the adverse impacts identified, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate that the proposal should be resisted.

Recommendation A

That subject to the completion of a Section 106 legal agreement to secure 17% affordable housing, infrastructure contributions towards off site highway improvements, primary education, waste and recycling, provision of and public access to open space, management and maintenance of the on site SuDS, the public open space and the play spaces within 3 months of the date of resolution to grant permission, permission be GRANTED subject to the following conditions:-

1. Condition
   Details of the reserved matters set out below ('the reserved matters') shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
   1. layout;
   2. scale;
   3. landscaping; and
   4. appearance.

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

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

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

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

3. Condition
The plan numbers to which this permission relates are: P/01 Rev P, P/02 Rev A, P/03 Rev A, A/15 Rev A and P/26. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

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

4. Condition
The development hereby approved shall not be first occupied unless and until the existing access from the site to Catteshall Lane made redundant as a result of the development has been permanently closed and any kerbs, verge, footway, fully reinstated.

Reason
To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 ""Promoting Sustainable Transport"" in the National Planning Policy Framework 2012.

5. Condition

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

Reason

To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

6. Condition

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

(a) parking for vehicles of site personnel, operatives and visitors
(b) loading and unloading of plant and materials
(c) storage of plant and materials
(d) programme of works (including measures for traffic management)
(e) provision of boundary hoarding behind any visibility zones
(f) HGV deliveries and hours of operation
(g) vehicle routing
(h) measures to prevent the deposit of materials on the highway
(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
(j) measures to prevent deliveries at the beginning and end of the school day
(k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

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

Reason
To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

8. Condition
The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority for:
(i) The secure parking of bicycles within the development site.
(ii) Providing safe routes for pedestrians / cyclists to travel within the development site.
(iii) Electric Vehicle Charging Points in accordance with Surrey County Council's Car Parking Guidance.

Reason
To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

9. Condition
The development hereby approved shall not be first occupied unless and until a Travel Plan Welcome Pack (to include information relating to the availability of and whereabouts of local public transport, walking, cycling, car clubs, local shops, amenities and community facilities) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. Thereafter the agreed Travel Plan Welcome Pack shall be issued to the first time occupier of each residential dwelling and staff/visitors associated with B1 and D1 uses.

Reason
To ensure that the development should not prejudice highway safety nor cause inconvenience to other highway users and in recognition of Section 4 "Promoting Sustainable Transport" in the National Planning Policy Framework 2012.

10. Condition
The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. Those details shall include:

a) A design that satisfies the SuDS Hierarchy and includes a design that either discharges to pond / watercourse or goes to sewer with reasons showing that discharge to watercourse is not feasible.

b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS

c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change storm events), during all stages of the development (Pre, Post and during), associated discharge rates and storages volumes shall be provided

d) Details how of how the orifice plate / discharge mechanism offsite will be protected from blockage

e) Details of management and Maintenance regimes and responsibilities for all drainage elements

f) Details of how exceedance events will be managed.

Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site.

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

Reason: To ensure the Sustainable Drainage System is designed to the technical standards

12. Condition

Prior to commencement of development, other than that required to be carried out as part of an approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.

b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include

(i) All works to be undertaken

(ii) Proposed remediation objectives and remediation criteria

(iii) Timetable of works

(iv) Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out.

Reason

To comply with Paragraphs 120 and 121 of the NPPF

13. Condition

Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 1, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works:

a) An investigation and risk assessment, undertaken in the manner set out in Condition 1 (a) of this permission.

b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 1 (b).
c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 1 (c)

Reason
To comply with Paragraphs 120 and 121 of the NPPF

14. Condition
If the residential properties are to be completed and occupied prior to the development being finished, a scheme to protect those occupants from noise and vibration should be submitted

Reason
To protect residential amenity in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002

15. Condition
Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment (including fans, ducting and external openings), compressors, generators or plant or equipment of a like kind, installed within the commercial buildings which has the potential to cause noise disturbance to any noise sensitive receivers, shall be submitted to and approved by the local planning authority before installation. The rating level of noise emitted from the use of this plant, machinery or equipment shall not exceed the background sound level when measured according to British Standard BS4142: 2014, at any adjoining or nearby noise sensitive premises.

Reason
To protect residential amenity in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002

16. Condition
No machinery or plant shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site except between the hours of 08:00 – 18:00 Monday – Friday, 08:00 – 13:00 on Saturdays, nor at any time on Sundays and Public Holidays.

Reason
To protect residential amenity in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002

17. Condition

All vehicles, plant and machinery used on site and those under the applicant's control moving to and from the site that are required to emit reversing warning noise, shall use white noise alarm as opposed to single tone "bleeping" alarms throughout the operation of the development hereby permitted.

Reason

To protect residential amenity in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002

18. Condition

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

a. An indicative programme for carrying out of the works

b. The arrangements for public consultation and liaison during the construction works

c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)

d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination

e. the parking of vehicles of site operatives and visitors

f. loading and unloading of plant and materials

g. storage of plant and materials used in constructing the development

h. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate

i. wheel washing facilities

j. measures to control the emission of dust and dirt during construction

k. a scheme for recycling/disposing of waste resulting from demolition and construction works

No development shall commence until a detailed scheme of external lighting (for commercial buildings) has been submitted to and approved in writing by the Local Planning Authority. The development should be carried out in strict accordance with the approved details. The scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority. The floodlighting shall be installed, maintained and operated in accordance with the approved

details unless the local planning authority gives its written consent to the variation.

No floodlights or other forms of external lighting shall be installed at the premises without the prior permission in writing of the local planning authority.

Reason
To protect residential amenity in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002

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

The Written Scheme should set out proposals for the recoding of the buildings to Historic England Level II standard.

Reason
In the interests of preserving the archaeology of the site in accordance with Policy HE15 of the Waverley Borough Local Plan 2002.

20. Condition
No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground levels and finished floor levels of the development hereby permitted. The development shall be carried out in strict accordance with the approved details.

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

21. Condition
The development shall be undertaken in full accordance with Section 4 'Recommendations and Mitigation' of the Ecological Constraints and Opportunities Assessment carried out by enims dated June 2014.

Reason

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts are not endangered by the development in accordance with Policy D5 of the Waverley Borough Local Plan 2002.

22. Condition

The development hereby approved shall not be first occupied unless and until a detailed scheme for the specification, delivery and management of an on-site Locally Equipped Area of Play (LEAP) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason

In the interests of the residential amenity, in accordance with policy D4 and H10 of the Waverley Borough Local Plan 2002 and NPPF.

Informatives

1. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.

2. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.

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

4. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development

Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works
6. proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community safety/flooding-advice.

7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

8. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

9. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

10. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy: http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol

11. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

12. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

13. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

14. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078

15. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk
For further information please see the Guide to Street and Property Naming on Waverley's website.

16. It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 08000093921.

17. Thames water expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expects the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9843.

18. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

19. 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.

20. The granting of this planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental

Protection Act 1990 be received. For further information please contact the Environmental Health Service on 01483 523393.

21. The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents during the demolition and/or construction phases of the development. The applicant should follow the guidance provided in the Construction Code of Practice for Small Developments in Waverley. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service on 01483 523393.

22. An application may be required under the building regulations to cover issues such as drainage, ventilation to kitchens and bathrooms, provision for means of escape in case of fire and sound insulation between lettings.

23. 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.

Recommendation B

That, if requirements of Recommendation A are not met, permission be REFUSED for the following reasons:

1. Reason
   The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development. As such the proposal would fail to effectively limit the impacts of the development on existing infrastructure. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.

2. Reason
   The applicant has failed to enter into an appropriate legal agreement to secure contributions towards recycling bins, education; provision of and the ongoing management and maintenance of SuDS, play space and public open spaces. The proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF.

3. Reason:

The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community, contrary to the requirements of paragraph 50 of the NPPF.

B1	WA/2016/1419 R Trendle 18/07/2016	Change of use of land ancillary to existing commercial park to open space at Woodside Park, Catteshall Lane, Godalming GU7 1LG
	Committee: Meeting Date:	Joint Planning Committee 28/02/2017
	Public Notice: Grid Reference:	Was Public Notice required and posted: Yes E: 497907 N: 143955
	Parish/Town: Ward: Case Officer: 8 Week Expiry Date: Neighbour Notification Expiry Date:	Godalming Godalming Central and Ockford Jenny Seaman 17/10/2016 26/08/2016
	Time extension agreed to:	31/03/2017
	RECOMMENDATION A	That, subject to conditions, permission be GRANTED
	RECOMMENDATION B	In the event that permission is refused for WA/2016/1418, permission be REFUSED

Introduction

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

The application was deferred at the meeting of Joint Planning Committee on 19/12/2016 following the earlier deferral of item WA/2016/1418 at that meeting.

Layout Plan

Site Description

The application site measures 1.46 hectares and is located to the south of Woodside Park industrial estate. The area comprises a steep wooded hillside with a level area that hosts a large pond. The area is not currently accessible to the public.

The site is free from any permanent buildings, and does not appear to be used for any agricultural or forestry purposes. The application site is within the same ownership as the adjacent industrial estate. However, it is not used for any ancillary purposes associated with the adjacent uses.

Proposal

The application seeks permission for the change of use of an existing area of woodland to an area of public open space. The open space is proposed in association with the proposed redevelopment of the adjacent industrial estate being considered under WA/2016/1418.

The proposed open space would measure 1.46 hectares. It would also include proposed footpaths into and around the site linking with the adjacent site.

No new buildings are proposed.

Relevant Planning History

WA/2016/1418	Outline application for the erection of up to 100 dwellings, including 17 affordable, together with associated amenity/play space; the erection of building to provide a community use (Use Class D1) at ground floor level with office (Use Class B1) above following demolition of existing buildings except the ambulance station together with associated works (revision of WA/2016/0101) (as amended by email received 19/12/2016, plan received 18/01/2017 and Affordable Housing Viability Report received 18/01/2017)	Pending
WA/2016/0102	Change of use of land ancillary to existing commercial park to public open space (revision of WA/2015/1121).	Refused 03/06/2016
WA/2015/1121	Change of use of woodland to use for purposes of public open space	Refused 15/12/2015

Planning Policy Constraints

Godalming Hillsides
Green Belt – outside developed area
AGLV
Wealden Heaths I SPA 5km Buffer Zone

Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002:

Policy C1 – Development in the Green Belt outside Settlements
Policy C3 – Surrey Hills AONB and AGLV
Policy C7 – Trees, Woodlands and Hedgerows
Policy D1 – Environmental Implications of Development
Policy D2 – Compatibility of Uses
Policy D4 – Design and Layout
Policy D5 – Nature Conservation
Policy D6 – Tree Controls
Policy D7 – Trees, Hedgerows and Development

Policy D8 – Crime Prevention
Policy D9 – Accessibility
Policy M1 – The Location of Development

Waverley Borough Pre-Submission Local Plan Part 1: Strategic Policies and Sites 2016:

Policy SP1: Presumption in Favour of Sustainable Development
Policy LRC1: Leisure, Recreation and Cultural Facilities
Policy RE2: Green Belt
Policy RE3: Landscape Character
Policy NE1: Biodiversity and Geological Conservation

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 Pre-submission 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 Policy Guidance (2014)
- Open Space, Sport and Recreation (PPG17) Study 2012

Consultations and Town Council Comments

Town Council	No objection
Lead Local Flood Authority	No objection
County Archaeologist	As the proposals do not involve extensive ground disturbance, no archaeological concerns raised.
Natural England	No objection

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 05/08/2016, site notices were displayed around the site and neighbour notification letters were sent on 22/07/2016

2 letters of support

- Support redevelopment of Woodside Park

Determining Issues

Principle of development
Planning history
Green Belt
Impact on AONB and AGLV
Impact on the Godalming Hillsides
Impact on residential amenity
Archaeological considerations
Biodiversity and compliance with Habitat Regulations 2010
Effect on SPA
Flood risk and drainage
Very Special Circumstances
Crime and disorder
Climate change and sustainability

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
Environmental Impact Regulations 2011

Planning Considerations

Principle of development

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The planning application seeks permission for the change of use of countryside land to form an area of public open space, associated with the redevelopment of the neighbouring site for residential and commercial purposes.

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

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

The NPPF at paragraph 197 provides the framework within which the local planning authority should determine planning applications, it states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. Paragraph 119 does however state that the presumption in favour does not

apply where development requiring appropriate assessment under the Birds or Habitats Directives is being considered, planned or determined.

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: *inter alia* any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies within the Framework indicate development should be restricted. Footnote 9 to paragraph 14 confirms that the presumption in favour is not applicable to protected sites, including where consent is being considered in the Green Belt.

The site is located within the Green Belt outside any defined settlement area. Within the Green Belt there is a general presumption against inappropriate development which is, by definition, harmful and should not be approved except in very special circumstances. Local planning authorities are required to give substantial weight to any harm which might be caused to the Green Belt by the inappropriate development. Further consideration of the Green Belt is given below.

The site is located within an Area of Great Landscape Value wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The site is within the Wealden Heaths Special Protection Area (SPA) Buffer Zone and it is necessary to consider whether the proposed development would have a likely significant effect on its integrity.

Planning history

The planning history is a material consideration.

Planning application WA/2016/1418 seeks outline consent for the construction of a mixed use residential and commercial scheme. The proposed scheme under this application seeks to provide an area of public open space associated with that development. However, it is nevertheless a standalone application that must be determined on its own merits.

The test in the determination of this application therefore has two prongs; acceptability in its own right, or if unacceptable, whether that unacceptability is

justified by the concurrent application on the adjacent site, i.e. ‘Very Special Circumstances’.

Impact on Green Belt

Paragraph 89 of the NPPF sets out that the construction of new buildings should be regarded as inappropriate development, exceptions to this include:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Paragraph 90 of the NPPF sets out that certain other forms of development are also not inappropriate in the Green Belt provided they preserve openness and do not conflict with the purposes of including land within it, these are:

- Mineral extraction;
- Engineering operations;
- Local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- The re-use of buildings provided that the buildings are of permanent and substantial construction; and
- Development brought forward under a Community Right to Build Order.

Changes of use of land within the Green Belt constitute inappropriate development. Very special circumstances must exist to justify setting aside the policies of restraint.

The application site forms part of segment C24 of the Waverley Green Belt Review (August 2014) which has been produced as part of the Local Plan evidence base for Waverley Borough Council to review the Green Belt across the Borough. The study is being undertaken in two stages: a strategic review of Green Belt purposes (Part 1) and a more detailed site assessment of potential land which could be considered for review of the Green Belt boundaries (Part 2). Part 1 is strategic in nature, which is appropriate at this stage of the Local Plan development, and explores the performance of the Green Belt designation against NPPF criteria in isolation from other potential factors to be considered.

A key stage of Part 1 of the Green Belt Review was, amongst other things, an assessment of the contribution (significant contribution, contribution, limited contribution) of each segment against four of the Green Belt purposes as set out in the NPPF, with modification of segment boundaries as required. The Green Belt quality of 'openness' is a key criterion.

Segment C24, and therefore the application site, was found to make a significant contribution to Green Belt purposes. Segments that make a significant contribution to Green Belt purposes are principally located in the vicinity of three of the Borough's main settlements and reflect their role in limiting the outward spread of these areas, particularly (although by no means exclusively) along road corridors, and in so doing protecting the setting of the historic towns of Godalming and Haslemere (and to a lesser extent Farnham). The overall importance of these segments to the role of the Green Belt in the Borough means that the adjustment of boundaries within these segments is unlikely to be warranted, although there could be modest adjustments to boundaries to create a more logical settlement envelope, for example. The analysis of Segment C24 is below:

Segment	C24: land to the south east of Godalming (Catteshall) bounded by the urban edge to the north west, Munstead Heath Road to the south east, the B2130 to the south west and the Borough boundary to the north.
Checking Sprawl	Significant Contribution – contains eastern side of Godalming
Preventing Merger	Limited Contribution
Safeguarding from Encroachment	Contribution – protects open countryside to the east of Godalming
Historic Setting	Significant Contribution – forms context for Godalming
Overall Evaluation	Woodland and pasture with medium distance views, this segment contains the eastern edge of Godalming.
Overall Contribution to GB Purposes	Significant Contribution

The appropriateness of the form of proposed development has been assessed against the criteria set out within Paragraph 89 and 90 above. The proposed development would not comply with any of the requirements of Paragraphs 89 or 90, which identify forms of development which can be considered acceptable.

The NPPF indicates that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, as confirmed by Paragraph 87 of the framework. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 89 sets out the limited purposes for which the construction of buildings will not be considered inappropriate, and Paragraph 90 gives a limited number of other forms of development which are not inappropriate provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt.

The proposal seeks permission to use the land as public open space, which is not provided on land within the proposed residential scheme on the adjoining land. A change of use of land is not one of the forms of development listed in paragraph 90 of the NPPF as not being inappropriate.

The above position is supported by the findings of the Appeal Inspector presiding over appeal Ref: APP/R3650/A/12/2184032 relating to change of use of land at Barfold Farm, Haslemere.

Consideration is also given to the findings within the Fordent Holdings v Secretary of State for Communities and Local Government [2013] judgement. This concluded that change of use can fall within paragraph 81 of the NPPF, but this does not mean by definition that a change of use falling within paragraph 81 is necessarily not inappropriate development for the purposes of NPPF.

The proposed development would introduce formal accesses into the site and the provision of a circular footpath around an existing lake / pond together with a decked viewing area adjacent to the lake. Footways would also be required to give access to the steep hillside, although details of this have not been provided.

The proposed use would be to provide public open space, to be used for recreational purposes, for the general public, therefore resulting in a formal change of use of the land. This form of development is not described as an appropriate form of development, when considered against the NPPF. Therefore, the proposal would conflict with Section 9 of NPPF. The proposals could only be regarded acceptable in Green Belt terms if there are 'Very Special Circumstances' to justify the development in its own right or specifically if there are 'Very Special Circumstances' linked to the need for the proposal in conjunction with WA/2016/1418.

Impact on AONB and AGLV

The site falls within a locally designated Area of Great Landscape Value (AGLV) and is bordered by the Surrey Hills Area of Outstanding Natural Beauty (AONB). The impact upon the landscape character of the AGLV, and the setting of the AONB, must therefore be considered.

Section 85 of the Countryside and Rights of Way Act 2000 states that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. The NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

In accordance with this, Policy C3 of the Local Plan 2002 requires development within the AONB to conserve or enhance the character and beauty of the landscape.

Paragraph 116 also states that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. For the purposes of paragraph 116 of the NPPF, officers do not consider that the proposed change of use of land would comprise major development.

The Surrey Hills Management Plan 2014 – 2019 sets out the vision for the future management of the Surrey Hills AONB by identifying key landscape features that are the basis for the Surrey Hills being designated a nationally important AONB.

The site is located within an Area of Great Landscape Value wherein Policy C3 of the Local Plan 2002 states that development should serve to conserve or enhance the character of the landscape. The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The proposal includes minimal works to provide footpaths into and around the site allowing access into the AONB. No works would be provided that would harm the natural beauty of the setting of the AONB or AGLV, given the absence any buildings being proposed. As such, the beauty of the landscape would be preserved and public access would be improved. Whilst no comments have been received following consultation with the AONB Advisor, no objection has been raised to the proposed development by Natural England, who are the statutory consultee for development affecting AONBs.

Officers are satisfied that the proposed change of use and access works would preserve the character of the AONB and AGLV in accordance with Policy C3 of the Local Plan 2002 and the NPPF 2012.

Impact on the Godalming Hillsides

The NPPF states that, as a core principle planning should take account of the different roles and character of different areas. The site is located adjacent to the Godalming Hillsides wherein development will not be acceptable where it would diminish the wooded appearance of the hillside, to the detriment of the character and setting of the town. The NPPF states that the planning system should contribute and enhance the natural and local environment by protecting and enhancing valued landscapes. This accords with the Godalming Hillside Policy BE5 of the Local Plan.

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.

The proposal would not result in any tree removal within the defined Godalming Hillsides given the proposed layout. Taking into account of the expert view of the Council's Tree and Landscape Officer, the impact of the proposed layout on the woodland is considered to be acceptable as it would not harm the character and appearance of the wooded hillside. The proposal would therefore accord with the requirements of Policy BE5.

Impact on visual and residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

The 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.

The proposed change of use would not result in any buildings being constructed within the application site, and the existing boundary treatments would be retained as existing. However, the use of the site would be changed from woodland to informal recreational space.

In terms of the visual impact, the proposed change of use would introduce formal public routes into the site. These routes would be at ground level and would not harm the outlook from the site. This would also ensure that the rural character to the edge of the adjacent settlement would not be affected. As a result, the visual impact of the proposed change of use would be acceptable.

It is considered that informal recreation use of this land would not result in any detrimental harm to nearby residential properties. Children's play equipment would not be provided within the site, nor would any formal sports pitches. As such, the use would not be considered to generate any significant noise levels that would cause nuisance to the sensitive neighbouring uses.

Concern has been raised about potential anti-social behaviour taking place. Should all other aspects relating to this scheme be acceptable, an appropriate legal agreement under WA/2016/1418 would secure future management / management of the area to ensure that it remains an attractive, safe and useable area for members of the public to visit.

The proposal is therefore considered to be an appropriate form of development in this location, in terms of its impact upon on visual and residential amenity.

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 and no significant grounds works would be required for the proposed works to be carried out, therefore Policy HE15 would not apply in this instance. Accordingly, no archaeological concerns are raised.

Biodiversity and compliance with Habitat Regulations 2010

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

When determining planning 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 National Environment and Rural Communities Act 2006 states that the Council as local planning authority has a legal duty of care to protect biodiversity.

The application site is in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

The application site is within the 5km buffer zone of the Wealden Heaths I Special Protection Area (SPA) and Special Area of Conservation (SAC), respectively, which are European sites. The sites are also notified at a national level as Sites of Special Scientific Interest (SSSI). Additionally, this site is also in close proximity to the Wey Valley Meadows SSSI.

The application is supported by a number of ecological surveys. The submitted surveys do not contain an assessment of potential adverse impacts from either facilitation works or from a post-development increase in people-linked pressures to the Ancient Semi-Natural Woodland (ASNW) within the site.

Surrey Wildlife Trust (SWT) has previously provided comment on the proposal to use the land as open space suggesting that until detailed landscaping plans for the open space area and the ongoing management regime to be applied to it are available, it will be difficult for this type of assessment to be undertaken. An additional concern would be the impact of the likely increases in people-linked pressures post-development on both the on-site habitat and the ASNW adjacent to its eastern boundary. Provided the plans proposals on adjacent land (proposed under WA/2016/1418) continue to take a predominantly residential form, to progress this type of assessment should be relatively straightforward.

Given this limited scope of the submitted details, and notwithstanding the above comments, SWT recommends that the applicant should be required to undertake the mitigation and enhancement actions recommended. Of particular importance is the adoption of a precautionary approach to dense vegetation clearance which considers the need to avoid potential harm to great crested newt, hazel dormouse, reptiles and nesting wild birds, all of which are legally-protected in the UK.

Subject to the inclusion of appropriate conditions being applied to any approval, securing the mitigation and enhancement works, the proposed scheme would not have an unacceptable impact upon biodiversity.

Effect on SPA

The site is located within the 5km buffer zone of the Wealden Heaths I SPA. As the proposed development seeks permission for the change of use of land to public open space, the proposal would not result in people permanently residing on the site. In addition, the provision of additional public open space reduces pressure for use of the SPA for recreational purposes.

Natural England has been consulted on the application and has not raised any objection to the scheme, nor has it objected to the neighbouring scheme. As a result, the proposed change of use of land would not have a likely significant effect on the integrity of the SPA in accordance with Policy D5 of the Local Plan 2002. An appropriate assessment is not therefore required.

Flood Risk and Drainage

Paragraph 103 of the NPPF 2012 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. The NPPG outlines that for sites in Flood Zone 1, development proposals comprising one hectare or above should take account of vulnerability to flooding from other sources as well as from river and sea flooding, and also the potential to increase flood risk elsewhere.
The entirety of the site is within Flood Zone 1 (low probability); land having a less than 1 in 1,000 annual probability of river or sea flooding. Flood Zone 1 includes all land outside of Flood Zones 2 and 3.

The site is over 1ha in area and as such the applicant has been required to provide a Flood Risk Assessment (FRA) to demonstrate that the scheme would not give rise to flooding or surface water flooding.

The submitted FRA confirms that given the nature of the use and the lack of any impermeable hardstanding/footpaths being provided within the site, the proposed scheme would not give rise to additional surface water run-off. In addition, the proposed use would not generate any foul drainage nor is at risk from surface water, river or sea flooding. As such, officers have concluded that the proposed scheme would not give rise to flood risk on or off site and would comply with the requirements of paragraph 103 of the NPPF.

Very Special Circumstances

The applicants believe that the proposed development would not constitute inappropriate development within the Green Belt; however, officers cannot agree this position. The NPPF and subsequent appeal decisions / judgements confirm that change of use of land within the Green Belt constitutes inappropriate development. As such 'Very Special Circumstances' (VSC) must exist to overcome the harm, in principle, to the Green Belt.

The proposed development seeks to provide public open space in conjunction with the mixed use development proposed on adjacent land under WA/2016/1418. However, as noted above the proposed scheme is made as a stand alone application, therefore it must first be determined whether there are any VSC to justify the proposal on its own merits.

The applicants have put forward Very Special Circumstances. They have stated that this application is linked to an outline application by the same clients for the residential-led redevelopment of the existing Commercial Park and that the applicant is willing to enter into a legal agreement linking these two applications together.

They have also referred to a recent appeal which included the provision of open space for a section of the site within the Green Belt. The Secretary of State agreed with the Inspector and considered that: 'The beneficial use of this part of the appeal site as open space would clearly outweigh the definitional harm of conflict with Green Belt policy as expressed in the Framework, and that very special circumstances justify the use of the land as open space.'

The applicants have stated that this proposal provides increased access to the landscape and recreational opportunities within the Green Belt and will involve enhancements to landscape and biodiversity. As a result, there will be an enhanced beneficial use of the Green Belt, which clearly outweighs the definitional harm of conflict with Green Belt Policy in the NPPF and that very special circumstances exist in this instance for the use of open space within the Green Belt.

If planning permission is granted for the revised proposal reference WA/2016/1418 for the development of the adjoining land for residential and commercial use, it is considered that very special circumstances exist which would support the approval of the current application.

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.

Given the scale and nature of the proposal, it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF.

Climate change and sustainability

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

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application

Environmental Impact Regulations 2011

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

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

Conclusion/ planning judgement

The stand alone application seeks permission for the change of use of woodland to public open space, associated with the mixed use development proposed on the adjacent industrial estate, under planning application WA/2016/1418.

The site is located within the Green Belt and the AGLV and is beyond the developed area of Godalming; it is also located within 5km of the Wealden Heath I SPA buffer zone.

The concurrent mixed use / housing scheme proposed under WA/2016/1418 is considered to be acceptable and there is a need for the proposed open space. Very special circumstances therefore exist which would justify approving the proposed use in the Green Belt. In light of the above, the proposal would comply with the requirements of Policy C1 of the Local Plan and Section 9 of the NPPF.

Recommendation A

That permission be GRANTED subject to the following conditions

1. Condition
   Prior to the first use of the land for public open space, a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. Such details shall include hard and soft landscaping details, including the treatment of the paths to be provided in and around the site. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise

agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason
In the interest of the character and amenity of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition
The development hereby permitted shall not be implemented other than in conjunction with and prior to occupation of the development permitted under WA/2016/1418.

Reason
In the interest of the amenities of the future occupiers of the residential development adjacent and having regard to the fact that this development constitutes very special circumstances in the Green Belt, in accordance with Policies C1, D1 and D4 of the Waverley Borough Local Plan 2002 and the NPPF.

3. Condition
The plan numbers to which this permission relates are 2544-AS-06 Rev C and P/06 Rev N. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

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

<u>Informatives</u>

1. The applicant is advised that this permission relates solely to the change of use of the land and the proposed footpaths in and around the site. Separate planning permission may be required for the provision of and other decking/areas of hard surfacing and lighting, and advertisement consent may be required for information boards and way markers.

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.

3. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

4. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

5. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

Recommendation B

In the event that planning permission for WA/2016/1418 is refused, permission be REFUSED for the following reason:

1. The proposal conflicts with national and local planning policies regarding Green Belts set out in Policy C1 of the Waverley Borough Local Plan 2002 and Section 9 of the NPPF as the form of development proposed constitutes inappropriate development within the Green Belt. There is a general presumption against inappropriate development and development which adversely affects the openness of the Green Belt. The proposed change of use would constitute inappropriate development within the Green Belt. No 'very special circumstances' exist that would outweigh the harm by way of its inappropriateness. The proposal would cause material harm to the openness of the Green Belt. This includes the absence of any planning permission being granted for the proposed neighbouring development requiring provision of public open space.

Reason
In the interest of the character and amenity of the area in accordance with Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.