

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**

E-mail: [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)

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Calls may be recorded for training or monitoring

Date: 12 February 2019

**Membership of the Joint Planning Committee**

Cllr David Else (Chairman)	Cllr David Hunter
Cllr Peter Isherwood (Vice Chairman)	Cllr Jerry Hyman
Cllr Brian Adams	Cllr Simon Inchbald
Cllr Mike Band	Cllr Anna James
Cllr Maurice Byham	Cllr Denis Leigh
Cllr Carole Cockburn	Cllr Stephen Mulliner
Cllr Kevin Deanus	Cllr Nabeel Nasir
Cllr Paul Follows	Cllr Chris Storey
Cllr Mary Forszewska	Cllr Liz Townsend
Cllr Michael Goodridge	Cllr John Ward
Cllr John Gray	Cllr Nick Williams
Cllr Val Henry	

**Substitutes**

Appropriate Substitutes will be arranged prior to the meeting

**Members who are unable to attend this meeting must submit apologies by the end of Wednesday, 13 February 2019 to enable a substitute to be arranged.**

Dear Councillor

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

DATE: WEDNESDAY, 20 FEBRUARY 2019

TIME: 6.30 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 6 February 2019 (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.

Members are advised that in order for a substitute to be arranged, a Member must give four clear working days notice of their apologies. For this meeting, the latest date apologies can be given for a substitute to be arranged is 13 February 2019.

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.

The deadline for receipt of questions is 5pm on Wednesday 13 February 2019.

5. QUESTIONS FROM MEMBERS

The Chairman to respond to any questions received from Members in accordance with Procedure Rule 11.

The deadline for receipt of questions is 5pm on Wednesday 13 February 2019.

6. PERFORMANCE AGAINST GOVERNMENT TARGETS (Pages 5 - 6)

Planning Performance and the Government target on quality on planning decision making will now be a standard item on the Joint Planning Committee agenda. This was an agreed recommendation at Executive on 28 November 2017 and is part of the Development Management Service Improvement Plan.

The latest available statistics are attached. These were received by the Committee at its last meeting.

7. APPLICATION FOR PLANNING PERMISSION - WA/2018/1815 - LAND OPPOSITE MILFORD GOLF CLUB, STATION LANE, MILFORD, SURREY  
(Pages 7 - 110)

Proposal

Outline application for up to 200 dwellings (use class C3) including 30% (60) affordable dwellings with access to be determined, the provision of SANG (Suitable Alternative Natural Greenspace) and associated infrastructure (as amended by revised documents submitted on the 11/12/2018, 01/02/2019, 08/01/2019, 17/01/2018 and 14/01/2019).

Recommendations

RECOMMENDATION A:

That, subject to the applicant entering into an appropriate legal agreement within 6 months of the date of the committee resolution to grant planning permission, to secure the provision of/contributions towards: 30% affordable housing and affordable housing mix, education infrastructure, SuDS management/maintenance, public open space and play space provision and maintenance, highways improvements, environmental improvements contribution, travel plan, car club, leisure and green space areas, environmental enhancements, waste and recycling facilities, and provision and maintenance of an on-site SANG; subject to conditions and informatives, outline permission be GRANTED.

RECOMMENDATION B:

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

RECOMMENDATION C:

That, if formal planning decision in respect of recommendation A is issued on 01/03/2019 or thereafter, then the Head of Planning be authorised to charge CIL in accordance with the Council's approved CIL Charging Schedule and revised Section 106 Infrastructure payments.

8. 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.

9. LEGAL ADVICE

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

**For further information or assistance, please telephone  
Ema Dearsley, Democratic Services Officer, on 01483 523224 or by  
email at [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)**

**Planning Service Performance on Speed (Government Target)**

	<b>Majors*</b>	<b>Non Majors**</b>
Targets	60% (or more)	70% (or more)
Performance = % of applications determined in statutory or agreed time period.  Last Assessment Period 1 <sup>st</sup> October 2015 to 30 <sup>th</sup> September 2017	97.79%	97.47%
1st April 17 to 31st January 2019	95.21%	95.04%

**Planning Service Performance on Quality (Government Target)**

	<b>Majors*</b>	<b>Non Majors**</b>
Targets	10% (or less)	10% (or less)
Performance = Major appeals that were allowed, as a % of all major decisions that were made in the Assessment Period. Last Assessment Period 1 <sup>st</sup> April 2015 to 31 <sup>st</sup> March 2017	10.40% Final figure following Folly Hill Appeal decision.	1.56%
Best Estimate*** 1st April 2017 to 31st January 2019	5.48%	1.86%

\*A Major application is defined as development which involves any one or more of the following;-

The provision of dwellings when the number proposed is 10 dwellings or more or where the number of dwellings is not known but the site area is 0.5 hectares or more; Provision of building(s) creating over 1,000 square metres of floor space; Site areas in excess of 1 hectare;

There are also some Waste and Mineral applications which are County matters not determined by the Council.

Town and Country Planning (Development Management Procedure) (England) Order 2015 Para 2, Interpretation.



## Agenda Item 7.

A1 WA/2018/1815  
Stretton Milford Ltd  
26/10/2018

Outline application for up to 200 dwellings (use class C3) including 30% (60) affordable dwellings with access to be determined, the provision of SANG (Suitable Alternative Natural Greenspace) and associated infrastructure (as amended by revised documents submitted on the 11/12/2018, 01/02/2019, 08/01/2019, 17/01/2018 and 14/01/2019) at Land Opposite Milford Golf Club, Station Lane, Milford

Committee: Joint Planning Committee  
Meeting Date: 20/02/2018  
Public Notice: Was Public Notice required and posted: Yes  
Grid Reference: E: 495039 N: 141889

Parish/Town: Witley  
Ward: Milford  
Case Officer: Jessica Robinson  
Expiry Date: 24/01/2019  
Time Extended Date: 28/02/2019  
Neighbour Notification Expiry Date: 11/12/2018  
Neighbour Notification  
Amended/Additional Expiry Date: 01/02/2019

### RECOMMENDATION A

That, subject to the applicant entering into an appropriate legal agreement within 6 months of the date of the committee resolution to grant planning permission, to secure the provision of/contributions towards: 30% affordable housing and affordable housing mix, education infrastructure, SuDS management/maintenance, public open space and play space provision and maintenance, highways improvements, environmental improvements contribution, travel plan, car club, leisure and green space areas, environmental enhancements, waste and recycling facilities, and provision and maintenance of an on-site SANG; subject to conditions and informatives, outline permission be GRANTED.

RECOMENDATION B

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

RECOMENDATION C

That, if formal planning decision in respect of recommendation A is issued on 01/03/2019 or thereafter, then the Head of Planning be authorised to charge CIL in accordance with the Council's approved CIL Charging Schedule and revised Section 106 Infrastructure payments.

### Introduction

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



## Location Plan



## Site Description

The site covers 13.28ha. The application site is an irregular shape which has a developable area measuring approximately 10.92 hectares. It is located on the eastern fringe of the defined settlement of Milford, to the west of Station Road and formally formed part of Milford Golf Course. The site is bound to the north and west by a row of thick vegetation and a small river. Station Road runs down the eastern boundary and mature trees bound the site to the south.

The rural settlement of Milford is located to the north and east of the proposed development site, with residential dwellings set back from the site boundaries south of Church Road and east of Petworth Road. There are no public rights of way across the site; however there is a public footpath along Station Road.

The site is currently laid to grass as part of a former Golf Course with golf greens, bunkers and access paths across the site. At the centre of the site are two fairways located at either end of a practice range. A water course is present along the western side of the site boundary, with a number of drains leading to the watercourse from the Golf Course currently.

The land levels rise gradually from the North West corner to the South East corner of the site by approximately 13 metres, but due to the size of the site levels appear reasonably flat and unchanged.

Milford railway station is located approximately 600 metres south of the site and the nearest bus stops are located on both Church Road and Portsmouth Road.

### Proposal

This application seeks outline planning permission for the erection of up to 200 dwellings (Class C3) including 30% affordable (60 dwellings), the provision of an on-site SANG, new access from and highway works to Station Road and associated infrastructure and contributions. All detailed design considerations, except for access, would be determined at Reserved Matters stage. However, a number of design parameters have been set out in the Design and Access Statement and accompanying indicative site layout to inform any future reserved matters application.

The proposed residential development would fall within the larger land parcel to the west of Station Lane (which is 10.94Ha in size) with the smaller parcel of land (covering 2.34ha) located to the east of Station Lane remaining undeveloped and utilised as new SANG provision.

Access is proposed to the site from Station Road with estate roads proposed within the site. The proposed access would provide for 2.4m by 120m visibility splays with a priority junction and raised table at the junction with Station Road. The access would extend across land falling within the ownership of the Highway Authority. No obstruction of the visibility splay would be secured as part of a section 106 agreement should permission be granted. A route for pedestrians and cyclists up to the south western boundary of the site is proposed and details would be secured by condition to enable a future connection to Busdens Way. A package of off-site highways improvements to the local area would be secured by a section 278 agreement with the Highway Authority if permission is granted.

This application proposes the following housing mix of;

<u>Unit type</u>	<u>Affordable Mix</u>	<u>Market Mix</u>
1 bed	40% (24 units)	9% (13 units)
2 bed	30% (18 units)	29% (40 units)
3 bed	23% (14 units)	39% (55 units)
4 bed	7% (4 units)	14% (20 units)
5 bed		9% (12 units)
TOTAL	100% (60 units)	100% (140 units)

In terms of public open space and play provision, the following is proposed:

- SANG to north of development site
- LEAP (370m<sup>2</sup>)
- LAP (100m<sup>2</sup>)
- Other areas of public open space (2030m<sup>2</sup>)
- Off-site contributions towards outdoor sport and recreation.

The indicative layout shows the LEAP and LAP to be provided centrally on the site with areas of informal open space shown to the south off the site. Landscape buffers and the planting of new trees are indicated. However, the details of open space would form part of the Reserved Matters application.

The indicative layout plan shows dwellings benefitting from garages and driveways and small parking courts to serve flatted units. In total there would be 427 allocated parking spaces and 38 unallocated parking spaces for visitor parking. Cycle parking and electric vehicle charging points would be secured by condition and detailed through a Reserved Matters application.

The proposed on-site SANG will be located to the north of the site and extended to the east, to the other side of Station Road, to provide alternative natural open space for recreation to mitigate the potential for adverse effects as a result of the development upon the Wealden Heaths I SPA.

This is an outline application for up to 200 dwellings. The precise number of dwellings to be delivered on this site would be established through a Reserved Matters application where detailed layouts will confirm the total quantum of development.

### Heads of Terms

Section 278 Highways Works:

- Improved informal crossing facilities at the Portsmouth Road mini roundabout junction, to improve access to the nearby bus stops adjacent to this junction;

- Enhancements to the eastern and western carriageway lane widths at the Portsmouth Road roundabout junction, to allow approaching traffic to form up in dedicated left and right hand turning lanes;
- Delivery of an enhanced uncontrolled crossing facility immediately to the west of the parade of shops on Church Street;
- On the Station Lane approach to the Church Road junction the carriageway is to be widened to provide extended left and right hand turning lanes, as well as relocated pram crossings, tactile paving and yellow box to prohibit traffic blocking the village car park;
- A new shuttle working traffic arrangement is to be implemented over the Station Lane Bridge, allowing the existing footway on the eastern side of the carriageway to be widened to 1.5m;
- Widening of the footway to 2.0m on the eastern side of Station Lane between the road bridge and the golf club access;
- Two new pedestrian crossings on Station Lane between the road bridge and the existing golf club access, connecting to new pedestrian/cycling route on the eastern boundary of the site, parallel with Station Lane;
- New crossing with pedestrian refuge on Station Lane adjacent to the south-eastern corner of the site, providing a connection between the site and the existing footway on the eastern side of Station Lane;
- Zebra crossing on Station Lane adjacent to Rake Lane;
- Traffic calming measures, in the form of speed cushions, at regular intervals on Station lane to reduce vehicle speeds and enable to reduction of the speed limit from 40mph to 30mph.

Planning Contributions sought through 106 Agreement totalling: £1,476,702.20, split as follows:

#### Highways:

- Travel Plan Auditing Fee - £6,150
- Traffic Regulation Order (TRO) - £5,000
- Rake Lane Highway Safety Improvements - £60,000
- Portsmouth Road (A3100) Bus Stop Infrastructure Improvements - £45,000
- Guildford to Godalming Greenway – cycle route improvements between Milford and Godalming - £20,000
- Car Club, location and operational details to be established.

#### Travel Plan

- Submission of Travel Plan
- Provision of £150 voucher per dwelling for sustainable transport modes

#### Leisure:

- Refurbishment of Godalming Leisure Centre – involving an extension to gym, second studio and extended changing facilities - £163,000.00
- New play area at Jubilee Field - £50,000.00

#### Education:

- Contribution towards Early Years provision - £136,610.00
  - towards the setting up of a new nursery in the local area
- Contribution towards Secondary provision - £630,893.00
  - towards a project at Broadwater School to provide additional capacity

#### Green Spaces/Playing Pitches/Recreation:

- Rodborough School 3G pitch– towards the creation of a 3G pitch. This would be to serve the needs of local sporting clubs who already use their fields to the greatest extent that ground conditions allow. - £200,000
- New Scout Hut (Milford) - £200,000

#### Environmental Contributions:

- Milford Village Hall planned improvement works - £10,000
- Burton Pavilion planned improvement works - £10,000
- Essential improvements to other Parish Halls within the area - £40,000

#### Waste and Recycling Contribution

- towards the provision of refuse and recycling containers to serve each residential unit - £6199.20

#### SuDS and Open Spaces:

- Future ownership, management and maintenance of on-site SuDS.
- Setting up of a community trust for the future ownership, management and maintenance of on-site SANG, public open space and play facilities provision.

#### Affordable Housing Provision:

- 30% Affordable Housing
- Proposed mix

Dwelling Type	Affordable housing	The West Surrey Strategic Housing Market Assessment 2015 (SHMA) mix-target for comparison
1 bed	40% (24 units)	40%
2 bed	30% (18 units)	30%
3 bed	23% (14 units)	25%
4 bed	7% (4 units)	5% (4+)
5 bed	-	

Total	60	
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- Tenure split: 70% (42 units) for affordable rent, 30% (18 units) for shared ownership.

### Details of Community Involvement

The applicant has provided a detailed Statement of Community Involvement to support this outline application.

The applicant has sent details of their pre-planning proposals to all residential and business addresses in Milford, approximately 1700 addresses. A community consultation event was also held at Milford Golf Club in May 2018.

A number of amendments made to the scheme as a result of the initial community and stakeholder engagement, which include; the mix of housing being changed to reflect that required by the SHMA, alterations to the access and improvements to highway safety, onsite SANG, and onsite retention of trees and re-provision within the SANG.

No further consultations with the public have been undertaken with the public since May 2018 by the applicant.

The applicant has undertaken pre-application consultation with representatives of Waverley Borough Council's Planning Department, Witley Parish Council, Surrey County Council Highways Officers, Natural England in relation to SANGS provision and the wider local community.

### Relevant Planning History

Application Reference	Development Description	Decision/ Date
WA/2018/0686	Regrading, landscaping and drainage works to create 3 new golf holes on land within north east of Milford Golf Club.	Full Permission 23/08/2018

### Planning Policy Constraints

Ancient Woodland 500m buffer  
 Within 2km of the Wealden Heaths I SAC  
 Within 8 metres of the river bank of the (River Ock to north and west of site)

Within 1km & 5km of the Wealden Heaths I SPA  
Southern Gas Networks - GPL  
Potentially contaminated land  
Flood Zones 2 & 3 ( to the north of the site following river course)  
Special Area Advertisement Consent  
Neighbourhood Plan Area Designation  
Strategic Site in the Waverley Borough Local Plan Part 1: Strategic Policies and Sites (2018)

### Development Plan Policies and Guidance

The Development Plan includes:

- Waverley Borough Local Plan, Part 1, Strategic Policies and Sites (adopted February 2018)
- Waverley Borough Local Plan 2002 (retained policies February 2018)

In accordance with paragraph 213 of the National Planning Policy Framework (NPPF) due weight has been given to relevant retained policies in the Waverley Borough Local Plan 2002. The weight is made clear in the appropriate paragraphs of the report.

The Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies was subject to a Preferred Options consultation which ran from 25 May 2018 to 9 July 2018. In November 2018, the publication of the Local Plan Part 2 was deferred to enable further consultation with stakeholders. It is anticipated that the Council will be in a position to publish Local Plan Part 2 for its Pre-Submission Consultation in summer 2019. Given this position, it is considered that very limited weight can be attributed to the emerging Local Plan Part 2.

Relevant Policies in relation to the determination of the current application include:

Waverley Borough Local Plan, Part 1, Strategic Policies and Sites (adopted February 2018):

SP1: Presumption in favour of sustainable development  
SP2: Spatial Strategy  
ALH1: The Amount and Location of Housing  
AHN1: Affordable Housing on Development Sites  
AHN3: Housing Types and Size  
RE2: Green Belt  
RE3: Landscape Character  
NE1: Biodiversity and Geological Conservation  
NE2: Green and Blue Infrastructure  
CC1: Climate change

CC4: Flood Risk Management  
ICS1: Infrastructure and Community Facilities  
LRC1: Leisure, Recreation and Cultural Facilities  
ST1: Sustainable Transport  
TD1: Townscape and Design  
HA1: Protection of Heritage Assets  
SS6: Strategic Housing Site at Land opposite Milford Golf Course

Waverley Borough Local Plan 2002 (retained policies February 2018):

D1: Environmental Implications of Development  
D4: Design and Layout  
D7: Trees, Hedgerows and Development  
D8: Crime Prevention  
D9: Accessibility  
C6: Landscape Enhancement  
C7: Trees, Woodlands and Hedgerows  
HE8: Conservation Areas  
HE15: Unidentified Archaeological Sites  
CF2: Provision of New Community Facilities  
LT11: Walking, Cycling and Horse-riding  
M5: Provision for Cyclists  
M7: Footpaths and Cycleways  
M9: Provision for People with Disabilities and Mobility Problems

In accordance with the National Planning Policy Framework (NPPF) due weight has been given to the relevant policies in the above plans.

Other guidance:

- National Planning Policy Framework (2018)
- National Planning Practice Guidance (as updated)
- Climate Change Background Paper (2011)
- Statement of Community Involvement (2014 Revision)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- Surrey Design Guide (2002)



## Evidence

- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Strategic Flood Risk Assessment (2015/2016) (updated 2018)
- Land Availability Assessment (2018)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2016)
- Employment Land Review (2016)
- Council's Economic Strategy 2015-2020

## Strategic Housing Allocation SS6

The development has been adopted as a strategic housing allocation within the Local Plan Part 1 (2018) Policy SS6 of the Local Plan Part 1 (2018) is as follows:

“Land opposite Milford Golf Course, as identified on the Adopted Policies Map and on the plan below, is allocated for around 180 homes subject to the following:

- a) Built development should be focused on the part of the site at low risk of flooding (Flood Zone 1). The development area must exclude the flood plain of the River Ock which forms the western boundary to the site. A Flood-Risk / Run-off Assessment will be required given that part of the site lies within an area of identified high and medium flood risk.
- b) Satisfactory detailed access arrangements to the development should be achieved, for example from Station Lane.
- c) Sustainable transport measures, which may include on site footways and cycleways linking to the recreation space and Station Lane in the East and Church Road or Busdens Way to the West.
- d) The provision of a landscaped corridor along Station Lane and the provision of an appropriate landscaped buffer including trees and hedgerows on the southern boundary of the site.”

## Consultations and Town/Parish Council Comments

Witley Parish Council	Objection – Traffic congestion in the area at peak times which would be made considerably worse, further other developments traffic e.g. Dunsfold and Aarons Hill Development have not been considered. Concerns over transport models and not taking into account recent approvals and additional traffic. Concerns that people avoiding traffic may use Rake Lane. Station Lane is a
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	<p>narrow pavement which floods regularly, concerns over use in current condition however were pleased some more pedestrian crossings have been planning however lack of adequate pavements has not been addressed.</p> <p>The SANG is located in Flood Zone 3 and concerns over flood risk and run off, further concerns over layout and use of boardwalk. Do not consider the SANG to be a place people will want to visit.</p> <p>Concerns over conditions included in LPP1 have not been met, application is for 200 houses not original 180.</p> <p>Failure to comply with paragraph 18.12. A Habitats Regulation Assessment has not been produced.</p> <p>Insufficient infrastructure e.g. schools and doctors to support additional residents. No contribution currently identified for schools, doctors or community facilities.</p> <p>The S106 funding is directed at Godalming Leisure Centre as opposed to Milford Based Projects and no evidence to show this has been reconsidered .</p> <p>Concerns over sewers and foul water capacity. Further complaint over the difficulty assessing the planning application through the portal due to near identically named files and download limits.</p>
County Highway Authority	No objection subject to Infrastructure Contributions, conditions and informatives.
Thames Water	No objection subject to conditions and informatives.
County Archaeologist	No objection.
Natural England	<p><u>Response received: 24/01/2019</u></p> <p>Withdrawal of objection subject to conditions Following receipt of further information on 07/01/2019. Natural England is satisfied that the specific issues we have raised in previous correspondence relating to this development have been resolved.</p>
Lead Local Flood Authority	<p><u>Response received: 01/02/2019</u></p> <p>Satisfied that the proposed drainage scheme meets the requirements set out in the FRA and drainage strategy and are content with the development proposed, subject to conditions being attached and management secured by 106</p>

	agreement.
Environment Agency	No objection subject to further information being provided at reserved matters to ensure the site is modelled to reflect the appropriate climate change factors and the site layout is detailed accordingly to mitigate flood risk.
Surrey Wildlife Trust	No objection subject to conditions.
Surrey Police Designing Out Crime Officer	No objection.
Council's Environmental Health – contaminated land	No objection subject to conditions.
Council's Environmental Health – noise and disturbance	No objection subject to conditions.
Council's Environmental Health – Air Quality	No objection subject to conditions.
Council's Waste and Recycling co- ordinator	No objection subject to contributions towards waste and recycling containers.
Southern Gas Networks	No comments received.
Southern Water	No comment as development is outside of Southern Water's area of water supply.
Thames Water	<p>The application indicates that surface waters will not be discharged to the public network and as such Thames Water has no objection.</p> <p>Thames Water would advise that with regard to Foul Water sewage network infrastructure capacity, we would not have any objection to the planning application, based on the information provided (Gravity Connection along Station Lane).</p>
Forestry Commission	No Comment
Countryside Access	The Countryside Access Office notes the effect of the proposed development and has no objections to the application.

## 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 09/11/2018, site notices were displayed around the site on the 05/11/2018 and neighbour notification letters were sent on 05/11/2018.

237 letters of objection have been received across both consultation periods raising objections on the following grounds:

### Alternative sites

- There are other more suitable sites for development in Milford, which are preferred by local residents, as shown by the survey carried out by the Witley and Milford Parish Council last year, specifically sites with better access to the A3 like the Secretts site
- A brownfield site should have been selected instead.

### Neighbourhood Plan

- Having regard to emerging policies of the draft Witley Neighbourhood Plan – the application is poorly designed in a number of respects – form is inconsistent, particularly in regard to Safeguarding Residential Amenity.
- There should be a condition attached that the detailed layout and design meet the Nationally Described Space Standards.
- No funding agreed for local community based projects from developers as per the Witley Neighbourhood Plan.
- ‘A significant number of comments cited capacity issues with existing local services’ In which case, shouldn’t the Witley Neighbourhood Plan be agreed by residents BEFORE any sites are proposed?

### Local plan / Housing need

- Proposal contrary to the Local Plan.
- Woking Borough Council had lots of unmet need but has since been reduced to zero so this site is not required as the housing quota should have dropped accordingly.
- Site was allocated in LPP1 for 180 units without any proper assessment by WBC of the constraints of the site, therefore is a clear risk that the allocation in LPP1 of a minimum of 180 units becomes the default position which must be avoided.

### Green Belt removal

- This area should remain as protected greenbelt.

- To expand the village beyond its existing curtilage is unacceptable. The river Ock forms natural boundary but proposal would expand into a new area creating undesirable sprawl into diminishing green spaces.

#### Land covenant

- 'A number of comments cited there is a covenant on the application site' Nonetheless, if there is a covenant on the land, then works must be halted until this has been resolved.
- WBC should have distanced themselves from this development when they were made aware of a restrictive covenant preventing development on this scale?

#### Overdevelopment

- 200 houses is far too many on this site
- The village is not large enough and the infrastructure not developed enough to accommodate 200 new homes and the potential residents within.
- The impact on doctor surgeries, schools, transport and the like is not covered in any way, nor consideration given.
- This is simply over development in an already congested village.
- The development is too large for Milford village and surrounding areas, especially with the Eashing development and the significant proposed Dunsfold development.
- Poor quality design, with incongruous massing.
- Too many dwellings proposed.

#### Flooding

- Station Lane regularly floods, especially at the bridge over the River Ock.
- Flooding is not restricted to this position only and includes further along Station Lane. This too will need to be addressed, despite this being on a part of the road that the developers don't seem to care to pay any mind too.
- The traffic issues and the flooding on Station Lane particularly by the narrow bridge running over the river Ock.
- The land these proposed houses are due to be built on is continuously flooding – as does Station Lane itself and will effect the drainage system in Ockfields which is already so badly managed at present by Thames Water
- Run-off from Milford Golf Course anticipated.
- There have been multiple sewage flooding incidents. Thames Water has advised the sewage pipe crossing over Sattenham Cottage from the Station, area should have been updated years ago in line with developments over the past 20 years.
- The report only takes account of one month's records and not the varying levels throughout the year.
- Sewerage system old and inadequate at present would not be able to cope with additional use.

- Risk of subsidence to the proposed new housing since it is not being built high enough above the water table.

#### Doctors and schools and hospitals

- Doctors' surgeries are already pushed to their limits and the local first and middle schools will be oversubscribed.
- This proposed site is not beneficial to Milford or the surrounding towns and villages; Doctors, Schools and hospitals are at breaking point as it is.
- WBC and Surrey are not putting any importance into new infrastructure, doctors, dentists, schools etc.
- There is a total lack of social infrastructure already
- The proposed over-scale development would impose on Milford's limited social and transport infrastructure. Nothing in the mitigation measures proposed that would come anywhere near resolving the issues that will without doubt arise if the proposed development goes ahead.
- The cumulative impact that this and the Eashing Lane development will have on the village facilities. Our schools, doctors and dentists are already oversubscribed.
- No-one is saying that affordable housing is not required; what every resident is saying is that development without effective and viable infrastructure plans in place at proper levels is the worst case scenario.
- Healthcare and emergency services would not cope with additional residents
- Existing primary school oversubscribed currently with classes held in portacabins.
- With potential closure of Cranleigh Community Recycling Centre, there will be an increased demand on Witley CRC.
- Inadequate infrastructure, with no increase or improvements in the proposal.
- No community of leisure amenities in the proposal.

#### Highways / traffic / pedestrians walking on pavements

- 200 houses on this site which is a mile and a half from the 262 houses of Ockford Park and when Guildford approves the 200 on Ockford Park – there will then be 662 houses and a guess of 1300 cars. WBC and developers will produce traffic reports and it will show that there are no traffic issues at present and will have very little impact which will be offset by some new road signs and white lines.
- Amended plans do not address the highways issues in particular the congested junction at the top of station road – this development with the associated traffic will be detrimental to the neighbourhood and on a dangerous road currently used by pedestrian children walking to school from the station.
- The amendments do not deal with the major impact on the local roads and amenities. The main roads through the village are always busy and at rush hour are a nightmare and people trying to exit station lane at the time will have long waiting times to access Church Road.

- Further traffic including the heavy goods vehicles carrying farm produce will result in heavy congestion and risk to life.
- Station Lane is a narrow lane which cannot cope with the increased traffic levels which will result from 200 new houses (in addition to traffic from the Dunsfold development)-
- Church Road and Station Lane will become heavily congested- there will be an increase in noise, disturbance and pollution.
- Document: SK21811 140119 MAK RC Final: SK Transport Planning report 'a new shuttle working traffic arrangement has been shown over the Station Lane bridge, allowing the existing footway on the eastern side of the carriageway to be widened to 1.5m' – This will cause huge congestion on the already busy Station Lane and ensure that there is a complete impasse at peak times.
- How has this report 'been shown to be exceptionally comprehensive'? It seems to be the bare minimum.
- Impacts to the local highway network and pedestrian safety.' The plan does nothing to provide safety to those pedestrians, many of whom will come from the proposed site, when progressing on foot or bike to the rail station. As such, this has not been sufficiently responded to nor actioned.
- The access and traffic via Station Lane, Milford Station cross roads up through Milford to the A3 junction is diabolical. Would be total gridlock during the construction of 200 units on this site, irreversibly destroying the rural character of this area to the south of Milford.
- The Station Lane Junction opposite the Coop onto the Portsmouth Road is already a dangerous junction and the traffic is at standstill during the rush hour, it simply cannot cope with another potentially 500+ more cars and vans.
- The cumulative effect of all the developments will have a significant impact on the road system increasing the volume of traffic considerably.
- How is the installation of speed "cushions" going to affect the HGVs that frequently use Station Lane to access Tuesley Farm?
- Making the pavements wider and the road narrower is going to make congestion worse. The HGV's which try to pass one another will inevitably get stuck or have to ride up on the pavement negating the whole point of widening them in the first place.
- Widening the left and right turning lanes is not sufficient to reduce the risks. At peak times, including school pickup, the junction is extremely busy. It is often difficult to turn right onto Church Rd from Station Lane made even more difficult by the fact that turn right it is necessary to cross the filter lane for traffic turning right from Church Rd in to Station Lane. Vehicles turning left at the roundabout onto Church Rd are often still indicating left due to the extremely short distance to the junction which can be misleading to vehicles trying to turn onto Church Rd from Station Lane.
- The updated highways plan gives no comfort on additional congestion, traffic noise, pollution and safety

- The existing footpath and road at Station Lane including the bridge should be widened for full two way traffic and a whole new junction envisaged for Station Lane, Church Road and Portsmouth Road to a single operating entity.
- The traffic survey carried out, does not mention the effect of the A3 becoming blocked due to traffic levels and/ or accidents.
- Could not see actual dates that the TA survey(s) took place over. It would help with an understanding of what 'term time' refers to.
- You need to take on board that sat navs are bringing traffic though this Lane constantly already.
- Milford Cross Roads is at a total stand still during the peak hours.
- Station Lane has a sign which shows unsuitable for heavy traffic...But we have so many HGVs using this lane todate.
- Unacceptable impact on highway safety and the residual cumulative impacts on the road network will be severe and is contrary to para 109 of the NPPF
- Poor physical state of the pavement on Station Lane – both the narrow pavement and the carriageway flood after only moderate rainfall. This leaves pedestrians route to the station getting completely drenched or getting very wet feet on the way past.
- The design lacks pedestrian permeability – developers have ignored SS6 of LPP1 and made no attempt to connect the development to surrounding area other than on Station Lane.
- The developers have worked on the theory that children from this development who attend Rodborough School will walk to school via Church Road. However I think they are more likely to walk via Rake Lane or get a lift and therefore increase traffic flow.
- Single file traffic over the bridge causes cars and lorries to mount pavements to pass one another making it terrifying for pedestrians.
- No direct path to Rodborough School.
- Insufficient parking for proposed development.
- Increased traffic on main route, the 'back roads' will see increased pressure on roads such as Rake Lane. Rake Lane is used by students of Rodborough School, which is already narrow with blind bends and no raised footpath
- There should be a traffic impact assessment for both Dunsfold Aerodrome and Milford Golf Course jointly
- No alternative route for current and future students to school proposed putting additional pressure on Rake Lane in increased footfall as such we have to consider the proposal to be a safeguarding risk
- Risk of speeding.
- Cyclist accidents and fatality already occurred in this area

#### Trees

- The development is likely to result in the loss of trees



- Removal of trees, loss of privacy; overlooking views from new properties to existing properties.
- Unrestricted access to surrounding woodland.
- The boardwalks are NOT located within wooded areas as a) much of this is on a plan to be destroyed and b) in the winter months there is incredibly limited protection by way of existing planting. Additional planting is essential.

#### Ecology / wildlife

- The development is likely to result in damage to the ecology around the golf course and a loss and/or displacement of wildlife.
- Further documentation has been provided as part of the planning permission phase and these indicate further permanent habitat destruction which were not previously included.
- Run-off from the development will have detrimental impact on the river, especially water quality for local wildlife.
- Increase pollution will have an adverse effect on the ecology of the local area.
- Negative impact on the local wildlife e.g. great crested newts, dormice and bats among other.
- In response to the protection measures for the wildlife and the recommendations put forward by Natural England, I would question the sensibility of developing a site that would adversely impact not only 1 but 3 protected species. On this basis alone it would show a blatant disregard for our indigenous ecology at a time when being kinder to our environment is foremost in the media.

#### Air pollution

- The traffic report notes there will be a 'large' impact, and the measures in place to protect the local residents are insufficient and reactive.
- Document: Air Quality Assessment: Land to the East and West of Station Lane, Milford, by SLR: Document 181220\_410.08894.00002\_R\_Station Lane Milford
- Our property sits within 50m of the application site boundary, and we are therefore deemed as 'human receptors. As such, from the offset, what measures will take place in order to shield us, our property and our garden from outputs of construction work noted in Table 5-1 under 'Earthworks' and 'Construction'?
- Increase pollution will have an adverse effect on the ecology of the local area anticipated to occur over a period of >12-months.
- It is essential that all precautions regarding dust are taken BEFORE works commence. What about the health of local residents, including young children who play in the gardens which border the site along Busdens Way?

- Within Table 5-4 it notes that daily visual dust soiling and generation will be undertaken and recorded. Do not wish property to be inspected each day but equally, do not wish for any dust to settle on land,
- Solid barriers will be built around dusty activities or the site boundary – how high will these be and how will they be maintained?
- Operations will cease during high winds – what constitutes a high wind and how will that be measured? If they do not stop work, what will the repercussions be?
- Measures do not go far enough to protect local residents from the dust and debris of the construction work.
- NRMM on-site is predicted to result in a ‘not significant’ impact on air quality.” yet, previously in Table 5-1 ‘Trackout’ it notes that it is unlikely that more than 50 HDV outward movements will be made in a day”. 50 trips are hardly a low trips and so will greatly increase impact environmentally. Additionally, how regularly will the emissions of these vehicles be tested?
- There will be a reduction in air quality around the site.

#### Noise and Light pollution

- The development will result in significant light and noise pollution.
- Light Pollution Lighting for the development will be a matter for more detailed considering at the RM stage.’ Again, this is not sufficient. The light pollution will be great and the lights of cars will shine into our property causing significant disruption. To say this will be detailed at a later stage is a complete cop out and completely insufficient in response.
- If trees are removed and a SANG/boardwalk built it will impact on quality of life; the security of our property will be compromised, causing increased light and noise pollution from Milford Golf Club, and increased noise and air pollution from Station Lane.

#### SANG

- This area of the site is boggy and the developer’s proposals for SANG are completely unsuitable
- ‘A small number of comments noted the impact the development would have on existing green space.’ The green space is still lost and will not be replaced and as such this response is insufficient in both word and action.
- The SANG provision is not policy compliant and wholly inadequate.
- SANG proposed will be on swamp and will be too dangerous to use as it’s dangerous to reach for pedestrians.
- Boardwalk will bring public to the border of neighbouring properties and is also elevated, negatively impacting privacy.
- The proposed SANG is inadequate.

### Access/ mobility

- The pavement along Station Lane is unsafe for people with mobility issues.
- No disabled access to railway station, which will receive many more commuters than at present.

### Trains / station car parking

- The trains have reached the maximum capacity of 12 carriages so there is no way to carry more passengers on existing services.
- More is required on providing sufficient trains at rush hour for this huge increase in residents. As well as station car parking.
- Station Road already struggles with severe over-spill parking from Milford Station car-park and this site of a further 200 dwellings is unthinkable for the local infrastructure
- Milford Station car park already over capacity since the recent Leithfield development.

### Other Comments

- No logical reasons or benefits to this planning proposal, other than the Golf Club making money from the sale of this land.
- Nothing to explain how this proposed development will add to the village rather than have a detrimental impact on it.
- The proposed Milford development will have profound and long-lasting negative consequences for not only the whole of Milford but the entire Godalming area, bearing in mind the Eashing development is for over 462 dwellings, with other proposed housing developments in the Guildford part of this site (approx. 200) and the Westbrook Mills development.
- Things can only get worse should the new homes be approved?
- May be money could be spent on improvements to this village rather than destruction?
- SCC should be seeking to acquire a strip of land from Crown Golf of sufficient width to enable the remaining narrow stretch of pavement to be widened. If Golf Club do not co-operate voluntarily then SCC should exercise compulsory purchase powers.
- Stretton Milford has not agreed to fund any local community projects being promoted by the Neighbourhood Plan.
- Increased urban sprawl and village footprint.
- Likely to attract fly tipping.
- Not enough affordable housing.

2 letters of comments have been received across both consultation periods which details concerns already noted within the objections section of this report.

3 letters of support have been received across both consultation periods which are detailed below;

- Proposal acceptable if local roads improved.
- Could provide more homes in the lower price bracket.

### Submissions in support

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

#### Principle of residential development on the site

The principle of development on the golf course has already been established through the Adopted Waverley Local Plan Part 1 2018. The site has been taken out of the Green Belt and is allocated as a strategic site for housing. The Policy indicates a site capacity of around 180 dwellings, this is not a maximum figure. The applicant has demonstrated the site can accommodate 200 dwellings – the ability for the Site to accommodate this quantum of development is clearly demonstrated by the indicative Masterplan and numerous supporting statements.

#### Witley Neighbourhood Plan

It is important to note that the Neighbourhood Plan is still at a very early stage of preparation. The area has simply been designated. A draft plan is expected in 2019. This planning application must be determined in accordance with the adopted Development Plan. At this time no weight can be given to the Neighbourhood Plan when determining this planning application.

#### Covenant

The existence of the Covenant is a matter of Civil Law and does not form a Material Planning Consideration when determining this planning application.

#### Character of the village

It must be reiterated that the principle of future development on the site has already been established through the Adopted Waverley Local Plan Part 1 2018. The site has been taken out of the Green Belt and is allocated as a strategic site for housing. The amended village boundary is confirmed within the plan.

#### Highways

The TA clearly demonstrates that all users can safely enter and leave the Site and has identified a number of measures to improve highway safety, these measures have been formulated further to discussions with Surrey County Council.

A number of highway measures have been put forward as part of the application to improve pedestrian safety. These include crossing points and a priority system at the bridge at the bottom of Station Lane. The highways measures proposed are not uncommon in this type of location. The measures will improve highway safety for all users. The final design of such measures will be agreed with the Local Planning Authority and Surrey County Council.

A development of this size and nature does not warrant two points of access. This matter has been discussed with Surrey County Council who are in agreement that a single point of access is appropriate.

A site meeting has also taken place with Surrey County Council (Highways). As a result, several further highway improvements are being developed and have been submitted to Waverley Council shortly.

#### Affordable Housing

The proposal includes 60 affordable homes with a variety of tenures (30% provision). The scheme is compliant with affordable housing Policy AHN1 and will be secured by way of a s.106 Agreement.

#### Impact on Social Infrastructure & Developer Contributions / Community Projects

WBC will assess the cumulative impact from other developments and this proposal on local services and the necessary planning obligations will be required accordingly. The applicant will work with WBC and Surrey County Council to ensure these can be agreed.

#### Flooding

The site is largely located within Flood Zone 1. A comprehensive flood risk and drainage assessment has been submitted as part of the application. Further work is being undertaken to address the comments provided by Thames Water.

We are aware of periods of flooding at the bottom of Station Lane at the bridge. We understand the culverts underneath the road are often blocked with debris, causing water to back up. The applicant will clear and (if necessary) repair the culvert as part of the highway works to the bridge.

#### Drainage and Sewerage

Whilst this is an outline planning application and detailed matters of sewerage are often dealt with at the RM stage, a Sewage Capacity Statement has been prepared. Thames Water has confirmed there is sufficient capacity within their network. It is also worth noting the Site is allocated for residential development in the recently adopted Development Plan. Relevant utility companies were consulted throughout the preparation of the Development Plan and no objections were raised concerning the development of this Site for housing.

#### Ground Conditions

The Planning application is supported by a Desk Study and Phase 2 (Intrusive Site Investigation) report. The Site is suitable for a residential use and furthermore it is not anticipated there would be a need for any significant remediation works given the greenfield nature of the Site.

## Ecology and SANG

The proposal is supported by an Ecological Appraisal and detailed Protected Species Surveys. These demonstrate that development is acceptable in ecological terms. The development can also provide an opportunity to enhance the biodiversity of the site.

Turning to SANG, The applicant has liaised with Natural England throughout the evolution of the proposed development. The proposed SANG does meet requirements and Natural England concur with this view. The proposed development seeks to retain most trees with only very selective felling where species are in poor condition or to facilitate the provision of SANGS.

## Green Space

Given the golf course location, development will inevitably mean this green space is lost, however, the principle of this has already been established in the WBC Adopted Local Plan Part 1 Allocation. In addition, the proposal provides new public open space within the development and open space provided at the entrance and along Station Lane. It should also be noted the main Golf Course Site on the opposite side of Station Lane to the application Site will accommodate the facilities lost from the application Site.

## Air Quality

The Air Quality Assessment has now been completed. The results of the assessment illustrate that air quality is not a constraint of the development, the overall effect during the operational phase is 'not significant'

## Light Pollution

Lighting for the development will be a matter for more detailed considering at the RM stage.

## Residential Amenity

It should be noted that there is no breach in interface distances between the proposed dwellings and existing properties. The Board walks are generally located within wooded areas and furthermore are not located close to any properties. There is no loss of privacy or amenity to any occupants of nearby dwellings to the application Site.

## Determining Issues

- Principle of Development
- Prematurity
- Planning History
- Environmental Impact Assessment
- Location of development

- Housing land supply
- Housing mix
- Affordable housing
- Highway considerations
- Impact on trees
- Impact on visual amenity
- Impact on residential amenity
- Provision of Amenity and Play Space
- Flood risk and drainage considerations
- Noise Impacts
- Air Quality Impacts
- Archaeological considerations
- Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
- Infrastructure
- Health and Wellbeing
- Financial considerations
- Climate Change and Sustainability
- Biodiversity and compliance with Habitat Regulations 2010
- Water Frameworks Regulations 2011
- Cumulative Impacts
- Representations
- Development Management Procedure (Amendment) Order 2015 Working in a Positive/Proactive Manner
- Conclusion and Planning Judgement

### Planning Considerations

The planning application seeks outline permission for the erection of up to 200 dwellings along with the formation of a SANG 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 residential development and associated access.

The reserved matters, which do not form part of the current planning application, therefore comprise: -

- 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 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 current application does, however, provide indicative details in respect of layout scale and landscaping.

### Lawful Development of the Site / Withdrawn Legal Challenge

The entire site as defined by the redline site boundary was granted full permission on the 25/02/1992 for the change of use, under application WA/1990/0828, to land to provide a Golf Course. As such, the lawful use of the land is considered to be for a Golf Course.

In March 2018 the Claimants sought permission to judicially review the Council's decision to adopt the Local Plan Part 1 on six grounds relating to Milford Golf Course and a restrictive covenant which burdens it. On 19 June 2018 John Howell QC (sitting as Deputy High Court Judge) ordered that permission be refused as none of the grounds amounted to an arguable case.

The Claimants proceeded to submit an application to renew their application for permission at an oral hearing but proceeded to withdraw it after having received legal advice. The Claimants were unsuccessful in their challenge and the Local Plan, including Policy SS6, therefore remains sound and up to date.

Given the position, the unsuccessful challenge should have no bearing on the consideration of this application.

### Principle and location 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.

Paragraph 91 of the NPPF seeks to ensure that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

The Local Plan Part 1: Strategic Policies and Sites is one of the documents that will form the new Local Plan for the Borough. It sets out the strategic policies relating to the development and use of land in Waverley and development proposals for the strategic sites identified within it. The Local Plan Part 1 will guide and direct new development in the Borough for the period up to 2032.

The development has been adopted as a strategic housing allocation within the Local Plan Part 1 (2018) Policy SS6 of the Local Plan Part 1 (2018) is as follows:



Land opposite Milford Golf Course, as identified on the Adopted Policies Map and on the plan below, is allocated for around 180 homes subject to the following:

- a) Built development should be focused on the part of the site at low risk of flooding (Flood Zone 1). The development area must exclude the flood plain of the River Ock which forms the western boundary to the site. A Flood-Risk / Run-off Assessment will be required given that part of the site lies within an area of identified high and medium flood risk.
- b) Satisfactory detailed access arrangements to the development should be achieved, for example from Station Lane.
- c) Sustainable transport measures, which may include on site footways and cycleways linking to the recreation space and Station Lane in the East and Church Road or Busdens Way to the West.
- d) The provision of a landscaped corridor along Station Lane and the provision of an appropriate landscaped buffer including trees and hedgerows on the southern boundary of the site.



The settlement boundary of Milford will be formally updated through Local Plan Part 2. However, pending this, the site in question has been removed from the Green Belt and allocated as a Strategic housing site. Therefore, the principle of development, which accords with Local Plan Part 1 Policy SS6 is considered to be acceptable.

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

Paragraph 103 of the NPPF states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The opportunities available to maximise sustainable transport solutions will vary between urban and rural areas, which should take into account in both plan-making and decision-taking.

Local Plan (Part 1) aims, amongst other matters, to make provisions for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment.

Policy SP2 sets out the general approach to spatial strategy for the Borough and seeks to focus development at the four main settlements; however it recognises that development within smaller settlements and villages will also be required. The policy sets out that the approach to development within villages is to be derived from a combination of factors, namely; the Waverley Settlement Hierarchy, the landscape and other constraints that apply, and the potential availability of sites.

The Spatial Strategy provides the overall framework for the quantity of development that should be planned for, and where this development is directed, linked to the roles of the towns and villages in Waverley.

A considerable amount of evidence was gathered in preparing the Local Plan and much of this was relevant to the development of the overall Spatial Strategy. Key supporting evidence pertinent to the allocation of strategic housing sites includes the Green Belt Review, the Settlement Hierarchy, the assessments of housing and the Land Availability Assessment.

Policy SP1 stipulates that where planning applications that accord with the Policies in the Local Plan Part 1 (2018) will be approved without delay unless material considerations indicate otherwise.

Policy SP2 details the Spatial Strategy to ensure development needs are met in a sustainable manner which maintains Waverley's character up until 2032 and allows for moderate levels of development within Witley.

Policy ALH1 details the amount and location of 11,210 net additional dwelling in the period from 2013 to 2032 to meet the full, objectively assessed needs for market and affordable housing. Witley (including Milford) has, as part of the overall strategy, been allocated 480 new homes to accommodate. The application site forms a strategic housing allocation set out and adopted as part of the Local Plan Part 1 with the intention of delivering around 180 new homes towards the housing allocation number for Witley and the Boroughs housing land supply.

Local Plan (Part 1) 2018 allowed the removal of Milford from the Green Belt and identified the village as being capable of a greater amount of expansion due to its access to infrastructure.

The application site has also been removed from the Green Belt through Policy RE2 of the Local Plan Part 1 (2018). The issue of the removal of the site from the Green Belt was addressed by the Inspector who examined the Local Plan Part 1 in his

report (February 2018). In relation to the Plan's Spatial Strategy and the potential implication for the Green Belt, he found that the Green Belt review and subsequent Topic Paper (2016) were comprehensive and carried a significant amount of weight for considering land to be released from the Green Belt. The Inspector goes on to state that:

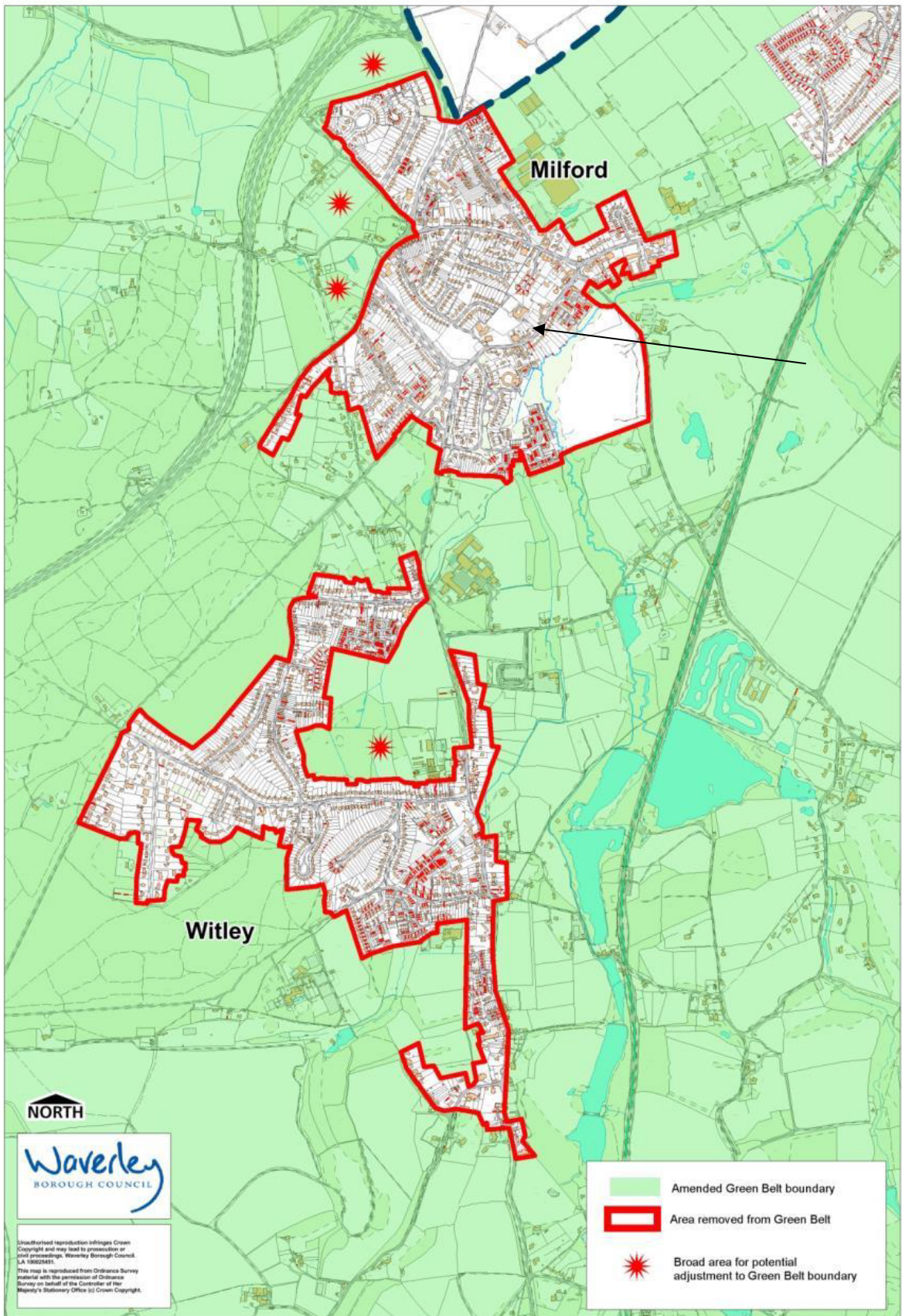
"...larger villages of Chiddingfold, Elstead, Milford and Witley are washed over by the Green Belt. Paragraph 86 of the NPPF indicates that villages should be included in the Green Belt if they have an open character that makes an important contribution to openness of the Green Belt and it is necessary to prevent development in them. However, the four villages do not have these characteristics; they are relatively large and, being washed over by the Green Belt, they are prevented from accommodating modest development which would not compromise the openness of the Green Belt. The plan therefore proposes the release of these villages from the Green Belt, together with some areas of additional land, including land opposite Milford Golf Course and some other modest areas adjacent to the villages, the precise boundaries of which would be defined by Local Plan Part 2." (Paragraph 74)

The Inspector goes on to state, in regard to the land opposite Milford Golf Course:

"It is also proposed to release land from the Green Belt for strategic housing site SS6, land opposite Milford Golf Course, which is allocated for around 180 dwellings. Although partially serving Milford, this site is also well related to Godalming. It is relatively flat and well-enclosed and development would have very little effect on the wider landscape or on the openness of the Green Belt other than the site itself. The Green Belt Review pointed towards the potential for release of this land and the setting of a long-term village development boundary in conjunction with the removal of the whole village from the Green Belt." (Paragraph 120)

"Having regard to the characteristics of the site opposite Milford Golf Course, the pressing need to provide for additional housing, the ability of the site to help towards meeting the housing needs of both Godalming and Milford, the sustainable location of the site, the fact that it is well enclosed and would enable a strong new Green Belt boundary to be established, and the limited impact that the site's release would have on the important characteristics of Green Belt function, it is evident that this is a very well-chosen site and its release from the Green Belt is justified by exceptional circumstances." (Paragraph 125)

The amended Green Belt boundary in respect of the application site, as set out within Policy RE2 of the Local Plan 2018 (Part 1), can be seen in the plan below:



The application is supported by a Design and Access Statement which sets out the surrounding amenities and infrastructure. The main village centre of Milford is located to the northern boundary of the site and provides shops, healthcare facilities, sports/leisure facilities, community facilities and educational facilities. To the south of the site, by approximately 600 metres, is Milford Railway Station which provides links to Godalming, Guildford, London and Portsmouth. The Railway Station is approximately 0.37 miles from the site which equates to a 4 minute cycle and a 12 minute walk. The site is well served by bus links with bus stops within close walking distances to the site. The site is well connected by an existing road network with cycling links and further opportunities for cycling and walking links to be integrated with the site and wider area.

Having regard to the provisions of Local Plan Part 1 that the site is in a sustainable location for the provision of residential development.

The location of the development is adjacent to the settlement of Witley which is identified as a large village with good infrastructure. As such, the location of the proposed development is considered to be sustainable in line with Policy SP1 of the Local Plan (Part 1) 2018 and the NPPF.

#### Green Belt considerations

There is a portion of the site which remains within the Green Belt, Policy RE2 of the Local Plan Part 1 (2018) states that the Green Belt will continue to be protected from inappropriate development and such development will not be permitted unless very special circumstances can be demonstrated.

Certain forms of development are considered to be appropriate, and will be permitted provided they do not conflict with the expectations listed in paragraphs 145 and 146 of the NPPF.

Local Planning Authorities are required to give substantial weight to any harm which might be caused to the Green Belt by inappropriate development.

No residential development would take place on the eastern part of the site which is still within the Green Belt but it would form part of the SANG associated with the development site. The area would feature footpaths and broad walks which would connect to a larger part of the SANG on the opposite eastern side of Station Road. There would be relatively minor engineering works required to implement the SANG.

Paragraph 145 of the NPPF gives as one of the exceptions, 'the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds or

allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purpose of including land within it.'

It is considered that the provision of the SANG the associated footpaths/broad walks would provide for appropriate outdoor recreation purposes which would not result in any material harm to the openness of the Green Belt. Having regard to this, it is considered that the proposal would accord with Policy RE2 of the Local Plan Part 1 (2018) and paragraph 145 of the NPPF 2018.

### Prematurity

Paragraphs 49 and 50 sets only limited circumstances whereby an application can be refused based on its prematurity. Refusal of an application on the grounds of prematurity will be seldom justified where a draft plan is yet to be submitted for examination. If an application is to be refused on the grounds of prematurity the onus is on the Local Planning Authority to indicate how granting planning permission will prejudice the outcome of the plan-making process.

The Local Plan Part 2 is still within the early stages of being made. The Preferred Options Consultation (Regulation 18) has been undertaken and the plan is currently being developed into a pre-submission plan (regulation 19).

The Witley Neighbourhood Plan is still in the early stages of preparation. However, this Plan would not be prejudiced if this application were to be granted as it has been allocated a strategic site within the Local Plan Part 1.

As the application site is identified as a strategic housing development site within the Local Plan Part 1 it is therefore adopted forming part of the current development plan.

As such, there would be no reason to refuse the application on the basis of prematurity in this particular case due to the current stage of both the Witley Neighbourhood Plan or the Local Plan Part 2 and limited weight that can be attached to these, and the state of the application site as an allocated strategic housing development site within Local Plan Part 1.

### Housing Land Supply

The Council published its 5 year housing land supply statement in September, with a base date of 1st April 2018. This document confirms that, with an additional buffer of 5%, the Council has 5.8 years' worth of housing supply. Therefore the Council can demonstrate the requirement of paragraph 73 of the NPPF.

The five year housing land supply statement includes a contribution of 175 homes on the site on the grounds that it is a strategic site allocated in the adopted Local Plan Part 1. It is noted that in the recent appeal decision for Land west of Folly Hill, Farnham (APP/R3650/W/17/3171409) dated 12 December 2018, the Inspector said that the existence of the restrictive covenant could impede delivery. Notwithstanding, the site's importance to the 5 year housing land supply position remains very important.

Within the recent appeal decision for Land west of Folly Hill, Farnham, the Inspector states that the appropriate additional buffer used to calculate the Council's housing land supply position will be put beyond doubt as and when the Government's Housing Delivery Test (HDT) results are published. A more recent appeal decision on 10th January 2019 on Longdene House, Hedgehog Lane, Haslemere (APP/R3650/W/16/3164974) the Inspector said that he did not consider it would be appropriate in advance of the publication of the HDT assessment to require a 20% buffer. At the time of writing this report, the HDT results are still awaited and therefore it is still appropriate to use a 5% buffer.

Both the Folly Hill appeal and the Longdene House appeal Inspectors felt that the evidence before the inquiries did not point to five years' worth of housing supply. These decisions are material considerations. However, the Council maintains its view that it has five years' worth of housing land supply.

Notwithstanding these conditions, the application site is located upon land which, having been released from the Green Belt and allocated as a strategic site, is acceptable in principle for residential development. Therefore the presumption in favour of sustainable development applies to its assessment. The material point is that that granting permission for this application will significantly support the Council's 5 year supply position.

### Housing Mix

The NPPF states that a local housing needs assessment should be made to determine the amount, type, size and tenure of housing needed and reflected in policy.

Policy AHN3 of the Local Plan 2018 (Part 1) sets out that proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

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



provides the following information with regards to the indicative requirements for different dwelling sizes.

Unit Type	1 bed	2 bed	3 bed	4+ bed
Market	10%	30%	40%	20%
Affordable	40%	30%	25%	5%

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

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

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

Source: Housing Market Model

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

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

Source: Housing Market Model

The proposal provides the following mix;

		1 bed	2 bed	3 bed	4+ bed
Market	SHMA	10%	30%	40%	20%
	Site	9% (13 units)	29% (40 units)	39% (55 units)	23% (32 units)
Affordable	SHMA	40%	30%	25%	5%
	Site	40% (24 units)	30% (18 units)	23% (14 units)	7% (4 units)
Total		37	58	69	24

The housing mix put forward for both market and affordable is considered to be broadly in line with the SHMA requirements for the Surrey Housing Market Area and the identified Borough need.

The proposal would therefore comply with Policy AHN3 of the Local Plan and the proposed market housing mix would comply with the latest indicative requirements for different dwelling sizes as evidenced in the Draft West Surrey SHMA (2015).

### Affordable Housing

Policy AHN1 of the Local Plan Part 1 (2018) states that the Council will require a minimum provision of 30% affordable housing on all housing development sites which meet the required criteria.

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

The West Surrey SHMA 2015 indicates a high need for affordable housing in Waverley, with an additional 314 additional affordable homes required per annum.

As at 26.11.18, there were 1,118 households registered on the Council's Housing Register, unable to access housing to meet their needs in the market, as shown in the table below alongside the SHMA recommended mix. The mix of bed sizes proposed for the affordable homes closely meets the identified need.

	1bed	2bed	3bed	4bed	TOTAL
No of applicants on WBC's Housing Register	698	286	134	NA	1118
Recommended affordable housing mix from 2015 West Surrey SHMA	40%	30%	25%	5%	100%
Affordable units proposed	24 (40%)	18 (30%)	14 (23%)	4 (7%)	60 (100%)
Affordable Rent	24	8	9	0	42 (70%)
Shared Ownership	0	9	5	4	18 (30%)

The 2015 SHMA recommends that new affordable homes be provided in a mix of 70% rent and 30% shared ownership. The proposed development would provide the recommended tenure split.

The 30% requirement would be equivalent to a provision of 60 affordable units. Therefore the proposed development would be in accordance with Policy AHN1 of the Local Plan Part 1 (2018).

As previously assessed, the housing mix would be in line with the identified need as set out within the SHMA 2015.

As this is an outline application, the proposed layout is indicative at this time.

The Council's aspiration is for inclusive development and for affordable housing to be appropriately distributed throughout the site and tenure neutral. Affordable homes in Waverley should meet the Nationally Described Space Standard. Whilst the amount and tenure of the affordable units are to be determined at outline stage, the layout, size and design of affordable units are to be determined at reserved matters stage.

The Council's Housing Enabling Team is satisfied that the development would provide a sufficient mix of unit sizes and types. The proposal is therefore considered to be in accordance with Policy AHN1 of the Local Plan Part 1 (2018).

#### Highways considerations

Policy ST1 of the Local Plan 2018 (Part 1) states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

Part b) of Policy SS6 of the Local Plan Part 1 (2018) requires that satisfactory detailed access arrangements to the development are to be achieved to facilitate the development. Part c) of Policy SS6 requires that sustainable transport measures which may include on-site footways and cycleways linking to the recreation space and Station Lane in the east and Church Road or Busdens Way to the west.

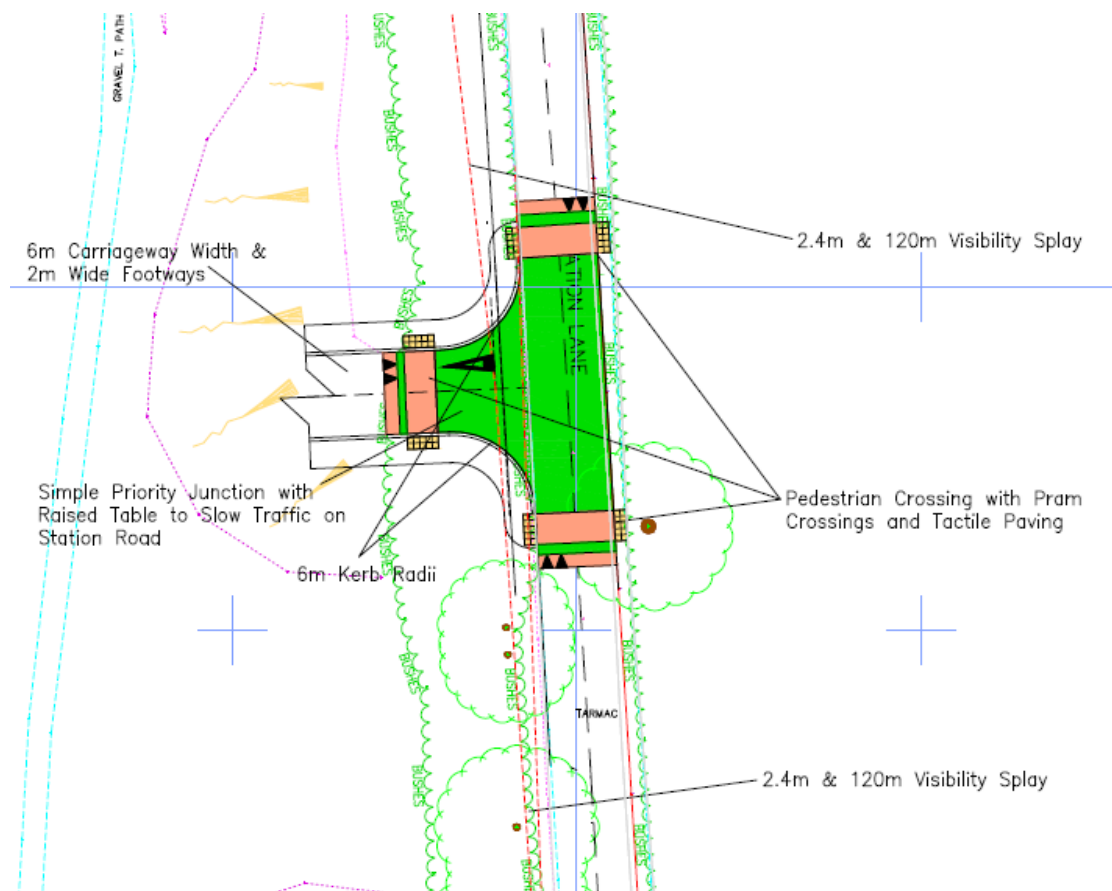
The application is supported by a Transport Assessment, prepared by SK Transport Planning dated October 2018 and updated by an addendum to this report dated January 2019.

The applicant has closely worked with the SCC Highway Authority which identified that the development of the site would need to deliver capacity improvements at the Station Lane/Church Road junction and A3100/A286. The negotiations also agreed a comprehensive pedestrian enhancement scheme across the local area and other off-site mitigation measures.

### Site Access

Access to the site from Station Lane is currently provided in the north-eastern corner of the site to provide pedestrian and vehicular access to allow access to the western section of the golf course. This access is used by golfers and ground maintenance workers to access the course; however this access would be removed as part of the development of the site.

A new vehicular access to the site would be provided off Station Lane approximately 150 metres south of existing informal access. The access would comprise a priority junction with 2.4m x 120m visibility splays to the east and west as set out in the plan below:



The assessment results, as detailed within the submitted Transport Assessment, demonstrate that the proposed priority junction would operate well within capacity

thresholds in both the 2019 & 2024 base and development AM and PM peak assessment scenarios. Motorists using this junction would be subject to minimal queuing and delay in both the 2019 and 2024 AM and PM peak periods as per the findings of the assessments and forecasting undertaken in support of this application.

The site is shown to be well located in relation to the existing pedestrian and cyclist network. The indicative development layout demonstrates that the site would easily allow residents to connect to existing pedestrian infrastructure, allowing access to local facilities, bus routes and the nearby rail station. The development proposals also include measures to enhance the pedestrian environment along Station Lane, through a wider footway, crossing points and traffic calming measures, as a way of enhancing sustainable access to the rail station and to the village.

The applicant investigated the potential to link the site through to Busdens Way to west. Their findings concluded that adopted highway does not extend to the parking courtyards or pedestrian paths in the eastern section of the Busdens Way. With the applicant's land ownership extending only to the eastern bank of the stream, there is a gap between the stream and adopted highway that effectively restricts the access across third party land. The applicant has undertaken a number of Land Registry searches to confirm land ownership on the western side of the stream. All searches have confirmed that the garages and land surround them are in multiple ownerships, and therefore no direct, continuous pedestrian link is available to implement, to link the site to the adopted highway. The Highway Authority has recommended a condition to secure provision of a pedestrian/cycle link up to the south western boundary of the site, which would help to facilitate a connection to Busdens Way should this opportunity come forward in the future.

However, the improvements to the Station Lane pedestrian route, as well as agreement to an appropriate financial contribution to complete the Rake Lane "virtual footway", the development would deliver a continuous pedestrian route between the site and the nearby Rodborough School.

Taking into account the expert view of the County Highway Authority, Officers consider that the development has the ability to demonstrate suitable sustainable transport measures for prospective residents and the proposed off-site mitigation measures would contribute towards providing an appropriate access strategy to be delivered in regard to the site and surrounding area.

#### Traffic generation

The Transport Assessment sets out that a comprehensive suite of traffic surveys have been undertaken in order to obtain an understanding of the existing highway

conditions on the local highway network. This includes parking surveys to establish parking demands and a review of accident data.

The Transport Assessment confirms that a high proportion of local residents already use non-car modes to travel to work in the Godalming, Guildford, Woking and London areas. A significant proportion of existing residents also use rail travel.

In the view of the County Highway Authority, the traffic assessment undertaken sufficiently tests the cumulative traffic situation that would likely occur with the inclusion of other developments and other future growth in housing within the locality. It is shown that the network would continue to operate within limits of capacity and that the residual cumulative impact would not be severe.

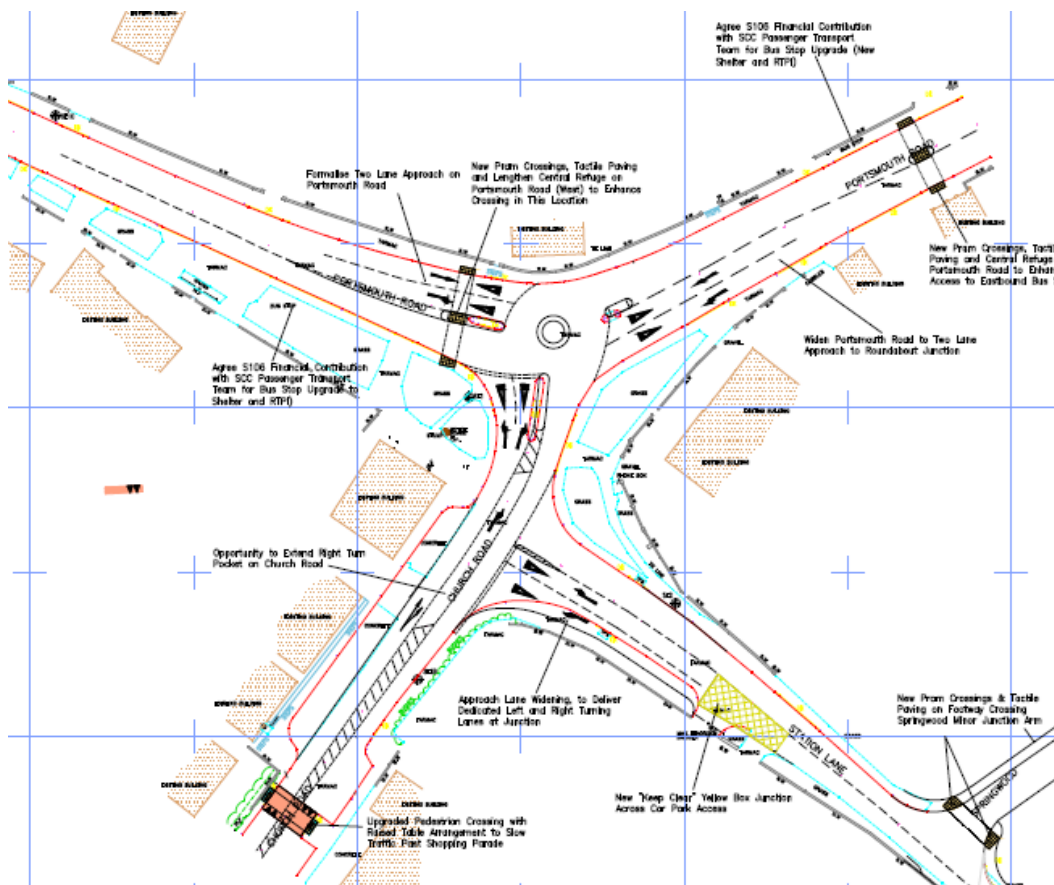
Any increase in queuing and delay arising from the development is demonstrated to fall below what might constitute a 'severe' impact having regard to paragraph 109 of the NPPF. It is concluded that the proposal would not result in any material impact on the safety or operation of the local highway network during peak hour periods. Notwithstanding this, as part of the proposal, a package of highway improvements is proposed which aim to minimise traffic impact and enhance road safety.

#### Highways improvement package

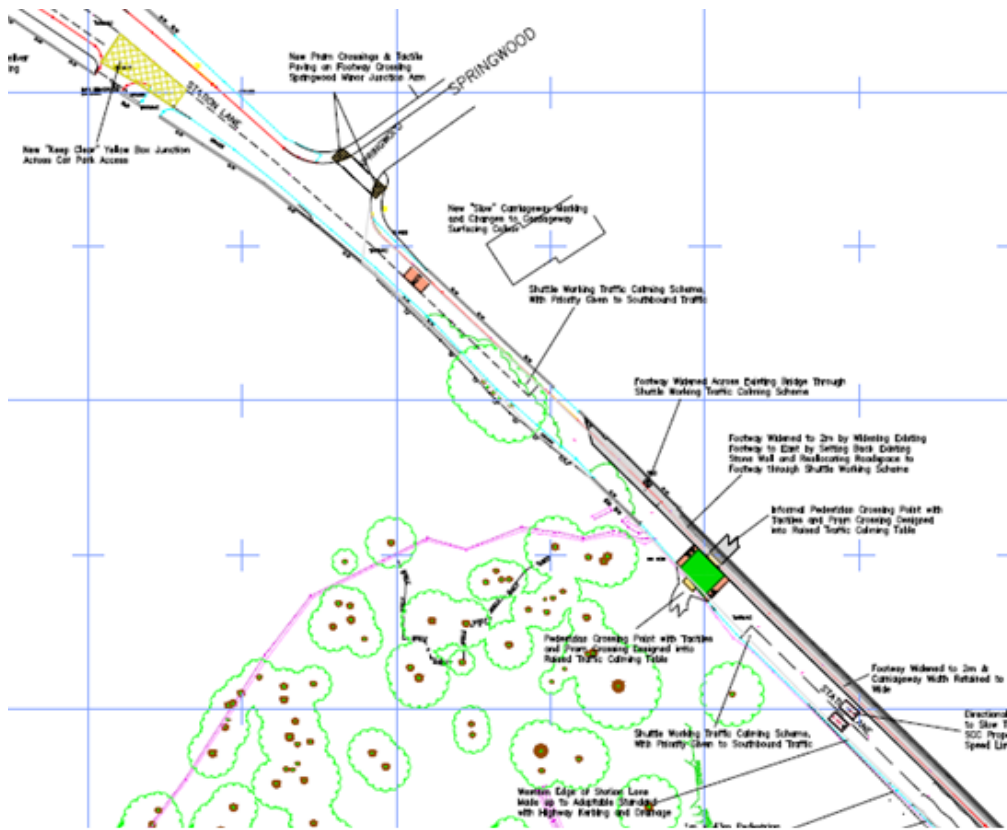
The following highway improvements are proposed as part of the current application:

- Cycle route improvements contribution towards works on the south side of Portsmouth Road;
- Improved informal crossings facilities at the Portsmouth Road mini roundabout junction, to improve access to the nearby bus stops adjacent to this junction;
- Portsmouth Road bus stop infrastructure improvements contribution;
- Enhancements to the eastern and western carriageway lane widths at the Portsmouth Road roundabout junction, to allow approaching traffic to form up in dedicated left and right hand turning lanes – these measures will enhance traffic flow through this junction;
- Delivery of an enhanced uncontrolled crossing facility immediately to the west of the parade of shops on Church Road;
- On the Station Lane approach to the Church Road junction the carriageway is to be widened to provide extended left and right hand turning lanes, as well as relocated pram crossings, tactile paving and yellow box to prohibit traffic blocking the village car park;
- A new shuttle working traffic arrangement is to be implemented over the Station Lane Bridge, allowing the existing footway on the eastern side of the carriageway to be widened to 1.5m;

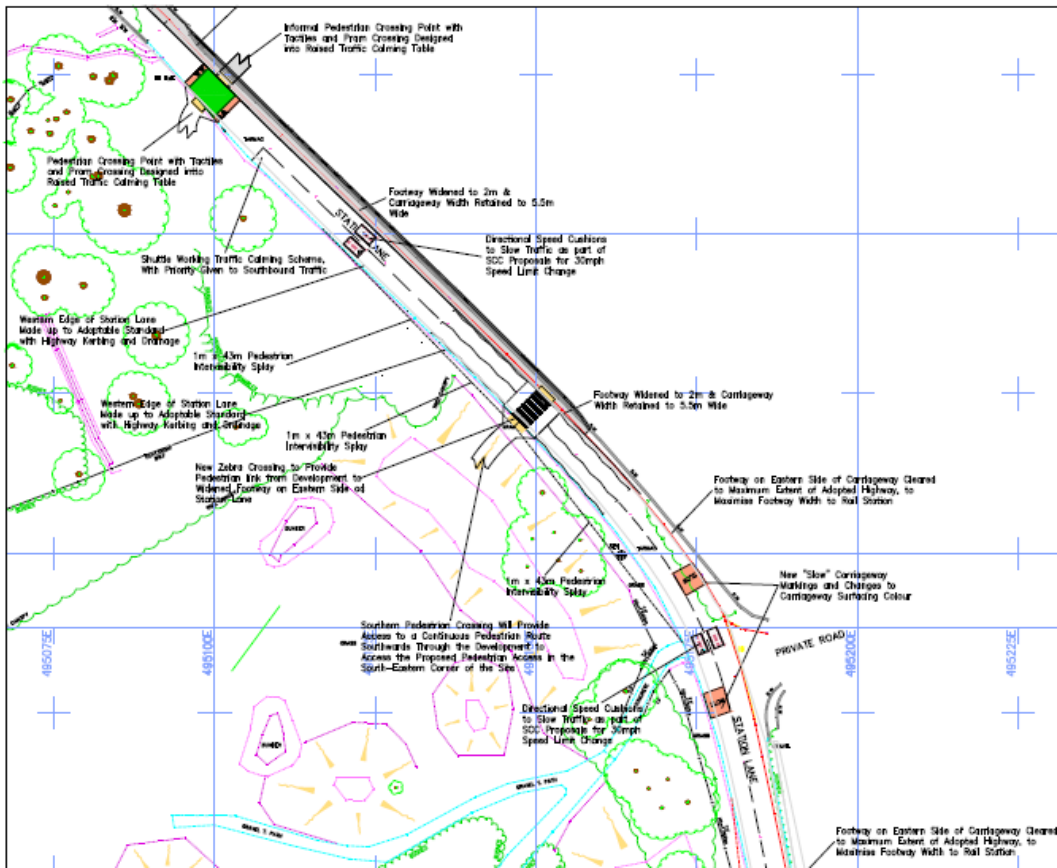
- Widening of the footway to 2.0m on the eastern side of Station Lane between the road bridge and the golf club access;
- Two new pedestrian crossings on Station Lane between the road bridge and the existing golf club access, connecting to new pedestrian/cycling route on the eastern boundary of the site, parallel with Station Lane;
- New crossing with pedestrian refuge on Station Lane adjacent to the south-eastern corner of the site, providing a connection between the site and the existing footway on the eastern side of Station Lane;
- Zebra crossing on Station Lane adjacent to Rake Lane;
- Rake Lane safety improvements contribution comprising extension of virtual footway, raised table at the Rake Lane junction with Station Lane and lighting improvements on Rake Lane.
- Traffic calming measures, in the form of speed cushions, at regular intervals on Station Lane to reduce vehicle speeds and to enable a reduction of the speed limit from 40mph to 30mph.



Improvements to Station Lane and Church Road areas.

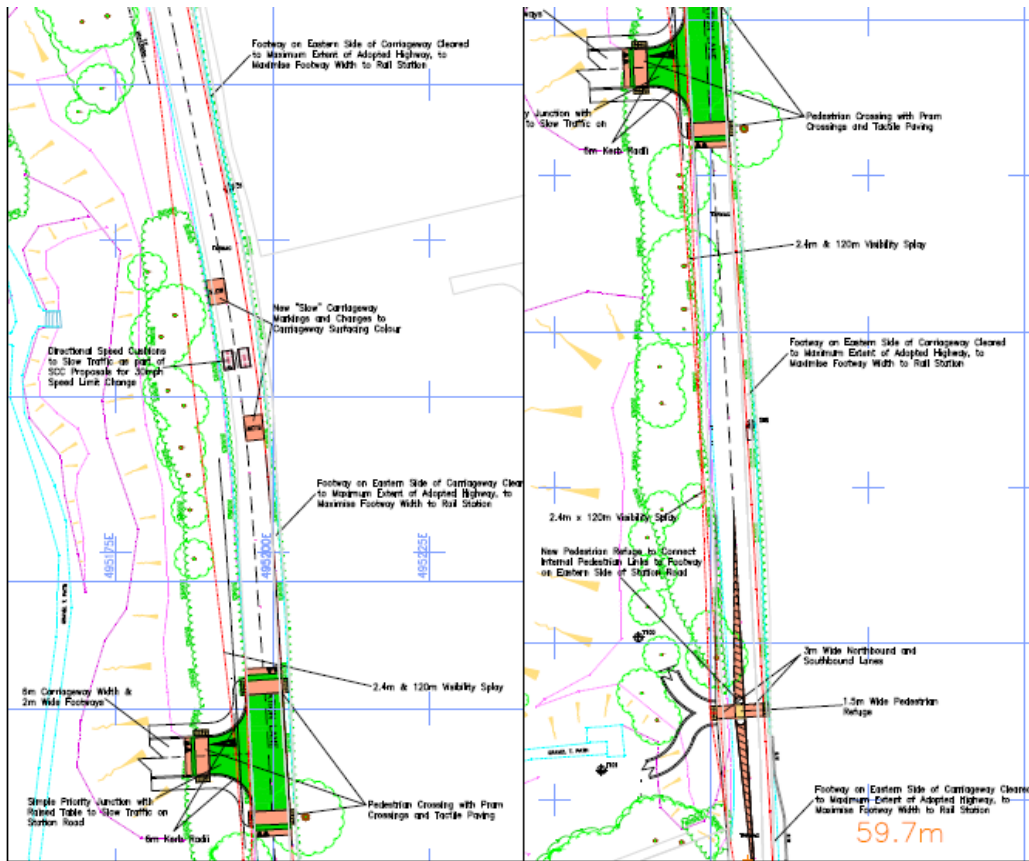


New shuttle across bridge and foot path widening on Station Lane.

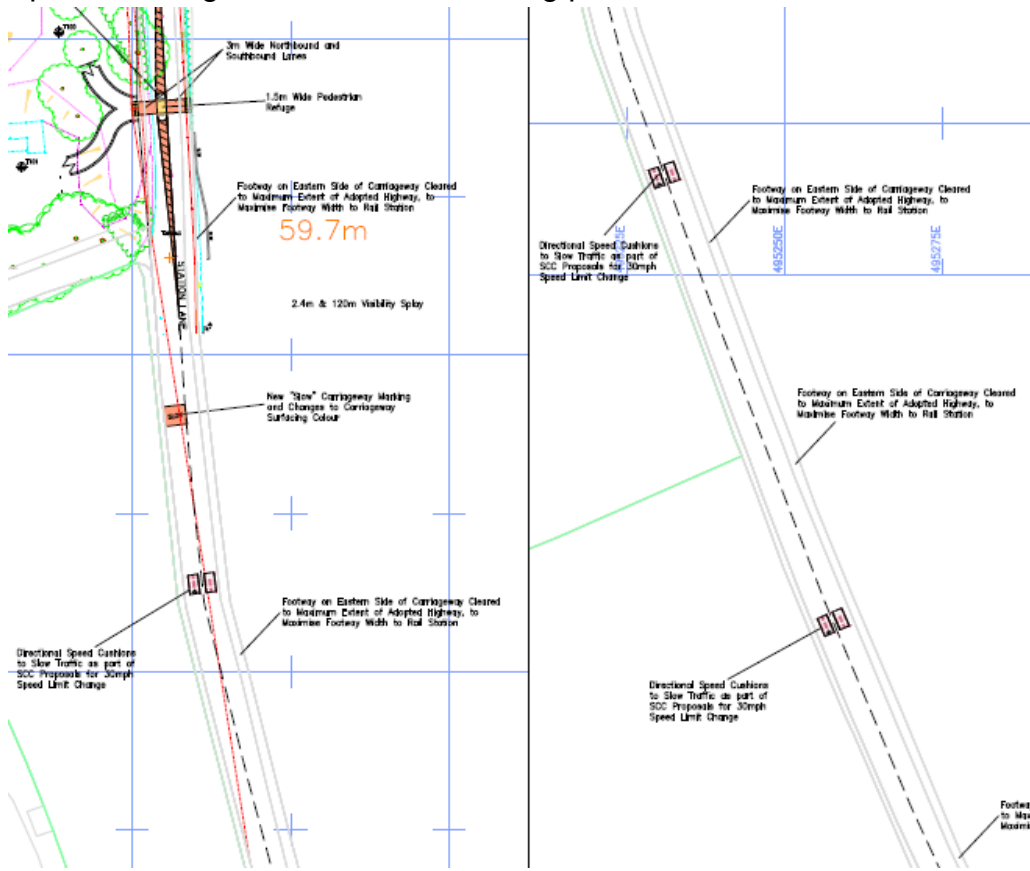


New crossing points on Station Lane and speed calming measures.

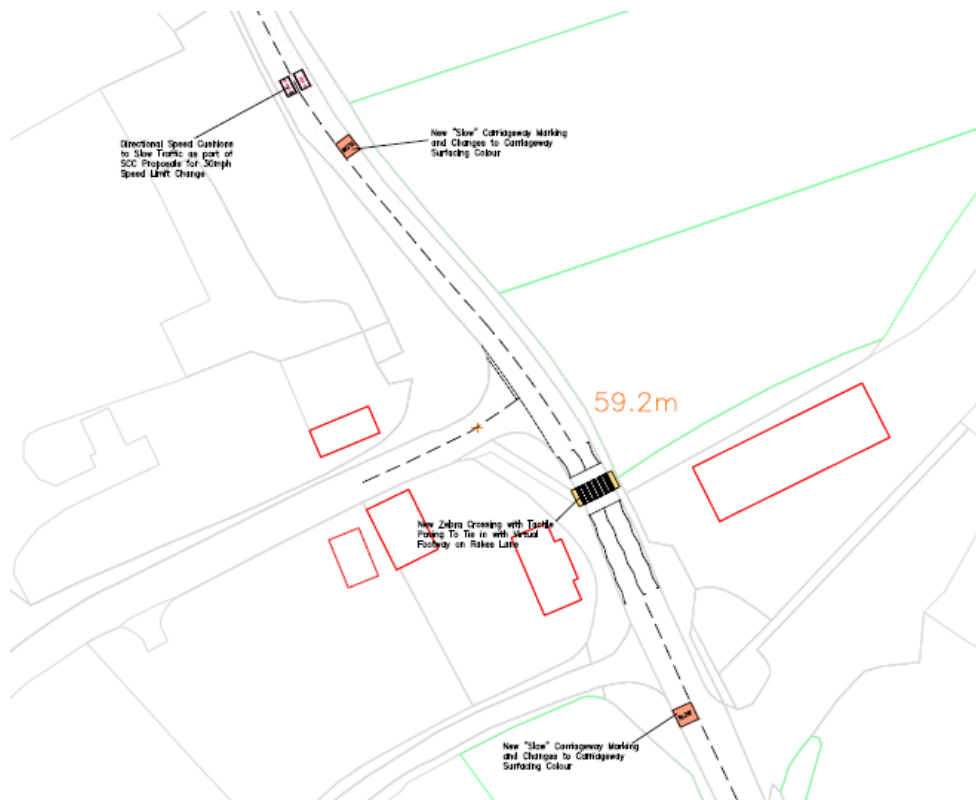




Speed calming measures and crossing point on Station Lane.



Traffic calming measures along Station Lane.



Zebra Crossing

on Station Lane located south of its junction with Rake Lane

Overall, the Transport Assessment concludes that in conjunction with the off-site mitigation strategy by way of infrastructure contributions the development would not result in material harm to the highway network. In transport terms the site is considered to be in a sustainable location.

The County Highway Authority has reviewed the proposal and submitted documents and has raised no objection, subject to securing financial contributions, S278 works, conditions and informatives on any grant of permission.

The County Highway Authority is satisfied that the proposed access and movement strategy would enable safe and suitable access to the site for all users. Further, the submitted traffic impact assessment undertaken by the Applicant is considered to provide a robust and realistic assessment of the likely impact of the development on the local highway network. In line with good practice, it is noted that the submitted Transport Assessment considers the 'worst case' morning and evening peak hours. This is considered to be fit-for-purpose in terms of assessing the likely impact.

The package of mitigation measures to address the impact of the traffic generated by the proposed development would, in the opinion of Officers, improve accessibility to the site by non-car modes of travel and contribute to wider infrastructure requirements in Milford. This would satisfactorily address the cumulative impact of the proposal and other developments in the locality.

## Parking

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. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

The Council's Parking Guidelines set out the following requirement:

1 bed unit	1 parking space
2 bed unit	2 parking spaces
3+ bed unit	2.5 parking spaces

This is an outline planning application with all matters reserved, except access. Comprehensive details of the parking proposals will be submitted with a Reserved Matters application at the appropriate time. However, the applicant has provided the following indicative plan and table to show parking distribution across the site.



Milford Parking Review		08/02/2019	
SKTP Zone		Allocated	Visitor
	1	52	0
	2	54	3
	3	48	2
	4	28	6
	5	62	7
	6	40	3
	7	46	4
	8	52	8
	9	47	3
<b>Total</b>		<b>427</b>	<b>38</b>
<b>Average Spaces/Plot</b>		<b>2.14</b>	

The same parking provisions are to be made available for affordable and market housing of the same size. The majority of Housing Register applicants are car users. Parking should meet the Council's Residential Parking Guidelines. The indicative parking layout provides adequate parking in regard to the parking standards for affordable housing units; however this will be secured at reserved matters stage.

Officers are satisfied that, at the Reserved Matters stage, adequate parking spaces could be provided on the site to satisfy the Council's parking guidance.

#### Electric vehicle charging

Surrey County Council's Vehicular and Cycle Parking Guidance (January 2018) sets out the three speeds currently available for electric vehicle charging – trickle (3kw), fast (7kw) and rapid (40kw+). New styles of charging units, for example wall mounted units, are set out to have increased the ease with which they can be integrated into new housing development. The Guidance sets out the following requirements:

Dwellings	1 fast charge socket per house – 7kw
Flats/Apartments	20% of available spaces to be fitted with a fast charge socket – 7kw

Notwithstanding the views expressed by the County Highway Authority, it is the Council's aspiration for development proposals to include fast charge points for all dwellings, including flats and apartments.

Having carefully considered the submission and views of statutory consultees, Officers consider that the provision of electric vehicle charging points is to be provided for each individual dwelling. It is considered reasonable to impose a condition on any grant of planning permission to secure the implementation of the charging points prior to the first occupation of the development.

### Flooding and drainage

Policy CC4 of the Local Plan (Part 1) 2018 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed. In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate flood risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

Paragraph 155 of the NPPF 2018 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, make it safe without increasing flood risk elsewhere.

The NPPF requires that climate change is considered as part of the spatial planning process, and as such is pertinent to the consideration of this application.

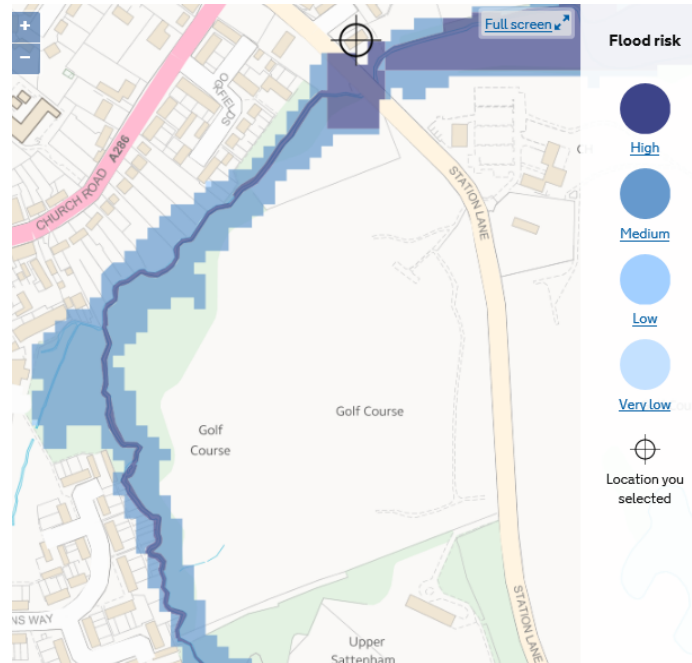
The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example, where there are concerns about flooding. When considering major development, SuDS should be provided unless demonstrated to be inappropriate. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The following reports have been submitted in support of this application and subsequently reviewed by the Environment Agency and Officers;

- Stretton Milford Limited, Milford Golf Club, Flood Risk Assessment, dated May 2018 2nd Issue. (A/SPMILFORD.1.0)
- Design and Access Statement DAS, dated 11.10.2018

- Ecological Assessment carried out by Tyler Grange, 11 October 2018 (11474\_R05\_MB\_LP)

The site is considered to be a major development and falls within Flood Zones 1, 2 and 3. The site is divided between the three flood zones as shown on the map below.



The area shown as Flood Zones 2 (medium) and 3 (high) relate to the land surrounding the River Ock, which flows to the west and north of the site, is identified as at risk from fluvial source flooding. The flood zones follow the watercourse around the western and northern boundaries of the site. The strategic housing allocation SS6 stipulates that residential development is to be located within the areas of lowest threat of flooding.

The application relates to a major development and the site area exceeds 1 hectare. As such, a site specific Flood Risk Assessment (FRA) is required and has been submitted with the application.

As that application site is located partially within Flood Zone 3 it is required by the NPPF to pass the sequential test in order for planning permission to be granted. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding and to demonstrate that there are no suitable alternative development sites located in the lower risk flood zones.

It is considered that the Local Plan site allocation process suitably sequentially tested the site in the wider context and at a specific site level. Part a) of Policy SS6 of the Local Plan Part 1 (2018) requires built development to be focused on the part

of the site at the lowest risk of flooding. The indicative layout is considered to locate built development within the lowest flood risk areas of the site.

The table below, taken from the NPPF Technical Guidance document, sets out in which flood zones the proposed development across the site is acceptable.

**Table 3: Flood risk vulnerability and flood zone ‘compatibility’**

Flood risk vulnerability classification (see table 2)		Essential infrastructure	Water compatible	Highly vulnerable	More vulnerable	Less vulnerable
Flood zone (see table 1)	Zone 1	✓	✓	✓	✓	✓
	Zone 2	✓	✓	Exception Test required	✓	✓
	Zone 3a	Exception Test required	✓	*	Exception Test required	✓
	Zone 3b functional floodplain	Exception Test required	✓	*	*	*

**Key:**     ✓ Development is appropriate.  
               \* Development should not be permitted.

The indicative layout as submitted in this application shows that the residential development within the site will be focused to the area of site within Flood Zone 1. As outlined in the table above, the residential use of the site falling within Flood Zone 1 is appropriate for development not subject to requiring an exception test to be carried out. However, as this application is for outline permission with an indicative layout and the redline site boundary extends to currently include Flood Zone 3, therefore the exception test has been required and forms part of the FRA submitted to support of this application. Officers consider that the exception test is passed to a satisfactory level.

Further to this, Officers are satisfied that development can be located within the part of the site which is classified as flood zone 1 and sufficient mitigation could be incorporated, if necessary, at a Reserved Matters stage to adequately mitigate the potential for detrimental harm to be caused to future occupants of the development due to flood risk from the River Ock. However, an allowance for Climate Change (in accordance with the Thames Area Climate Change guidance document) has not been modelled at this stage. The Environment Agency has commented on this and has resolved that it would be satisfied at this outline stage, and with a condition to ensure that prior to the approval of any Reserved Matters application(s), hydraulic flood modelling shall be completed with the highest possible level of accuracy for flood events up to and including the 1% annual exceedance probability (AEP) plus a minimum of 35% allowance for climate change flood extent. The modelling files, with an accompanying model report and results, shall be submitted to and approved in

writing by the Local Planning Authority, and considered by the Environment Agency. This is to establish refined flood extents within the site enabling a proposed site layout to reflect accurately modelled flood risk potential and thereby ensuring that the proposed development will not be placed at risk of future flooding or increase flood risk elsewhere. Taking into account the expert opinion of the Environment Agency, Officers are satisfied that these details are expedient to consider at a Reserved Matters stage. Therefore if permission is granted conditions will be included, as prescribed by the Environment agency, to require further information at a Reserved Matters stage.

The proposed use for the northern part of the site, both to the east and west of Station Road, is in relation to the proposed SANG, which is considered water-compatible development. The table above identifies that this development is compatible with Flood Zone 3. The use of boardwalks would add further mitigation to SANG use during potential times of flooding. The entirety of the proposed boardwalks (including all supports) will be located above the appropriate 1in100yr flood level including an allowance for Climate Change (in accordance with the Thames Area Climate Change guidance document). Officers consider, that the use of the northern part of the site as a SANG with boardwalks is acceptable.

The Environment Agency has requested conditions be attached, if outline permission is granted, to require further details by way of a Construction Environmental Management Plan to ensure that the treatment of any environmentally sensitive areas, to mitigate the potential harm as a result of the SANG and in regard to the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

In its original form the Environment Agency objected to the application. Following negotiations, this objection been withdrawn and the Environment Agency supports the proposal subject to the inclusion of safeguarding conditions.

#### Groundwater flooding

The submitted FRA details that groundwater monitoring has been undertaken on the site in March 2018 where borehole digging and monitoring took place. The investigations identified the risk of flooding from groundwater is low, and the only mitigation measure required is to ensure all floor levels are proposed above the existing ground levels.

Subject to the inclusion of a condition to secure the finished floor levels to be above existing ground levels Officers are satisfied that the risk from groundwater flooding would be sufficiently mitigated and therefore the development would be acceptable.



### Surface water drainage

The FRA confirms that the site is currently almost entirely soft landscaping and underlain by clay down to a depth of 1-2.6mbgl, with Bargate Sandstone Member forming the bedrock underneath. Bargate Sandstone is considered to be permeable. However, the groundwater level is shallow meaning the infiltration drainage is not suitable across the entire site. There are no surface water sewers within the application site.

It is considered that the surface water follows the topography of the land and runs into the River Ock in the North West corner at an unrestricted rate. Any surface water generated from surrounding areas would be unlikely to flow towards the site, so the risk of surface water flooding at the site itself is considered to be low.

In order to control the surface water generated on-site, and prevent surface water flooding occurring elsewhere, the SuDS features proposed for the site include; the car parks and private driveways would be constructed with permeable paving, run-off water to be collected via a piped network and stored in the on-site attenuation system, with a hydrobrake to restrict the discharge into the River Ock consistent with the existing greenfield discharge rate. The FRA confirms that the proposed mitigation measures would ensure that excess water would be safely contained within the site boundary up to and including the 1 in 100 year event plus 40% climate change. Surface water treatment would be provided via permeable paving and a filter trench.

The LLFA has reviewed the proposed development and is satisfied that the proposed drainage scheme would meet the requirements set out within the NPPF, NPPG and Technical Standards. As such, no objection is raised subject to the inclusion of conditions should permission be granted, to ensure that the SuDS scheme is properly implemented and maintained throughout the lifetime of the development. The on-going management, maintenance and financial responsibilities to ensure the ongoing ability for these systems to serve the development in perpetuity would be secured by a S106 Agreement.

The Environment Agency has also confirmed that the development, subject to conditions, would be acceptable in regard to flood risk.

### Foul water drainage

The application is also supported by a 'Technical Note – Foul Drainage' prepared by Mayer Brown.

This document confirms that the proposed foul sewers serving the development would connect to the existing foul sewer network in Station Road.

The proposed connection point in Station Road is on the higher section of the site. It is therefore anticipated that a pump would be required to get the effluent to a manhole in this section of the site. The rising main would discharge to a manhole inside the site, and the system would discharge to the connection point with the Thames Water sewer through gravity.

A capacity check has been submitted to Thames Water and it has confirmed that there is sufficient capacity in the surrounding network to accept the foul flows from the development. Proposed foul sewers would be offered for adoption to Thames Water which would ensure they are maintained in perpetuity.

Thames Water have confirmed to the Local Planning Authority that with regard to Foul Water sewage network infrastructure capacity, it would not have any objection to the proposed development, based on the information provided.

#### Impact on the setting of the adjacent Conservation Area

Whilst the site itself does not fall within a designated heritage asset, the north of the site adjoins the Milford Conservation Area, and there are a number of listed buildings within the close proximity to the development site.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets is conserved or enhanced to ensure the continued protection and enjoyment of the historic environment.

Retained Policy HE8 of the Local Plan 2002 is afforded substantial weight due to its level of consistency with the NPPF and seeks to ensure that the development preserves or enhances the character of Conservation Areas.

Paragraph 189 of the NPPF 2018 states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 190 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking

account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Paragraph 192 of the NPPF states that, 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness'.

Paragraph 193 of the NPPF states that, 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to significant harm, total loss or less than substantial harm to its significance'.

As conveyed within paragraph 194 of the NPPF, significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of, inter alia, a Grade II listed building or Grade II registered parks or gardens should be exceptional.

Paragraph 195 of the NPPF states that 'where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 196 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The NPPG 2014 (as updated) provides guidance under the Section titled 'Conserving and Enhancing the Historic Environment'. Whilst this is not a policy document, it does provide further general advice to policies in the NPPF.

The Milford Conservation Area Appraisal (2014) summarises the special interest of the Conservation Area as:

The Conservation Area of Milford is compact and centres around the junction of Portsmouth Road and Church Road, to the north west of the application site. There are 10 listed buildings in the Conservation Area, ranging from domestic scale C16th cottages to the C18/19th Milford House. There are examples of properties on Church Road which sit on generous plots such as Wyndham Lodge. Most properties which have historical merit and are large single detached or semi detached dwellings rather than terraced housing or flats. The green landscape in the Conservation Area is most evident on entering the Conservation Area from the north east end with a cluster of mature trees at the junction. St. John's Church and churchyard also adds to the green landscape and street scene of the Conservation Area. It is considered that the green landscape along Station Lane at its nearest point to its junction with Church Road.

This application is supported by a Historic Environment Desk-Based Assessment prepared by Nexus Heritage dated October 2018.

The report confirms that there are no identified or designated heritage assets within the site. However, Milford Conservation Area borders the site to the north. The Milford Conservation Area Appraisal (2014) notes that views beyond the Conservation Area are relatively restricted; however a view across to the south of the Conservation Area is attained across the existing golf course which could be interrupted by the proposed development. The site is currently bound by woodland to the north, between the Conservation Area and the site. The proposal would not seek to remove this area of woodland as it would serve as a SANG.

The historic environment assessment identifies that the proposed development would not cause more than substantial harm to the setting or significance of the Conservation Area. The development by reason of its size and location would have some harm by introducing residential development within the setting of the Conservation Area where historically no development has been located. The separation of the site by the area of woodland limits the harm to the setting and

reduces sightlines from within, to and from the Conservation Area in regard to the proposed development.

The proposed access from Station Lane to the site is located a sufficient distance from the junction at Church Road to mitigate the potential for greater than substantial harm to occur as a result of removing some vegetation along Station Lane to facilitate the access entrance. Whilst there would be some harm caused to the green landscape along Station Lane this is not considered to be more than substantial and the planning balance of public benefit can be applied.

The NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. The site has been identified as a strategic site and this application is an outline application with all matters, except access, reserved. The principle of the development in regard to heritage impacts is considered acceptable and any harm, which is less than substantial, is outweighed by the public benefits of the development, which include the provision of both affordable and market housing to meet the identified Borough needs delivering a strategic site identified in the Local Plan Part 1 (2018) and providing public open space, highways improvements and contributions to local and wider infrastructure.

The infrastructure contributions sought in regard to this application seek to enhance the junction at Church Road and the bus stop along Portsmouth Road, which have been identified as positive enhancements within the Management Plan of the Milford Conservation Area Appraisal which is viewed as a benefit to the Conservation Area.

Furthermore, the site has been identified as a strategic site and this application is an outline application with all matters, except access, reserved. The principle of the development in regard to heritage impacts is considered acceptable and any harm, which is less than substantial, is outweighed by the public benefits of the development.

#### Provision of amenity space

Policy LRC1 states that proposals for new residential development will be expected to make provision for play space in accordance with the Fields in Trust (FIT) standard. For the size of the development proposed, the FIT Benchmark guidelines set out a requirement of an on-site Local Area of Play (LAP), Local Equipped Area for Play (LEAP) and a contribution towards a Multi Use Games Area (MUGA).

Policy TD1 of the Local Plan 2018 (Part 1) states that development should maximise opportunities to improve the quality of life, health and well-being of current and future residents. Specifically, these should be opportunities for:

- private, communal and public amenity space;
- appropriate internal space standards; and
- on site play space



The indicative layout indicates that a LEAP and LAP would be provided within the central area of the site along with public open space. The positioning of the play space areas within the center of the site would be such that natural surveillance would be afforded and they would be accessible to future occupants of the site. The management of the proposed play areas would be via a Management Company and this would be secured as part of a S106 Agreement should permission be granted.

The proposal would not provide an on site MUGA. However, given the often urbanising form of such a facility, it is considered that, in this particular instance and having regard to the location of the site, the exclusion of a MUGA would be of benefit

to the overall landscaping and design value of the scheme. Furthermore, a financial contribution has been sought in connection with the proposal by the Council's Parks & Countryside Team in relation to the creation of a new off site 3G pitch at Rodborough School, a new play area at Jubilee Field and a new Scout Hut within Milford. Having regard to this, no concern is raised by Officers in respect of the MUGA requirement as it is considered the off-site contributions within the local area would satisfy this.

With regard to amenity space, at this stage this aspect of the proposal is not to be considered. However, regard is given to the indicative layout which shows adequate amenity space in regard to individual dwellings. This would, however, be robustly assessed at a Reserved Matters stage.

The Local Plan supports measures in the Council's Playing Pitch Strategy. It is important to protect existing facilities and provide for the range of demands for sports and recreational provision that will be generated from new development. The Infrastructure Delivery Plan identifies the need for larger developments to contribute towards sports and recreation facilities. Officers consider that the proposed development would sufficiently contribute to off-site provision of sports and recreation facilities.

In light of the above, it is considered that the proposal would provide for a suitable level of playspace and amenity space in accordance with Policies LRC1 and TD1 of the Local Plan 2018 (Part 1) and the NPPF.

#### Trees and landscaping

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Retained Policies D6 and D7 of the Local Plan 2002 are attributed full and significant weight respectively due to their level of consistency with the NPPF 2018.

Paragraph 170(b) of the NPPF 2018 states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside including trees and woodland.

Paragraph 175(c) of the NPPF 2018 sets out that, when determining planning applications, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Retained Policy D7 of the Local Plan 2002 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

Part d) of Policy SS6 requires the provision of a landscape corridor along Station Lane and the provision of an appropriate landscape buffer including trees and hedgerows on the southern boundary of the site to form part of the detailed development proposal.

The site does not contain trees subject to Tree Preservation Orders. However, the rural character of Station Lane is enhanced by the tree lined boundary to the east of the site.

The indicative layout shows the retention of landscape buffers and tree lines along each boundary of the site, interrupted only by the larger vehicular access point and the smaller pedestrian access points within the eastern boundary. It is considered that the proposed access would result in some tree loss and pruning. However, this is considered to be acceptable to provide the adequate and safe access to and from the site. An adequate tree planting and landscaping scheme would be required to demonstrate this harm would be mitigated at the Reserved Matters stage.

Internal site tree loss anticipated (all landscape planting within the site centre forming part of the golf course layout) is confined to early mature trees that could be readily replaced by a robust tree planting scheme as indicatively shown.

The Reserved Matters application submission would be required to include detailed landscape and design information including the key tree streetscene elements and strategically sited trees of future stature. A full updated tree survey and associated detailed AIA, draft Tree Protection Plan and methods of construction within areas of conflict, with respect to industry standard recommendations for development near trees, would also be required in support of any Reserved Matters application.

Having regard to the expert advice of the Council's Tree Officer, no objection is raised to the proposal in principle, subject to the relevant information being submitted to support any Reserved Matters application. Measures that would adequately secure the protection of retained trees on site would include an agreed scheme of supervision for arboricultural protection measures (to include root protection), landscaping method statement, and details of services and ground levels..

### Utilities

Owing to the size of the development, there would be additional pressures on existing utilities infrastructure.



Foul drainage has been discussed in the 'Flooding and drainage' section of this report.

A Utilities Statement, prepared by Campbell Reith dated April 2018, has been submitted in support of this application.

In terms of gas, there are low-pressure gas pipes operated by Scottish and Southern Electricity in the vicinity of the site with cables running adjacent to the site boundaries and the junction of Church Road and Portsmouth Road. Further discussion with Scottish and Southern Electricity would be needed at the appropriate stages to confirm whether the existing network(s) is likely to be affected as a result of the proposed development. Connections to the mains network has not been confirmed within this outline application and it would be required that an analysis of the existing network is undertaken in the event that permission is granted and provided at a Reserved Matters stage for further consideration. The cost of any offsite reinforcement works identified as being needed to facilitate the development would fall to the developer.

The boundary of the proposed site suggests that the 180 PE MP gas main will not directly affect the proposed development. However, any improvements to the Church Road and Portsmouth Road junction would require further discussions with Southern Gas Networks and should inform any Reserved Matters application.

With regard to telecommunications, Openreach (BT) has underground and overhead apparatus running along Station Lane. There is one pole is located within the boundary of the site towards the eastern site boundary. It is envisaged that this would need to be relocated to facilitate the development. There are also underground cables which could require relocation. At this time there is no detailed layout to appropriately assess this at this stage and is a matter for a Reserved Matters application to cover in more detail. It is envisaged that there would be no problem connecting to a BT telephone service for the proposed development and there are several options in terms of broadband connections. A strategy for the provision of high speed broadband would be required and this could be secured by condition should permission be granted.

On the above basis, Officers are satisfied that appropriate utilities could be provided to serve the proposed development. Any reserved matters application will need to demonstrate that the development would be supplied without adversely impacting the existing infrastructure.

### Noise

Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location by taking into account the effects

(including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes, inter alia, mitigating and reducing to a minimum the potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

Retained Policy D1 of the Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution.

The application is supported by a Noise Assessment, undertaken by Echo Acoustics, dated 7<sup>th</sup> October 2018. This assessment explores how existing and new noise sensitive premises could be affected by the proposed development. It concludes that the increase in noise from road traffic flow would not be detrimental and would have an insignificant impact on the surrounding area. Noise limits are recommended for demolition and construction related processes, which should be adhered to, and glazing and ventilation specifications are recommended with regard to internal noise impacts.

The Council's Environmental Health Officer (noise and disturbance) has reviewed the submitted information and has raised no objection subject to inclusion of a number of recommended conditions should permission be granted. These relate to the operation of plant and machinery, and the securing of a Construction Environmental Management Plan.

Subject to the imposition of conditions on any grant of permission, it is considered that the proposal would accord with retained Policy D1 of the Local Plan 2002 and the NPPF in this respect.

#### Land contamination

Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location by taking into account the effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner in accordance with paragraph 179 of the NPPF.

Retained Policy D1 of the Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution.

The application is supported by the submitted report “Milford golf course, Desk Study and Ground Investigation, Reference MGCHYD-xx-GI-RP-GE-1001.” which concludes with a recommendation for further investigation works to complete the assessment and to determine if there is a need for remediation at the site.

The Council’s Environmental Pollution Control Officer has reviewed the submitted report and has recommended that subject to the inclusion of appropriate conditions, the proposal would accord with retained Policy D1 of the Local Plan 2002 and the NPPF 2018.

#### Air Quality

Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location by taking into account the effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Retained Policy D1 of the Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution.

The site is not located within a designated Air Quality Management Area (AQMA). Notwithstanding this, having regard to the scale of the proposed development, it has the potential to impact on the designated AQMA within Godalming which is located approximately 1.5km of the application site. As such, air quality remains an important material consideration.

The application is supported by an Air Quality Assessment prepared by SLR, dated October 2018.

This report sets out that the risk of construction related impacts is predicted to range from low risk to medium risk depending on the type of works. Subject to appropriate mitigation measures, however, the report concludes that there would be no significant impacts during the construction phase.

The report concludes that a full Air Quality Assessment will be undertaken in order to predict operational phase impacts and effects on air quality as a result of additional vehicles travelling to and from the proposed development. This information will need to support any future Reserved Matters application if permission is granted.

The Council's Environmental Health Officer (Air Quality) has reviewed the submitted information and accepts the overall findings and conclusion of the assessment. However, it is considered that there should be further information to be provided to assess the impact on air pollution associated with additional vehicle movements. No objection has been raised to the outline application subject to inclusion of safeguarding conditions.

Subject to further information to be submitted at a Reserved Matters stage and the imposition of recommended conditions on any grant of permission, it is considered that the proposal would accord with retained Policy D1 of the Local Plan 2002 and the NPPF 2018 in this respect.

### Archaeology

Policy HA1 of the Local Plan 2018 (Part 1) states that the Council will ensure that the significance of heritage assets within the Borough are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment by, inter alia, facilitating and supporting the identification and review of heritage assets of local historic, architectural and archaeological significance.

Retained Policies HE14 and HE15 of the Local Plan 2002 require that appropriate desk based or field surveys should be submitted with an application and appropriate measures taken to ensure any important remains are preserved. These policies are afforded full weight owing to their consistency with the NPPF.

Paragraph 189 of the NPPF 2018 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 application site does not fall within an identified Site of Archaeological Importance. However, owing to the size of the application site, it is expected that an archaeological assessment takes place.

The application is supported by a Historic Environment Desk Based Assessment prepared by Nexus Heritage that contains a comprehensive overview of the site and surrounding area in order to identify whether any heritage assets will be impacted upon by the proposals. The report concludes that based on evidence from discoveries in the surrounding area the site has a low archaeological potential. This conclusion is supported by fieldwork that was carried out across the site by the Surrey County Archaeological Unit in the early 1990s during works to the golf course which revealed no trace of any significant archaeological deposits.

It has therefore been previously demonstrated that significant archaeological remains are not present on the site then there is no requirement for any further archaeological investigation.

Officers are satisfied that the proposal would accord with Policy HA1 of the Local Plan 2018 (Part 1), retained Policies HE14 and HE15 of the Local Plan 2002 and the NPPF in this respect.

#### Refuse and recycling

This application is for outline consent and therefore the layout of the development is yet to be determined. The proposal can not be assessed at this stage against the technical guidance for developers in regard to waste a recycling and these matters are to be determined at a reserved matters stage.

The Council's Waste and Recycling Officer has requested financial contributions towards bin provision and has set out the refuse and recycling container requirements for the proposed development. Accordingly, no concerns are raised in this regard. Full details of the proposed refuse strategy would be controlled by means of condition should permission be granted.

#### Impact on SPA and SAC

The site is located within:

- 973m of the Thursley, Hankley and Frensham Common (Wealden Heaths Phase I SPA)
- 973m from the Thursley, Ash Pirbright and Chobham Special Area of Conservation (SAC)
- 3.1km from the Thursley and Ockley Bogs Ramsar

As set out by Natural England, the provision of additional housing development within the vicinity of the SPA has the potential to adversely affect its interest features, namely nightjar, woodlark and Dartford warbler, which are the three internationally rare bird species for which the SPA is classified.

In accordance with the requirements of regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority must decide whether a housing development proposal, either alone or in combination with other plans or projects, would be likely to have a significant adverse effect on the SPA, and if it would the Authority must refuse permission. Generally, this involves a two stage approach.

- The first stage (the screening stage) requires the Authority to consider whether the proposal would be likely to have a significant effect on the SPA. Recent case law has determined that at this screening stage the Authority may not take into account proposed mitigation measures in assessing the likely effects of the development.
- Unless the Authority is satisfied that the development would not be likely to have a significant effect, it must then make an appropriate assessment (the assessment stage) of the implications of the development for the European site. At the assessment stage mitigation measures can be taken into account. Once the appropriate assessment has been carried out, the Authority may not grant planning permission unless satisfied that the development will not adversely affect the integrity of the European site.

An on-site SANG has been proposed to the north of the site within the redline boundary and ownership of the applicant. The sang would provide convenient access to suitable natural space within the proposed development site. Natural England has reviewed the SANG proposal and is of the view that it would be acceptable and would effectively mitigate for increased residential disturbance to the SPA.

Natural England recommended that a Grampian condition be included on any grant of permission for the current scheme, to ensure that no permitted residential accommodation is occupied until such time as the required SANG capital works are complete, it is operational and accessible.

However, Officers have sought confirmation from Counsel as to the acceptability of this recommended approach.

The advice received is that, contrary to Natural England's guidance, SANG provision can effectively prevent new residential development from having an adverse effect on the SPA provided it is secured under a Section 106 Agreement, as opposed to a

Grampian condition. This is considered to be the appropriate mechanism for ensuring that the proposed SANG is in place before any new dwellings are occupied. This is advised to be compliant with the Habitat Regulations 2017 and 2018 (amended).

The proposed on-site SANG, which has been considered as part of this application along with its management plan, is considered to provide adequate mitigation to the near by SPA which may result from the likely increase in its use as a result of this development. A Section 106 Agreement would be concluded to secure the servicing of the development by the on-site SANG and its continued management. The SANG it to be provided before the occupation of the first dwelling which would be secured by condition if permission is granted.

An Appropriate Assessment has been undertaken by the Local Planning Authority on this basis, which has been reviewed by Natural England. The Appropriate Assessment concludes that subject to securing the abovementioned SANG by means of a Section 106 Agreement, that the adverse impact on the SPA would be avoided by this mitigation.

#### Infrastructure considerations

Policy ICS1 of the Local Plan 2018 (Part 1) states that infrastructure considered necessary to support new development must be provided either on or off-site or by the payment of contribution through planning obligations and/or the Community Infrastructure Levy.

Paragraph 54 of the NPPF 2018 states that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 56 of the NPPF 2018 states that obligations must only be sought where they meet all of the following tests

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

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

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

In the light of the above change, the infrastructure providers have been requested to identify relevant and justified contributions/projects that meet the tests of CIL Regulations 122 and 123. The final obligations to be included within the Section 106 agreement will need to satisfy the tests of the Regulations.

The applicant has indicated a willingness to enter into a suitable legal agreement to secure relevant contributions as set out in 'Heads of Terms' section of this report.

In drawing up the Heads of Terms, Officers have actively engaged with relevant infrastructure providers and the Parish Council to identify any infrastructure requirements resulting from the development. Relevant and justified contributions/projects would be secured as part of the Section 106 Agreement. The providers have confirmed that the proposed contributions would not result in the pooling of more than five contributions towards a specific piece of infrastructure.

As of yet, a signed and completed legal agreement has not been completed. However, it is anticipated that an agreement would be entered into. Subject to the receipt of a suitable, signed legal agreement to secure infrastructure contributions, it is concluded that the proposal would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of Policy ICS1 of the Local Plan 2018 (Part 1) and the NPPF in respect of infrastructure provision.

### Crime and Disorder

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

Paragraph 91 of the NPPF 2018 sets out that decisions should aim to achieve healthy, inclusive and safe places which, inter alia, are safe and accessible so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. This can include the use of clear and legible pedestrian routes, and high quality public space, to encourage active and continual use of public areas.



The Surrey Police Crime Prevention Advisor has been consulted on the proposal and has requested that consideration be given to gaining Secured by Design certification for this development. This would ensure that the layout and design of properties and car parking a good level of basic security. A policy is proposed within Draft Local Plan Part 2 (Policy DM5: Safer Places) which would require all new development to ensure safe and attractive public and private spaces, and has been produced to ensure that designing out crime is a consideration for new development. It is considered that it would be reasonable to recommend an informative to encourage the applicant to seek to achieve Secured by Design certification should outline permission be granted.

No objection has been raised by the Surrey Police Crime Prevention Advisor at this stage. Further consultation will be sought at any reserved matters stage in regard to more detailed design proposals and the potential impact upon crime and disorder. On this basis, it is considered that the site would be developed in a way which would accord with the requirements of the NPPF 2018 and the Crime and Disorder Act 1998 at this outline stage.

#### Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan 2018 (Part 1) states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, 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.'

There are internationally designated sites located within 5km of the site, which include the following:

- 973m of the Thursley, Hankley and Frensham Common (Wealden Heaths Phase I SPA)
- 973m from the Thursley, Ash Pirbright and Chobham Special Area of Conservation (SAC)
- 3.1km from the Thursley and Ockley Bogs Ramsar

The impact on these areas has been addressed within the 'Impact on SPA and SAC' section of this report.

In addition, there are a number of national or locally designated sites within the area, which include the following:

- Thursley, Hankley and Frensham Commons SSSI (973m)
- Charterhouse to Eashing Site of Special Scientific Interest SSSI (1 km)
- Puttenham & Crooksbury Commons SSSI (4.3km)
- Wey Valley Meadows SSSI (4.4km)
- Brook Brick Pit SSSI (4.4Km)
- Charleshill SSSI (5.6km)
- Devil's Punch Bowl SSSI (6.4km)
- Rodborough Common Local Nature Reserve (982m)
- Ancient and Semi-Natural Woodland (410m)

The application is supported by the following documents:

- Ecological Assessment, Tyler Grange, dated 11th October 2018;
- Ecological Assessment Addendum, Tyler Grange, dated 5th December 2018;  
and
- SANG Management Plan, Tyler Grange, dated 11th October 2018.

The proposed development would represent an introduction of human (domestic) presence in the area, which could consequently disturb wildlife and habitat. The following sections consider the impacts on particular habitats/protected species:

#### SSSI

Natural England has confirmed that, on the basis of the submitted plans, the proposed development would not damage or destroy the interest features for which the Charterhouse to Eashing SSSI has been notified. Officers are satisfied that the proposal would not result in likely adverse impacts on the ecology of the SSSIs which are located further distance away from the site.

#### Bats

Barbastelle bats have been identified as present within the development site. The proposed development is expected to adversely impact on commuting and foraging habitat in absence of appropriate mitigation. Barbastelle bats are known to be particularly sensitive to disturbance from artificial lighting.

As nocturnal animals, bats are sensitive to any increase in artificial lighting of their roosting and foraging places and commuting routes. Paragraph 180 of the National Planning Policy Framework states that planning policies and decisions should “limit the impact of light pollution from artificial light on ... dark landscapes and nature conservation”.

The applicant should ensure that the proposed development will result in no net increase in external artificial lighting at key bat commuting and foraging corridors. At this outline stage it is considered that suitable mitigation measures can be implemented to mitigate the harm at a Reserved Matters stage, this is to include a sensitive lighting and management plan.

## Great Crested Newts

Great Crested Newts (GCN) are protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Great Crested Newts are therefore European Protected Species.

Offences under this legislation include any activities that may kill, injure or disturb an individual or damages or destroys a breeding site or resting place of that individual.

A breeding population of Great Crested Newts has been confirmed in two ponds located in land adjacent to the development site, the closest being 110m. Suitable terrestrial habitat has been identified within the proposed development site which would be lost or deteriorated in suitability for Great Crested Newts as a result of development. SANG creation proposals also reference significant proposed earthworks for the creation of soil bunds. The above referenced ecological documentation therefore rightly acknowledges that a European Protected Species (EPS) Licence would be required to be obtained from Natural England in order to avoid contravention of the above referenced European legislation.

In its role as a Local Planning Authority, the Council should be aware of its legal duty under Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 which states that “a competent authority must, in exercising any of their functions, have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions”.

Also, under Regulation 55 of the above Regulations, the Council must apply the following three tests when deciding whether to grant planning permission where a European Protected Species (GCN) may be harmed, in line with The Conservation of Habitats and Species Regulations 2017;

- the activity must be for imperative reasons of overriding public interest or for public health and safety;
- there must be no satisfactory alternative;
- favourable conservation status of the species must be maintained.

Natural England has stated that it would expect these three tests to be adequately considered by the Local Planning Authority before planning permission is granted. Natural England will require evidence from the applicant that the local planning authority has considered the three tests and how they were met, before a European Protected Species Licence (EPS Licence) can be issued. Where an EPS Licence is required to avoid breach of legislation, development cannot proceed even where a valid planning permission is granted.

The Protected Species Mitigation and Enhancement Strategy is considered appropriate in scope and methodology and provides sufficient detail for the Council

to discharge obligations under Regulation 9(3) and Regulation 55 of the Habitats and Species Regulations 2017 in regard to GCN subject to an appropriate method statement to be submitted and approved at a Reserved Matters stage to provide any required mitigation, compensation or enhancement schemes.

#### Dormice

Dormice are legally protected under Section 9(1) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017. Dormice are therefore European Protected Species. Offences under this legislation include activities that may kill, injure or disturb an individual or damages, destroys or obstructs access to a breeding site or resting place of that individual. A European Protected Species Licence would be required for any activity that would result on killing, injuring or disturbance to dormice.

Dormice have been confirmed as present within the proposed development site. The current planning application proposes clearance of scrub habitats within the footprint of the built development and also works including scrub clearance within the existing woodland areas of the development site where dormice are known to be present. The development is therefore expected to result in loss or deterioration of suitable habitats for dormice. The same legislation therefore applies as noted above for GCN. It is expected that the applicant will be required to apply to Natural England to obtain a European Protected Species Licence in order to avoid contravention of this European legislation.

Further information has been provided by the applicant in terms of proposed dormouse impact avoidance, mitigation and compensation measures as a result of both built development and the SANG proposals. The submitted Protected Species Mitigation and Enhancement Strategy is appropriate in scope and methodology and provides sufficient detail for the Council to discharge obligations under Regulation 9(3) and Regulation 55 of the Habitats and Species Regulations 2017 subject to the undertaking of all the actions which will be detailed in an adequate Method Statement, based on the mitigation, compensation and enhancement actions presented within the Protected Species Mitigation and Enhancement Strategy submitted in support of this application.

#### Reptiles

All native UK reptile species are legally protected under Schedule 5 of the Wildlife and Countryside Act (1981) (as amended) and as such are protected from killing or injuring. UK Native species are also listed as a species of Principle Importance within the Natural Environment and Rural Communities Act 2006. Section 40 of the NERC Act places a duty on the Council to conserve biodiversity, whereby 'conserve' is clarified as meaning 'restoring or enhancing a population'. There is therefore a statutory requirement not just to avoid killing and injuring of reptiles, but also to seek to restore or enhance their population.

A low population of grass snake has been identified as present within the development site. Therefore if outline planning permission is granted, Officers recommend that the applicant is required to submit an appropriately detailed reptile mitigation strategy, translocation and enhancement plan, written by a suitably qualified ecologist, for approval in writing by the Local Planning Authority at Reserved Matters stage.

The Strategy should identify how the proposed mitigation and enhancement measures are to be maintained and secured for the long-term. This documentation is required in order to avoid contravention of the Wildlife and Countryside Act 1981.

#### Landscape and Ecological Management Plan

The SANG Management Plan indicates that works are proposed within the retained woodland areas of the site to the west, north and land to the east. The proposed SANG land also incorporates a tributary of the River Wey and associated wetland habitats. The submitted ecological reports indicate that this SANG incorporates a range of habitat types (Deciduous Woodland, Reedbeds, Wet woodland, River), all of which are expected to qualify as Habitats of Principal Importance for the purpose of conserving biodiversity in England, in line with the provisions of Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act places a duty on the Council to conserve biodiversity, whereby 'conserve' is clarified as meaning 'restoring or enhancing a population'. There is therefore a statutory requirement to seek to restore or enhance Habitats of Principal importance.

Loss and deterioration of these woodland, reedbed and river habitats, would therefore be contrary to the objectives of the NERC Act. The National Planning Policy Framework (NPPF) makes it clear that "Planning... decisions should contribute to and enhance the natural environment by.. minimising impacts on and providing net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures" (paragraph 170). Paragraph 175 also requires that "opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity".

If planning permission is granted, any development to be implemented should be in accordance with an appropriately detailed landscape and ecological management plan (LEMP), which shall be submitted in writing to the Local Planning Authority for approval at Reserved Matters application stage.

#### Construction Environmental Management Plan

As noted above, a number of protected habitats and species are present either within or adjacent to the proposed development site. There is therefore a risk of ecological harm resulting from construction activities.

If planning permission is granted, the applicant should be required to Implement the development only in accordance with an appropriately detailed Construction and Environment Management Plan (CEMP) detailing how above referenced protected habitats and species, including wetland features, will be protected from any adverse impacts as a result of construction. The CEMP will be required to be submitted and approved in writing by the Local Planning Authority prior to the commencement of development.

#### Conclusion

Surrey Wildlife Trust has considered the Protected Species Mitigation and Enhancement Strategy submitted and is satisfied that it is appropriate in scope and methodology and provides sufficient detail for the Local Planning Authority to discharge obligations under Regulation 9(3) and Regulation 55 of the Habitats and Species Regulations 2017.

Having regard to the above, Officers are satisfied that, subject to the imposition of planning conditions and further detailed information to be submitted at a Reserved Matters stage, the proposed development could be provided on site without causing harm to protected species.

#### Health and wellbeing

Section 8 of the NPPF 2018 'Promoting healthy and safe communities' conveys that planning policies and decisions should aim to achieve healthy, inclusive and safe places, which should promote social interaction, are safe and accessible, and should enable and support healthy lifestyles.

The vision of the Waverley Borough Council Corporate Strategy 2018 – 2023 confirms the importance of ensuring that Waverley Borough is a place where residents can take pride in their communities and where opportunities exist for all to thrive and lead healthy lives. The Corporate Plan is capable of constituting a material consideration in the determination of planning applications.

The NPPG sets out a range of issues which could be considered through the plan-making and decision-making processes in relation to health and healthcare infrastructure, including:

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the Local Plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;

- the Local Plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);
- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The need to maximise opportunities in respect of health and wellbeing is echoed in Policy TD1 of the Local Plan 2018 (Part 1), which states that the Council will seek to maximise opportunities to improve the quality of life and health and well-being of current and future residents. For example, this could be achieved through the provision of:

- private, communal and public amenity space
- appropriate internal space standards for new dwellings
- on site play provision
- appropriate facilities for the storage of waste
- private clothes drying facilities

With regard to the current application, the proposal includes aspects which would contribute to health and wellbeing including:

- provision of public open space
- provision of private and communal areas of amenity space
- provision of on-site play facilities
- pedestrian and cycle routes

Officers consider that these would be positive elements of the scheme in terms of the health and wellbeing of future residents and also existing residents near the site who would be able to benefit from use of the proposed facilities. Additionally, the risks of pollution or other adverse impacts on the amenities of future residents of the

site would be minimised through the suggested mitigation measures and further detailed design of the layout and private amenity spaces will be required to meet the identified requirements as part of any reserved matters application if outline consent is granted.

Officers are satisfied that the proposed development site would have the ability to adequately provide for the health and well-being of its future residents.

#### Design and impact on visual amenity

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2018.

The introduction of built form to the application site would inevitably result in a change to the visual appearance of the site and views would be afforded of the residential development from public vantage points. The indicative layout plans shows a suitable location of development which retains landscape buffers and contains the development will within the parameters of the site and wider context. The indicative layout also shows that the quantum of development could be accommodated through smaller scale units which would be akin to the surrounding character. This outline application does not determine the specific quantum or design of development and therefore an appropriate scheme has the flexibility to be determined at a reserved matters stage.

It is therefore considered that a detailed scheme could be demonstrated to be of a high quality design which respects the character of the surrounding area and the urban character of the area at a Reserved Matters stage.

#### Impact on residential amenity

Policy TD1 of the Local Plan Part 1 (2018) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained Policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2018.

Existing residential properties in relation to the proposed development are located to the north, east and southern boundaries of the application site. At this stage the layout provided is indicative. However, given the size of the site the impact on these neighbouring properties could be adequately addressed through the submission of the Reserved Matters.



The layout plan is only indicative at this stage, but given the proximity of the proposed dwellings to the boundaries and the presence of intervening landscaping and the proposed SANG location, it is considered that the proposal would not result in any detrimental loss of light or privacy to these properties.

It is, however, considered expedient to include a condition to require a Construction Management plan to be submitted and approved prior to the commencement of development to ensure that the amenities of neighbouring properties are not compromised during the build out of the scheme.

Officers consider that, subject to detailed consideration at a future stage, a scheme could be developed which would provide a good standard of amenity for future and existing residents.

#### Human Rights Implications

It is considered that the proposal would have no material impact on human rights, going beyond the material planning considerations set out within this report.

#### Environmental Impact Regulations 2017

The proposed scheme has been assessed in line with the EIA Regulations and Government Guidance and it is considered that the proposed scheme would exceed the relevant thresholds given in Schedule 2 of the EIA Regulations for urban development projects as the proposal would exceed 5 hectares and would provide for more than 150 dwellings. In terms of the relevant thresholds given in the official guidance on EIA (within the NPPG), it was considered that the proposal would exceed the relevant threshold of a site area exceeding 5 hectares, but it would not exceed guidance in terms of the development having a significant urbanising effects in a previously non-urbanised area (new development of more than 1,000 dwellings).

The likely significant effects of the development on the environment have been assessed having regard to Part 3, Schedule 3 of the EIA Regulations and no significant impacts in EIA terms have been anticipated. On this basis, it is concluded that the proposed scheme is not constitute EIA development.

#### 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 paragraph 38 of the NPPF. This included:-

- Provided or made available pre application advice to seek to resolve problems before the outline application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

### Response to Parish Council and Third Party Representations

The objections which have been raised regarding the proposal by the Parish Council and Third Party representations are noted by Officers and have been carefully considered as part of the assessment which has been undertaken by Officers.

With regard to the Parish Council objections and comments received in regard to this scheme, is it considered that the majority of concerns raised are addressed within the main body of this report. However their comments are further expanded as follows;

Traffic, Transport, Road safety for pedestrians and cyclists:

The County Highway Authority has reviewed the submitted evidence and supporting information in regard to this application and is satisfied that the access and off site highways improvement works would be appropriate to mitigate the potential detrimental harm which may result from the development of this site. The County Highway Authority is satisfied that the prepared Traffic Assessment is adequate in modelling the existing and future traffic within the locality of the site and have had regard to the potential cumulative impact which may result from wider development proposal which have been permitted. Officers are satisfied that the package of mitigation measures, the proposed access and supporting evidence is satisfactory to address the local and cumulative impacts of the development and address the Parish Council concerns regarding traffic and transport. The County Highway Authority is satisfied that the proposed development will not cause undue harm, subject to mitigation, to the safety of pedestrians and cyclists. Further to this the site is within a highly sustainable location which offers a wide range of transport choices to future occupants.

#### Flooding and Sewers:

The applicant has provided further information to Thames Water to demonstrate that sufficient capacity exists to facilitate the foul water drainage of the site.

The Environment Agency has rescinded its objection and Officers are satisfied that the principle of developing the site for up to 200 dwellings can be achieved on the site.

#### SANG and Environment:

Natural England has reviewed the SANG proposal and are satisfied that it can provide adequate alternative outdoor recreation space for local residents. The future management of the SANG is to be determined by the developer and agreed by Natural England. The specific management organisation to take over the SANG is not a planning consideration and therefore can not form part of the planning assessment.

The developer will have a legal obligation to ensure the SANG is provided prior to the occupation of the first dwelling.

#### Conformity with LPP1:

For the reasons set out in this report Officers are satisfied that the proposed development, as an outline application with all matters except access reserved, complies with the Polices Local Plan Part 1, namely Policy SS6 and is therefore in accordance with this part of the Development Plan.

#### S106 Allocation:

WBC's Leisure Manager has considered the Parish Council's comments regarding Godalming Leisure Centre and offered the following response;

"Council funding is spent on Council owned facilities/land and it is reasonable to assume that the Milford residents will choose to visit and utilise the closest Council facility. It is normal practice that all leisure contributions from the locality are assigned to the closest Waverley owned leisure centre. In this case, that is Godalming Leisure Centre."

With regard to other infrastructure contributions identified by the Parish Council as being disregarded, Officers can confirm that contributions towards local primary and secondary schools are being requested, along with further contributions towards local infrastructure have been secured. Further to this Officers have negotiated further contributions for projects that the Parish Council have identified as being required in the local area.

With regard to the third party objections received in regard to this scheme is it considered that the majority of concerns raised are addressed within the main body of this report. The remaining points are highlighted below and further expanded;

- This is an outline planning application and detailed design, layouts, internal estate roads, foot paths and cycle ways are not to be considered at this stage;
- The detailed layout, design, heights and quantum of development are to be decided at a Reserved matters stage and cannot form part of the current assessment of the outline application;
- The County Highway Authority has reviewed the submitted Traffic Assessments and is satisfied that they are detailed and appropriate to the site and therefore are adequate evidence to support this application.
- The site has been allocated through Local Plan Part 1 and other sites in the area have been discounted as part of the preparation of the Local Plan.
- The size of the development has been assessed against the local infrastructure and contributions sought, where required, to support the development.
- The cumulative impact of this and other nearby developments has been considered as part of this application.
- The financial gain of stakeholder is not a material planning consideration.
- The detailed amenity of neighbouring properties will be further considered at a Reserved Matters stage.
- The provision of affordable housing is in line with the requirements of the Local Plan Part 1.

### Conclusion/Planning Balance

Paragraph 11 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 there are no relevant Development Plan Policies or the policies which are most important for determining the application are out-of-date, granting permission unless: inter alia, the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposal, or 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.

In this instance, the Council has an up to date Development Plan and, as such, a planning balance weighing the harm against the benefits of the proposal is applicable. The application site is allocated for residential development in Local Plan Part 1 any site specific policies. The presumption in favour of sustainable development applies.

In terms of the benefits of the scheme, it is considered that the proposal would provide dwellings in a sustainable location and would deliver 30% affordable housing to contribute towards housing needs. 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 the proposed development, which would be consistent with the NPPF's basic imperative of delivery.

The proposal would also deliver economic gains from sources including construction-based employment (both direct and in-direct jobs), and contributions more generally to the economy through activity and spending of future occupiers of the site. Whilst it is acknowledged that such economic benefits may arise from any residential development scheme, Officers nevertheless consider that weight can be attached to these benefits.

Officers consider that the scheme would function well within the context of the surrounding area. The potential for landscaping and the provision of public open space where none currently exists are other beneficial considerations to which weight can be attached.

Having regard to the expert opinion of the County Highway Authority, Officers are satisfied that the proposed development could be accessed in safe manner and, that subject to securing highway improvements within the locality, the scheme could be provided without prejudice to highway safety or capacity and the traffic movements associated with the development could be appropriately accommodated within the road network.

The proposal has demonstrated, subject to control by way of planning conditions if permission were to be granted, that in terms of flood risk the development would be safe for its lifetime taking into account its users without increasing flood risk elsewhere. Further, and subject to the same control by way of planning conditions, the proposal would not result in any ecology, archaeology or air quality concerns.

Officers are satisfied that, subject to the specific on-site SANG provision outlined in this report, it would avoid the risk of adverse effect to the SPA.

The site has been removed from the Green Belt and allocated as a Strategic Site in Local Plan Part 1 in the recognition that it is suitable for development and that the development of the site will make an important contribution to meeting the Borough's housing needs. The proposal would be broadly compliant with the housing mix indicated by the SHMA. Officers consider that the proposal would deliver an appropriate profile of homes to serve the community.

The introduction of built form to the application site would inevitably result in a change to the visual appearance of the site and views would be afforded of the residential development from public vantage points. However, in officers' opinion, the scheme would visually relate to existing adjacent built form. In this context, Officers

consider that the proposal would not prejudice the openness, character and appearance of the surrounding Green Belt.

It has been concluded that the proposal would result in less than substantial harm to the significance of a designated heritage asset (Milford Conservation Area). However, as set out within the 'Heritage considerations' section of this report, this harm is considered to be outweighed by the public benefits of the proposal, principally the significant delivery of housing that this scheme would provide.

Overall, it is considered that the outline proposal for development would be in accordance with the Development Plan and the harm which has been identified as resulting from the proposal is considered to be outweighed by the benefits which the proposal would provide.

Officers therefore consider that the scheme should be supported subject to the completion of an appropriate legal agreement and inclusion of appropriate planning conditions.

### **Recommendation A**

That, subject to the applicant entering into an appropriate legal agreement within 6 months of the date of the committee resolution to grant planning permission, to secure the provision of/contributions towards: 30% affordable housing and affordable housing mix, education infrastructure, SuDS management/maintenance, public open space and play space provision and maintenance, highways improvements, environmental improvements contribution, travel plan, car club, leisure and green space areas, environmental enhancements, waste and recycling facilities, and provision and maintenance of an on-site SANG; subject to conditions and informatives, outline permission be GRANTED.

#### 1. Condition

(a) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(b) 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 comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition

Approval of the details of the and of the building(s), and (hereinafter called ""the reserved matters""") shall be obtained from the Local Planning Authority in writing before development is commenced and shall be carried out as approved.

Reason

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:

Site Plans:

Site Location Plan LO01 B, Sketch Site Layout (Parking Spaces and Numbers shown) 18128 - SK20D, Sketch Layout 18128 - SK20D, Block Plan 18128 / SK29A, Access Drawing SK21811-11 REVA, Topographic Survey SAT.TS.14.

Technical Reports:

Air Quality Assessment (December 2018), Design and Access Statement (October 2018), Ecological Assessment (October 2018, addendums 11/12/2018 and 17/01/2019), Flood Risk Assessment (May 2018 updated 01/02/2019), Landscape Visual Impact Assessment (October 2018), Noise Assessment (October 2018), SANG Management Plan (October 2018 updated 08/01/2018), Foul Drainage Technical Note (14/01/2019).

Traffic Assessment (October 2018) updated 14/01/2019, Mitigation Package & Responses to Technical Matters (Drawings included at Appendix A) SK21811-15 REV A - Traffic Calming and Crossing Scheme - Overview Plan, SK21811-10 REV B - Site Access onto Station Lane, SK21811-11 REV C - Site Access onto Station Lane, SK21811-12 REV E - Traffic Calming and Crossing scheme at Station Lane Bridge, SK21811-13 REV A - Off-Site Mitigation Works at Church Road / Portsmouth Road Junctions, SK21811-14 REV A - Traffic Calming and Crossing Scheme at Station Lane Bridge, SK21811-16 REV A - Off-Site Highway Improvements to North of Station Lane / Rakes Lane Junction, SK21811-17 - Off-site Highway Improvements at Station Lane / Rakes Lane Junction.

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 Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

#### 4. Condition

Prior to the approval of any reserved matters application(s) associated with this outline planning application, hydraulic flood modelling shall be completed with the highest possible level of accuracy for flood events up to and including the 1% annual exceedance probability (AEP) plus a minimum of 35% allowance for climate change flood extent. The modelling files, with an accompanying model report and results, shall be submitted to and approved in writing by the local planning authority (LPA). The modelling should be in the form of an addendum to the FRA and include a model log with all model files documented and clearly referenced.

#### Reason

In accordance with Policy CC4: Flood Risk Management of Waverley Borough Local Plan Part 1: Strategic Policies and Sites and paragraphs 162-163 of the NPPF. It seeks to establish refined flood extents within the site enabling a proposed site layout to reflect accurately modelled flood extents and thereby ensuring that the proposed development will not be placed at risk of future flooding or increase flood risk elsewhere.

#### 5. Condition

Prior to the approval of any reserved matters application(s), associated with this outline planning application, a flood water storage compensation scheme shall be submitted to and approved in writing by the LPA for all development or proposed land raising located within the 1% AEP plus a minimum of 35% allowance for climate change flood extent. The flood water storage compensation scheme shall include but not be limited to:

- identification of all areas of proposed land raising and development (including but not limited to built structures, buildings, walkways, etc.) located within the 1% AEP plus 35% allowance for climate change flood extent;
- calculations of the volume of flood water being displaced on a 'level for level' slice basis as a result of the proposed development scheme;
- identification of appropriate areas for flood water compensatory storage outside of 1% AEP plus 35% allowance for climate change flood extent and associated calculations demonstrating that flood risk will not be increased elsewhere as a result of the impedance of flood flows or by



the displacement of flood water. Unless clearly justified, we expect that the required flood water storage compensation will be provided on a 'level for level' basis in a hydraulically linked location; and

- a phasing programme outlining the creation and implementation of the required flood water storage compensation areas.

The scheme shall be implemented, retained and maintained in accordance with the approved scheme.

#### Reason

In accordance with Policy CC4: Flood Risk Management of Waverley Borough Local Plan Part 1: Strategic Policies and Sites and paragraphs 162-163 of the National Planning Policy Framework (NPPF) to ensure that flood risk is not increased elsewhere as a result of the development.

#### 6. Condition

The development hereby permitted must not be commenced until such time as a scheme to ensure that finished floor levels are set no lower than 300mm above the 1% AEP plus a minimum of 35% allowance for climate change flood level has been submitted to, and approved in writing by, the LPA.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing and phasing arrangements, or within any other period as may subsequently be agreed in writing, by the LPA.

#### Reason

In accordance with Policy CC4 of the Local Plan Part 1 (2018) and paragraphs 162-163 of the NPPF to ensure that the proposed development is appropriately flood resilient and resistant.

#### 7. Condition

No development shall take place until a Construction Environmental Management Plan (CEMP), which is in accordance with the approach outlined in the Ecological Assessment and SANG Management Plan, has been submitted to and approved in writing by the LPA. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. Such a scheme shall include details of the following:

all elements of the SANG such as the construction of the boardwalk, must be completed prior to the first occupation of the dwellings;  
the timing of the works;  
construction methods;

- a map or plan showing habitat areas to be specifically protected (identified in the ecological assessment) during the works;
- the measures to be used during the development in order to minimise the environmental impact of the works, including potential disturbance and pollution of the River Ock, ponds and lakes;
- the ecological enhancements as mitigation for the loss of habitat resulting from the development, for example new ponds to compensate for the loss of the wet ditch;
- any necessary mitigation for protected species;
- information on the persons/bodies responsible for particular activities associated with the CEMP that demonstrate they are qualified for the activity they are undertaking, for example the Ecological Clerk of Works; and
- confirmation that there will be no light spill on to the river corridor during construction.

The works shall be carried out in accordance with the approved CEMP.

#### Reason

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy to safeguard the ecological interests of the site in accordance with Policy NE1 of the Waverley Borough Council Local Plan 2018 (Part 1).

#### 8. Condition

The proposed SANG must be delivered in line with the SANG Management Plan (October 2018) and the 11474\_R08b\_SANG Management Plan Addendum as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

#### Reason

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy to safeguard the ecological interests of the site in accordance with Policy NE1 of the Waverley Borough Council Local Plan 2018 (Part 1).

#### 9. Condition

The development shall be carried out in strict accordance with the approved details regarding the reptile impact mitigation, compensation, enhancement and translocation plan unless otherwise agreed in writing by the Local Planning Authority.

Reason

To safeguard the ecological interests of the site in accordance with Policy NE1 of the Waverley Borough Council Local Plan 2018 (Part 1).

10. Condition

No development shall commence until a Construction Transport Management Plan, to include detail 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) no HGV movements to or from the site shall take place between the hours of 8.30 and 9.15 am and 3.15 and 4.00 pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, on the public highway during these times
- (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

11. Condition

Prior to commencement of the development, details of an access suitable for construction traffic shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and implemented in accordance with the approved details.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

12. Condition

Prior to first occupation of the development the proposed vehicular site access onto Station Lane (C32) shall be constructed and provided with 2.4m x 120m visibility splays in accordance with Drawing No. SK21811-10 Rev B. The visibility splays shall thereafter be permanently provided with no obstruction above 1.05m.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

13. Condition

The development hereby approved shall not be first occupied unless and until the following off-site highway improvements are provided, in general accordance with Drawing No's SK21811-11 Rev C; SK21811-12 Rev E; SK21811-13 Rev A; SK21811-14 Rev A; SK21811-15 Rev A; SK21811-16 Rev A; SK21811-17:

Improved informal crossing facilities at the Portsmouth Road mini roundabout junction, to improve access to the nearby bus stops adjacent to this junction.

Enhancements to the eastern and western carriageway lane widths at the Portsmouth Road roundabout junction, to allow approaching traffic to form up in dedicated left and right hand turning lanes - these measures will enhance traffic flow through this junction.

- Delivery of an enhanced uncontrolled crossing facility immediately to the west of the parade of shops on Church Street.
- On the Station Lane approach to the Church Street junction the carriageway has been widened to provide extended left and right hand turning lanes, as well as relocated pram crossings, tactile paving and yellow box to prohibit traffic blocking the village car park.
- A new shuttle working traffic arrangement has been shown over the Station Lane Bridge, allowing the existing footway on the eastern side of the carriageway to be widened to 1.5m.
- Widening of the footway to 2.0m on the eastern side of Station Lane between the road bridge and the golf club access.
- Two new pedestrian crossing on Station Lane between the road bridge and the existing golf club access, connecting to new pedestrian/cycling route on the eastern boundary of the site, parallel with Station Lane.
- New crossing with pedestrian refuge on Station Lane adjacent to the south-eastern corner of the site, providing a connection between the site and the existing footway on the eastern side of Station Lane.

- A new shuttle working traffic arrangement has been shown over the Station Lane Bridge, allowing the existing footway on the eastern side of the carriageway to be widened to 1.5m.
- Widening of the footway to 2.0m on the eastern side of Station Lane between the road bridge and the golf club access.
- Two new pedestrian crossing on Station Lane between the road bridge and the existing golf club access, connecting to new pedestrian/cycling route on the eastern boundary of the site, parallel with Station Lane.
- New crossing with pedestrian refuge on Station Lane adjacent to the south-eastern corner of the site, providing a connection between the site and the existing footway on the eastern side of Station Lane.
- Zebra crossing on Station Lane adjacent to Rake Lane.
- Traffic calming measures, in the form of speed cushions, at regular intervals on Station lane to reduce vehicle speeds and enable to reduction of the speed limit from 40mph to 30mph.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

#### 14. Condition

No dwelling hereby approved shall be first occupied unless and until space for the parking of vehicles and space for vehicles to turn so that they may enter and leave the site in a forward gear has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be retained and maintained to the satisfaction of the Local Planning Authority.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

#### 15. Condition

The development hereby approved shall not be first occupied unless and until secure cycle parking for the flats and houses has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be permanently provided for its designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

16. Condition

The development hereby approved shall not be first occupied unless and until a scheme detailing a route for pedestrians and cyclists up to the south western boundary of the site, to enable a future connection to Busdens Way, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be provided prior to first occupation of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

17. Condition

The development hereby approved shall not be commenced unless and until a scheme (in accordance with the principles of 'Secured by Design'), detailing the route for pedestrians and cyclists along the eastern boundary of the site, with associated connections to Station Lane, has been submitted to and approved in writing by the Local Planning Authority. The approved shall then be provided prior to first occupation of the development and thereafter be permanently maintained for its designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

18. Condition

The development hereby approved shall not be commenced unless and until a scheme to enhance the available footway width within the limits of the public highway on the eastern side of Station Lane as shown between points A and B on drawing No. SK21811-15 Rev has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be provided prior to first occupation of the proposed development.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan 2018 (Part 1) and the NPPF.

#### 19. Condition

In conjunction with a Reserved Matters application a scheme to demonstrate that the proposed dwellings are in accordance with the governments technical space standards shall be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To ensure the residential amenities of the future occupants of the proposed development are adequate in accordance with retained policy D4 of the Local Plan 2002, the NPPF and technical Government Guidance.

#### 20. 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. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+40%) allowance for climate change storm events and 10% allowance for urban creep, during all stages of the development (Pre, Post and during), associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 16.5l/s.
- b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.).
- c) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.
- d) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- e) Evidence that the Station Lane culvert has been cleared to enable the free flowing of water in the River Ock.
- f) A plan showing exceedance flows (i.e. during rainfall greater than

Reason

To ensure the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy CC4 of the Local Plan Part 1 (2018) paragraph 103 of the NPPF.

21. 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. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls). Evidence should also be provided which confirms the Station Lane culvert has been cleared at the end of construction works.

Reason

To ensure the design meets the technical standards for SuDS and the final drainage design does not increase flood risk on or off site, in accordance with Policy CC4 of the Local Plan Part 1 (2018) paragraph 103 of the NPPF.

22. 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 08:00 - 18:00 Monday to Friday, 08:00 - 13:00 Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason

In order that the development not result in harm by way of noise to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

23. 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 Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.



24. Condition  
Prior to the first occupation of the units hereby approved, a lighting scheme setting out the location, type, and illumination levels of lighting to be provided on the site shall be submitted to and approved in writing by the Local Planning Authority. External lighting shall be installed on the site in strict accordance with the approved details prior to first occupation of the units and shall thereafter be retained.

Reason

To ensure that external lighting is kept to a minimum and to comply with the recommendations of the Bat Conservation Trusts' document entitled 'Bats and Lighting in the UK - Bats and the Built Environment Series', having regard to Policy NE1 of the Local Plan 2018 (Part 1).

25. Condition  
There shall be no burning of any waste or other materials on the site during the demolition and construction phases.

Reason

In order that the development not prejudice the air quality of the area nor the residential amenity in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policy D1 of the Local Plan 2002

26. Condition  
Prior to the commencement of development, full details of a scheme for the provision and maintenance of electric vehicle charging points within the development shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be provided on site to serve the units in strict accordance with the approved details prior to the occupation of the development.

Reasons

To support users of low and ultra low emission vehicles and enable charging in convenient locations, and to ensure that the development does not prejudice the air quality of the area in accordance with Policies TD1 and ST1 of the Local Plan 2018 (Part 1), retained D1 of the Local Plan 2002, paragraph 110 of the NPPF 2018 and having regard to Surrey County Council's Vehicular and Cycle Parking Guidance (January 2018).

27. Condition  
No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The supervision and monitoring shall be undertaken in

strict accordance with the approved details. The scheme shall include details of a) a pre-commencement meeting between the Local Planning Authority Tree Officer and personnel responsible for the implementation of the approved development and b) timings, frequency & methods of site visiting and an agreed reporting process to the Local Planning Authority.

#### Reason

To adequately protect all trees worthy of retention from development harm and to provide for their amenity contribution thereafter in line with Policy NE2 of the Local Plan 2018 (Part 1) and retained Policies D6 and D7 of the Local Plan 2002.

#### 28. Condition

Before work begins, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved in writing by the Local Planning Authority.

#### Condition

Before work begins, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved in writing by the Local Planning Authority.

#### 29. Condition

No development shall commence on site until a scheme for the landscaping and replacement tree planting of the site, including the retention of existing landscape features, has been submitted to and approved in writing by the local planning authority. Landscaping schemes shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, and hedge or grass establishment), schedules of plants, noting species, plant sizes and proposed numbers/densities and an implementation programme. All hard and soft landscaping work shall be completed in full accordance with the approved scheme, prior to occupation or use of the approved development or in accordance with a programme agreed in writing with the local planning authority. All new tree planting shall be positioned in accordance with guidelines and advice contained in the current British Standard 5837. Trees in relation to construction. Any trees, shrubs or plants planted in accordance with this condition which are removed, die or become damaged or become diseased within five years of planting shall be replaced within the next planting season by trees, and shrubs of the same size and species.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

30. Condition

Prior to the occupation of the dwellings, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan 2018 (Part 1).

31. Condition

Prior to the first occupation, a strategy for the provision of the highest available headline speed of broadband provision to future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take into account the timetable for the delivery of 'superfast broadband' (defined as having a headline access speed of 24Mb or more) in the vicinity of the site (to the extent that such information is available). The strategy shall seek to ensure that upon occupation of any dwelling, the provision of the highest available headline speed of broadband service to that dwelling from a site-wide network is in place and provided as part of the initial highway works, and the construction of frontage thresholds to dwellings that abut the highway. Unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure, the development of the site shall be carried out in accordance with the approved strategy.

Reason

To ensure suitable broadband provision for all potential occupiers in accordance with Policy CC2 of the Local Plan 2018 (Part 1).

32. Condition

Prior to the first occupation of the units hereby permitted, full details of the proposed refuse and recycling stores to serve each unit shall be submitted to and approved in writing by the Local Planning Authority. The stores shall be provided on site prior to the first occupation of the units in strict accordance with the approved details and therefore shall be retained.

Reason

To ensure that appropriate refuse and recycling facilities are provided for the future occupants of the site, having regard to Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

33. Condition

Prior to the occupation of the development hereby approved a detailed scheme for the proposed Local Area for Play and Local Equipped Areas for Play shall be submitted to and approved in writing to the Local Planning Authority. The approved scheme shall be implemented in strict accordance with the approved details, prior to the first occupation of the development. The scheme shall include details of the equipment to be provided, its maintenance and inspections to be carried out by a qualified Inspector to check the quality of the equipment.

Reason

To ensure that appropriate, safe and high quality play space is provided within the site, to accord with Policy LRC1 of the Local Plan 2018 (Part 1) and paragraph 96 of the NPPF 2018.

34. Condition

The garages hereby approved shall only be used for incidental residential parking and storage as such and not for any trade, business or as ancillary accommodation.

Reason

In order to maintain sufficient parking for the development and to protect the character and residential amenities of the area in accordance with Policies ST1 and TD1 of the Local Plan 2018 (Part 1).

35. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no roof extensions as defined within Part 1 of Schedule 2, Class B of that order, shall be constructed within the site without the written permission of the Local Planning Authority.

Reason

In order that the development not be to the detriment to the residential amenity of neighbouring properties in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

36. Condition

Prior to the occupation of the development details of any proposed boundary treatment shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.

Reason

In order to protect the visual amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

37. Condition

Prior to commencement of development, other than that required to be carried out as part of demolition or 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.

Reason

To ensure that the development adequately deals with any contaminated land or water found during the development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

38. Condition

Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with condition 37 and shall be submitted to the Local Planning authority for approval prior to occupation of the development.

Reason

To ensure that the development adequately deals with any contaminated land or water found during the development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

39. 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 37, 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 37 of this permission.
- b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 37.
- c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 38.

Reason

To ensure that the development adequately deals with any contaminated land or water found during the development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

40. Condition

The development shall be carried out in strict accordance with the dust and emissions mitigation measures detailed in Table 5-4 and section 5.2 of the Air Quality Assessment (SLR REf No: 140.08894.00002; Oct 2018). These measures can be part of a broader site Construction Environmental Management Plan to be submitted to and approved by the Local Planning Authority prior to commencement.

Reason

In order that the development not result in harm to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

41. Condition

Prior to the commencement of development, a further Air Quality Assessment shall be undertaken in order to predict operational phase impacts and the effects on local air quality as a result of additional vehicles travelling to and from the proposed development. The Assessment shall be submitted to and approved by the Local Planning Authority.

Reason

In order that the development not result in harm by way of noise to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

42. Condition

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal noise levels within the residential units will conform to the "indoor ambient noise levels for dwellings" guideline values specified within BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings in accordance with mitigation measure supplied in the submitted Noise Report by Echo Acoustics. The scheme should take into account the correct number of air changes required for noise affected rooms. The work specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason

In order that the development not result in harm by way of noise to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

43. Condition

Prior to the commencement of the development hereby approved, a scheme to demonstrate that the external noise levels within the curtilage of residential units will conform to the "design criteria for external noise" upper guideline value of 55 dB LAeq,T, as specified within BS 8233: 2014, Guidance on Sound Insulation and Noise Reduction for Buildings in accordance with mitigation measure supplied in the submitted Noise Report by Echo Acoustics.

Reason

In order that the development not result in harm by way of noise to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

44. Condition

No sound reproduction or amplification equipment (including public address systems, tannoy, loudspeakers, etc.) which is audible outside the site boundary shall be installed or operated on the site.

Reason

In order that the development not result in harm by way of noise to the residential amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policy D1 of the Local Plan 2002.

Informatives

1. This application gives outline consent subject to a number of conditions, the discharge of which may result in the necessity for a reduction in the quantum of development to be reduced on this site. The consent does not permit 200 dwellings on this site, it grants permission for up to 200 dwellings subject to the detail to be acceptable at Reserved Matters stage.

This development may require an Environmental Permit from the Environment Agency under the terms of the Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2016 for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated 'main rivers'. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. An environmental permit is in addition to and a separate process from obtaining planning permission. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

2. The granted outline planning permission in regard to this site, the applicant is required to;
  - Obtain a European Protected Species (EPS) licence from Natural England following the receipt of planning permission and prior to any works which may affect bats and / or dormice and/ or Great Crested Newts.
3. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on our website.

If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.

If there are any further queries please contact the Sustainable Drainage and Consenting team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use our reference



number in any future correspondence.

4. 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.

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.

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 Team at Surrey County Council.

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.

5. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
7. 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 Streetworks permit and 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 Streetworks permit and an application will need to be submitted to the County Council's Streetworks Team up to 3 months in advance of the intended start date, depending on the scale of the works

proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. 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](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).

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

When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.

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 developer is advised that as part of the detailed design of the highway works required by the above condition(s), 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.

The permission hereby granted shall not be construed as authority to erect a structure including telecommunication masts and associated equipment without a detailed design assessment. The applicant is advised that a detailed design must be approved from Surrey County Council Structures Team before any works are carried out on any footway, footpath, carriageway, or verge. Please telephone 0300 200 1003 to arrange for the detailed design to be assessed by Surrey County Council Structures Team.

11. The developer would be expected to agree a programme of implementation of all necessary statutory utility works associated with the development, including liaison between Surrey County Council Streetworks Team, the relevant Utility Companies and the Developer to ensure that where possible the works take the route of least disruption and occurs at least disruptive

times to highway users.

13. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.

12. There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

13. 'We 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. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:'''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. We would expect 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 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).'''

14. "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.

15. The planning permission hereby granted followed the completion of a related Planning Obligation (either a Unilateral Undertaking or a Legal Agreement) under S.106 of the Town and Country Planning Act (as amended).

There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

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

### **Recommendation B**

That, in the event that the requirements of recommendation A are not met, permission be REFUSED for the following reasons:

1. The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works and Travel Plan to mitigate the impact of the traffic generated by the development. As such, the proposal would fail to limit the significant impacts of the development on the surrounding highway network. The application therefore conflicts with Policy ST1 of the Local Plan 2018 (Part 1) and fails to meet the transport requirements within Section 4: Promoting Sustainable Transport of the NPPF 2018.
2. The applicant has failed to enter into an appropriate legal agreement to secure the provision of/contributions towards: education infrastructure; recycling containers; off-site leisure and greenspace areas; on-site open space and play space provision and maintenance; environmental enhancements; SuDS provision and maintenance, and self build plots. The proposal therefore conflicts with Policy ICS1 of the Local Plan 2018 (Part 1) and paragraph 92 of the NPPF 2018.
3. The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, Page 153 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 Policy AHN1 of the Local Plan 2018 (Part 1) and paragraph 61 of the NPPF 2018.

### **Recommendation C**

That, if formal planning decision in respect of recommendation A is issued on 01/03/2019 or thereafter, then the Head of Planning be authorised to charge CIL in accordance with the Council's approved CIL Charging Schedule and revised Section 106 Infrastructure payments.

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