

A1 WA/2016/0339 M Jackson Gleeson Development Ltd 23/02/2016 Hybrid application: Part Outline application for the erection of up to 254 dwellings with access from The Street Tongham and emergency access from Grange Road, provision of open space, including children's play areas, sustainable urban drainage system and associated works. Access only to be determined at Outline; Full application for change of use from agricultural land to use as a Suitable Alternative Natural Greenspace (SANG) and associated works on land to the east of Tongham Road to serve the proposed development and surrounding area, including access, pathways and associated landscaping (this application is a cross boundary application; please also see Guildford Borough Council application 16/P/00222, the majority of the site falls within Guildford Borough Council) at Land At North End Of Tongham Road, Runfold (as amended by updated SANG LEMP (landscape ecological management plan) and letter of intent received 25/7/2016; SANG outline LEMP costs, SANG outline capital costs schedule, Revised SANGS plan (rev K) received 6/6/2016, Revised master plan (1613 10e) received 12/4/2016 and as amplified by Ecology letter received 2/8/2016, SANG delivery email received 28/7, Archaeological assessment received 28/7/2016, Highways modelling information received 11/3/2016; Travel plan, SANG Letter from Natural England, and response to SCC Highways comments received 11/3/2016 and Heritage Assessment received 9/3/2016, and additional ecology information received 02/08/2016 and 04/08/2016)

Committee: Joint Planning Committee
Meeting Date: 15/08/2016

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 487800 N: 148120

Town: Farnham
Ward: Farnham Moor Park
Case Officer: Rachel Kellas
13 Week Expiry Date: 24/05/2016
Neighbour Notification
Expiry Date: 08/04/2016
Neighbour Notification
Amended/ Additional
Expiry Date: 29/07/2016

Time extension agreed Yes
to:
Extended expiry date: 15/11/2016 (tbc)

RECOMMENDATION A That, subject to the completion of an appropriate legal agreement(s) by 15/11/2016 in respect of the provision and management of the SANG, management of the SANG car park and access to the SANG, off site highways works contributions, planning infrastructure contributions towards education infrastructure, as well as any other contributions required by Guildford Borough Council, subject to conditions and subject to Guildford Borough Council resolving to approve the application that permission be GRANTED

RECOMMENDATION B That, in the event that the requirements of recommendation A are not met, that permission be REFUSED

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Introduction

The application has been brought before the Area Committee because the proposal does not fall within the Council’s Scheme of Delegation due to the number of dwellings proposed.

This is a cross boundary application wherein the majority of the application site lies within Guildford Borough. Separate applications have been submitted to both Waverley and Guildford. The reference for the associated Guildford application is 16/P/00222.

There is no provision in planning law for situations where an application site lies partly within the area of one local planning authority, and partly within another. The only advice on this matter is contained with the NPPG, which explains that where an application site straddles one or more local planning authority boundaries, it is necessary to submit identical applications to each local planning authority, identifying on the plans which part of the site is relevant to each. The planning fee is payable solely to the authority of whichever area contains the larger or largest part (within the red line) of the whole application site.

Officers have considered in detail the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford. The officers

report sets out an assessment of the development within Waverley Borough as well as any impacts resulting from the housing development, rather than considering the principle.

The planning application is Hybrid application seeking a part outline permission for the proposed residential development and part detailed planning application for the change of use of agricultural land to a SANG. The outline part of the development proposal is submitted with all matters reserved for future consideration except for access.

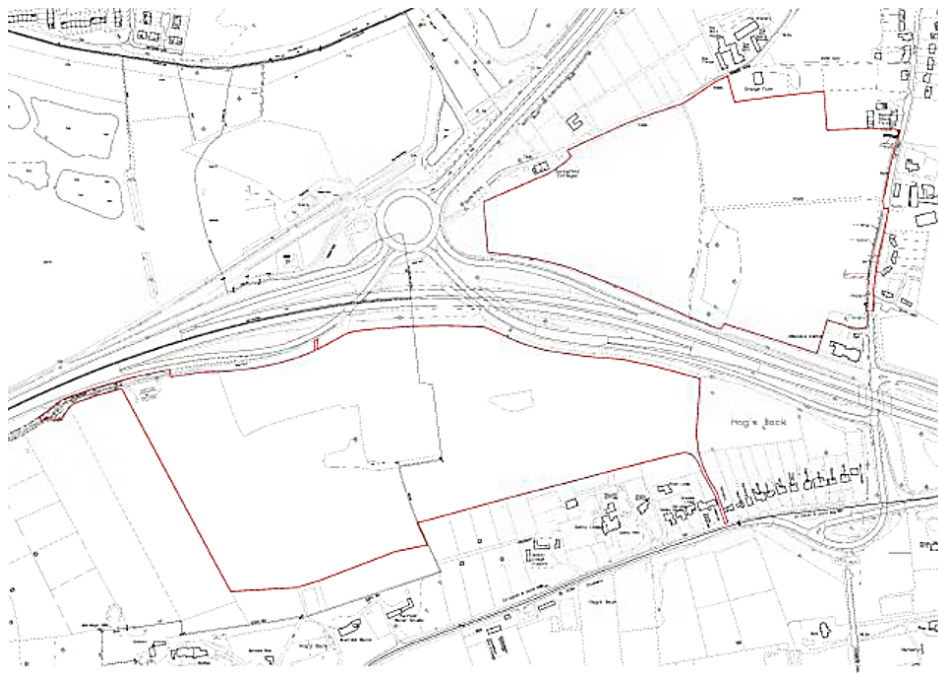
An application for outline planning permission is used to establish whether, in principle, the development would be acceptable. This type of planning application seeks a determination from the Council as to the acceptability of the principle of the proposed development and associated access. If outline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

Reserved matters which do form part of the current planning application include:-

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

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

Location Plan



Site Description

The application site comprises two parcels of land which are separated by the A31 Hogs Back and the A331 including the roundabout junction. The site measures just over 30 hectares in total and comprises undeveloped agricultural land.

The southern portion of the site (of which the western portion falls within Waverley Borough and the eastern portion within Guildford Borough), comprises open agricultural land which slopes down from south to the north. The site is bound by the A31 and A331 to the north, and Tongham Road and the Street to the south. There is an existing cycle track (known as the Christmas Pie Cycleway) which runs along the northern boundary. Runfold is located to the south west and there is residential development along Tongham Road. The western portion (within Waverley) has a small copse within its midst and is bounded by hedgerows, including relatively recent plantings adjacent to the cycleway that runs parallel to the north. The topography is of rolling countryside that geologically spans across the recognised divide between the exposed chalk ridge of the North Downs on the western side of site and the rolling clay land on the eastern side.

The northern portion of the site (within Guildford Borough) is located on the opposite side of the A31/A331, measures 13 hectares and is located to the south of Tongham, and to the west of the Street which bounds the site on its western side. The site is bordered by the Hogs Back Brewery on the east, and

residential development to the north and east. The Ambulance station is adjacent to the south east corner of the site. There is existing woodland and several lines of mature poplar trees within the site.

Proposal

Permission is sought for two main elements:

Outline permission for residential development on the northern portion of the application site (within Guildford Borough) to include:

- Erection of up to 254 dwellings
- Public open space and children's play area
- Sustainable Urban Drainage Systems
- Access from The Street and an emergency access link from Grange Road
- Associated estate roads, community car park, footpaths, and landscaping; and
- Associated infrastructure works on site

Full planning permission is sought for the provision of SANG (Suitable Alternative Natural Green Space) on the southern portion of the application site (western portion falls within Waverley Borough and the eastern portion within Guildford) at Tongham Road, Runfold to include:

- Change of use of 17.5 hectares of agricultural land to use as SANG (sui-generis)
- Laying of 18 space permeable car park
- A network of permeable pathways
- Associated landscaping
- Alterations to existing pedestrian and cycle access to provide vehicular access into the site off Tongham Road

The application includes the following heads of terms:

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £836,996 -
- Secondary education £898,143 – projects at Farnham Heath End school to expand and provide sufficient school places Plan for the provision and management of the SANG, management of the SANG car park and access to the SANG
- £250,000 towards an improvement scheme for the A331/A31 roundabout
- £75,000 towards local pedestrian and cycle infrastructure improvements including the Christmas Pie route and Public Right of Way Route 344

- £40,000 towards road safety improvements within the vicinity of the site, including the parking formalization scheme on The Street.
- £6,150 for the monitoring fee of the Travel Plan
- Any other contributions required by Guildford Borough Council.

Proposed SANG Plan



Residential development illustrative plan (wholly within Guildford Borough)



Relevant Planning History

N/A

Planning Policy Constraints

Countryside beyond the Green Belt – outside developed area boundary

Agricultural Land Grades 2 and 3
Farnham/Aldershot Strategic Gap
County Primary Route Network
Thames Basin Heaths SPA 5km Buffer Zone
Wealden Heaths I SPA 5km Buffer Zone
Adjacent to Area of Great Landscape Value

Development Plan Policies and Proposals

Saved Policies C2, C3, C4, D1, D4, D5, D6, D7, D8, D9, D13, D14, LT7, LT11, M2 and M14 of the Waverley Borough Local Plan 2002

Saved Policy NRM6 of the South East Plan 2009.

The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the South East region, the Plan was revoked on March 2013 except for Policy NRM6: Thames Basin Heaths Special Protection Area. This Policy remains in force.

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

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

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

Other guidance:

- National Planning Policy Framework (NPPF) 2012
- National Planning Practice Guidance (NPPG) 2014 (as amended)
- Council's Parking Guidelines 2013
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Surrey Design Guide (2002)

Consultations and Town/Parish Council Comments

Farnham Town Council	No objections, but would question the long term maintenance and security of the proposed SANG
Crime Prevention Design Adviser	<p>Emergency access route from Grange Road on the Northern Boarder of the development; with the inclusion of this route it is opening up the permeability of the site for both vehicular and pedestrian access. This would allow an easy escape route for any perpetrator's either on foot or in a vehicle. With the current open ground beyond this development it allows easy access on foot to a fleeing perpetrator with available routes across the A331 in to the housing estate on the Hampshire side of the A331. Which could allow an undetected vehicle to escape the area. Or for a pedestrian to blend in to a large housing estate in order to prevent detection.</p> <p>Footpath on to Grange Road -. Consideration should be given to not allowing these access points to reduce the sites permeability. If the emergency access is deemed to be required it should have a security fence and incorporate security gates to a minimum height of 180cm.</p> <p>Under-croft / access to parking: In general the parking allocation for the blocks of flats appears to be accessed via an under-croft, these are historically linked to Anti-Social Behaviour as they act as a honeypot for local youths to gather and shelter from the bad weather and or to be out of sight to the residents in the immediate area. If they are to be included the under-croft should be gated to prevent people gathering under it.</p>

	<p>Parking. Allocated Car Parks should be able to be viewed from active room and close to the property the southern boundary homes don't appear to meet this requirement consider placing the parking in front of the buildings.</p> <p>SANG Parking: The proposed site for the SANG parking is distant from the residential area of the development. With the details shown there will be limited natural surveillance, consideration should be given to locating it within the SANG area.</p> <ol style="list-style-type: none"> 1. Due to the limited parking availability within the development and that of the Street at Tongham there are no details on how the open spaces will be protected against vehicle entering on to the open spaces in order to park. These open spaces should be protected from unauthorised vehicle entry. 2. Management of Open spaces, there appears to be no identified responsible body nominated to manage the open spaces once the development has been completed.
Council's Environmental Health Officer (noise)	<p>Having reviewed the development proposal and supplied information, it has been determined that noise from the site crosses the no observed effect level and becomes noticeable. However, as defined within the National Planning Practice Guidance, the noise has no adverse effect so long as the exposure is such that it does not cause any change in behaviour of attitude. The noise can slightly affect the acoustic character of an area but not the extent there is a perceived change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment. As such, no conditions are recommended.</p>
Council's Waste & Recycling Officer	<p>All dwellings lie within the boundary of Guilford Borough Council, there is no provision required for Waverley Borough Council to provide or empty waste and recycling containers.</p>
County Archaeological Officer	<p>Original response 3/3/2016:</p> <p>The applicants have acknowledged the policy requirement and have submitted a desk based assessment prepared by CGMS Consulting. Unfortunately the submitted assessment is for a site in Crediton, Devon and therefore does not enable an informed decision to be made regarding the</p>

archaeological potential of the application site.

It is advised that an archaeological assessment for the application site should be submitted before a decision made on the merits of the planning application.

Once the assessment has been received, an informed decision can be made regarding the need for further work to both clarify the archaeological potential and devise appropriate responses to mitigate the threat posed by the proposals to any potential archaeological remains.

Amended response:

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

The assessment has consulted all currently available sources including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that the site has a moderate potential to contain remains from the Neolithic and Bronze Age with a good potential for the Iron Age and Roman periods.

It is considered appropriate to carry out further investigations in order to further define the potential of the site and advise that in the first instance this should comprise an archaeological evaluation trial trenching exercise on areas proposed for new build, which will aim to rapidly establish whether archaeological remains are present. The results of the evaluation will enable suitable mitigation measures to be developed.

Given that the assessment has demonstrated that the site has been disturbed by previous activity to some degree, it is not considered necessary for the archaeological work to be undertaken in advance of any planning permission; but securing the archaeological work as a condition of any planning permission is an acceptable and proportionate

	<p>response. To ensure the required archaeological work is secured satisfactorily, condition recommended.</p>
<p>County Highway Authority</p>	<p>No objection subject to securing appropriate contributions and subject to conditions.</p> <p>Accessibility The National Planning Policy Framework (2012) states that the Local Planning Authority should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport, and that developments should be located where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. The site is located within walking and cycling distance of many existing facilities. There is a continuous footway on the eastern side of The Street, a footway from the site to the existing crossing point on The Street is being provided. There are existing bus stops within walking distance of the site which provide future occupiers with an alternative mode of transport to the private vehicle. The bus routes provide access to both Ash and Aldershot railway stations which provides sustainable travel further afield.</p> <p>Part of the contributions to be secured will be to improve local pedestrian and cycle infrastructure in the vicinity of the site; in particular improvements to the Christmas Pie cycleway and Public Rights of Way footpath 344 will be implemented. A Travel Plan has been approved by our Travel Plan Officer and will be implemented upon first occupation; a Travel Plan Co-ordinator along with the continued monitoring by Surrey County Council will ensure that objectives and targets are being met.</p> <p>Trip Generation and Distribution A Transport Assessment was provided as part of this application. The junction assessments were audited by our modelling team. The results for each junction assessment show that junctions will continue to operate within capacity having taking into account development traffic and future growth. The development traffic is not going to result in a significant increase in vehicular traffic compared with the existing levels of traffic. £250,000 is to be secured to go towards a capacity</p>

improvement scheme for the A331/A31 roundabout. As well as this contribution, £40,000 is to be secured in order for the parking improvement scheme for The Street to be implemented. The parking improvement scheme will include the formalization of parking on the eastern side of The Street to effectively manage the flow of traffic. These contributions would mitigate against any impact of the development on the immediate highway as well as within the vicinity of the site.

Suitable Alternative Natural Greenspace (SANGs)

The access arrangements to the SANG has been agreed in principle, however the priority for vehicles and cyclists should be agreed at detailed design stage. It has been agreed that secure cycle parking would also be provided at the SANG site. The SANG will have provision of 18 parking spaces which will access the site using Tongham Road. The developer has carried out an assessment of the access road from the roundabout with Tongham Road and Old Bridge Road. Drawing No. ITB10194-SK-005 shows the width of the road from the roundabout into the site, the majority of the route is wide enough to allow simultaneous movement of two vehicles. The areas on Tongham Road where it is not wide enough for vehicles to pass will result in vehicles having to wait to allow oncoming vehicles to pass, however this is an existing situation and the SANG site will not exacerbate this. Although it may cause some inconvenience it is not a highway safety issue. The proposed access into the SANG car park means vehicles will enter and leave the site in forward gear.

The impact of the SANG on Tongham Road is minimal and will not be significant. The Transport Assessment suggests the impact of the proposal, if all parking spaces are occupied and turned over within a single hour, will be 36 additional two-way vehicle movement in one or, or one movement every two minutes. Taking this into account with the existing peak hour two-way flows of 32, this would result in 68 two way movements or circa one every minute. As stated in the Transport Assessment, Manual for Streets identifies a threshold of around 100 vehicles per hour as being acceptable for use as a shared use; therefore footways do not need to be provided on Tongham Road.

	The S106 contributions to be secured would improve pedestrian/cyclist access from Grange Road to the SANGs site.
County Rights of Way Officer	<p>The Countryside Access Team do not object to this application, but see a number of opportunities for improvements to the public rights of way system linked to this development.</p> <p>It is requested that surface improvements be made to both Footpath 345 and 344 Tongham. These are the nearest public rights of way to the site and foot traffic is likely to increase on these routes if consent is given. Improvements to these paths via a section 278 agreement are sought. A clause should be included, so that if the applicant is unable to deliver these improvements then a financial sum is provided by the applicant to allow the County Council to complete the works.</p> <p>The 'Christmas Pie Route' (CP Route) is a long distance route linking Guildford to Farnham and vice-versa. It serves as a well used functional and recreational link for cyclists, pedestrians and equestrians between these two settlements and is largely all off road, utilising the public rights of way network and parts of the quieter rural road network. The CP route runs through Tongham very close to the site. A contribution of £40000 to improve a part of or parts of the CP Route and a number of interconnecting rights of way is sought.</p>
Environment Agency	This application has been assessed as having a low environmental risk. No comments to make.
Guildford Borough Council	No response received
Highways England	No objection
Lead Local Flood Authority (Surrey County Council)	<p>Satisfied that a viable method of dealing with surface water can be achieved which will not increase flood risk. This is because the proposed method of surface water discharge is most suitable for the ground geology. Therefore, no objection to this outline application subject to submission of an appropriate SuDS design at the detail design stage.</p> <p>However, it is recommended that should planning permission be granted, that suitably worded conditions are applied to</p>

	<p>ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.</p>
<p>Natural England</p>	<p>Original response: Thames Basin Heaths SPA – Objection – Insufficient information</p> <p>Currently, the individual bespoke proposals for avoidance and mitigation measures (i.e. the creation of Suitable Alternative Natural Greenspace SANG) offered with this proposal are not considered to be appropriate. While in principle Natural England consider that the proposed SANG is suitable there are aspects of the application that need clarification:</p> <ul style="list-style-type: none"> • Due to the slightly complex nature of the site I would advise that we need more specificity over how management will be achieved. Natural England requires such information to eliminated any doubt over the success of the proposed management • The applicant should provide a single SANG management approach, and follow it through fully <p>Consequently, it is Natural England’s view that the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the SPA. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of regulation 62.</p> <p>Amended response (26/07/2016):</p> <p>Thames Basin Heaths SPA – Removal of objection</p> <p>Since this time (letter of 08 April 2016 raising objection) Natural England has received additional information from the applicant, in the form of an amended landscape and</p>

Environmental Management Plan (LEMP) which outlines that the Land Trust will take on the SANG for in perpetuity management, with the following clause in relation to step-in rights:

“The S106 Agreement ... would contain a ‘step-in’ rights clause, for the transfer of the SANG and the unexpended balance of the SANG Contribution to another registered charity that has comparable charitable purposes to the Land’s Trust and approved by the Council in consultation with Natural England”

Having been in receipt of this LEMP, Natural England can now advise that the individual ‘bespoke’ proposals for an onsite Suitable Alternative Natural Greenspace (SANG) offered with this development are appropriate, and we therefore remove our previous objection. This is under the provision that the following conditions are appended to any planning permission granted:

- A S106 must be drawn up and formalised to include all of the specifications for in-perpetuity management (including step-in rights) and funding that have been outlined within the LEMP. The S106 must be finalised in agreement with both your Authority, the Land Trust and Natural England

- The S106 should also include the provision of a commuted sum and maintenance fund. This would constitute a sum of money upfront to the management company to guarantee SANG management and maintenance for a defined period. The residents service charge should be calculated accordingly to ensure the necessary maintenance fund is achieved by the end of the guaranteed period, which should realise the necessary funding for SANG management/maintenance in perpetuity thereafter. The maintenance fund should be ring-fenced and can be held by the LPA, or if it is to be held elsewhere the management company will need to provide the council with the necessary accounting details each year to demonstrate the fund is present and all is in order.

- The SANG is established and fully useable prior to the sites first residential occupation

- Full Strategic Access Management and Monitoring (SAMM) contributions made, in line with your Authority's Thames Basin Heaths SPA Avoidance Strategy.

Additional response (04/08/2016):

- Note that the development affects 30.69ha of agricultural land, of which 26.7ha is best and most versatile (BMV) agricultural land (ALC Grades 2 and 3a on this site). Of this, only 12.3ha (grades 2 and 3a) will be lost to the housing development, while the remaining 14.4ha (grade 3a) is potentially reversible back to agricultural land if this was ever needed. This latter parcel would therefore remain a high quality resource for future generations. This is due to the proposed use of this land as SANG, with no intrusive hard landscaping works (earthmoving/re-contouring/landscaping, stripping off topsoil, large areas of hard surfaces etc.)
- In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the built development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.
- Consequently, advise that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on, and supervise, soil handling for the areas of built/hard development, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. Detailed guidance is available in Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#) (including accompanying [Toolbox Talks](#)) and we recommend that this is followed.

In relation to the issues surrounding protected species for the SANG portion of the site, I consider that the clarification provided by Matt Jones is sufficient to show that this site will not present any significant protected species issues. However, you should refer to our [Standing Advice](#) on protected species; this should provide you with some guidance on whether a proposal will require a license. If you have any specific species questions or concerns please do get in contact for detailed advice

<p>Surrey Hills AONB Officer (comments to Guildford Borough Council)</p>	<p>No objection</p>
<p>Surrey Wildlife Trust</p>	<p>The proposed development would result in new dwellings within 5km of part of the Thames Basin Heaths (TBH) Special Protection Area (SPA). The Local Authority may therefore wish to consider this application against their TBH SPA Avoidance Strategy and consult Natural England the statutory authority for such designated habitats.</p> <p>The Trust would advise that the Preliminary Ecological Appraisal Report and Protected Species Survey Report by The Ecology Partnership and the Landscape and Ecological Management Plan by EAD Ecology dated January 2016, which the applicant has provided in support of the above planning application, provides much useful information for the Local Authority to be able to assess the potential status of protected and important species on the proposed development site and the likely effect of the development on them.</p> <p>Advise the Local Authority, that should they be minded to grant this planning application for this site, the applicant should be required to undertake all the recommended actions in section 4 and section 5 of the Assessment Report for biodiversity enhancements, and sections 2.21-2.5 for bats, 3.11 for dormice, sections 4.11-4.17 for reptiles, sections 5.22-5.24 for birds and sections 6.18- 6.29 for badgers in the Protected Species Report.</p> <p>This will help prevent adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development.</p> <p>Landscape and Ecological Management Plan for the proposed SANG site.</p> <p>It does not appear that Phase 2 Protected Species survey work has been undertaken on this site, as it has been</p>

undertaken on the proposed development site. Although the proposed use of the site as a SANG will not involve a large amount of development works, creation of hard features such as the car park and the proposed use of the site by humans and pets is likely to have a significant disruptive effect on wildlife currently using the site and on its biodiversity value.

Use of the site as a SANG should not adversely affect the biodiversity value of a site but should seek to enhance it. Without full ecological knowledge of the species use of the site to inform the process, development works and the final design of the SANG including route of paths and planting proposals together with on-going maintenance regimes could adversely affect biodiversity without appropriate mitigation/compensation works.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. Section 40(3) also states that, *“conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”*.

Advise that knowledge of, for example current badger, reptile and bird use of the site would be required to inform development works and future site management to maintain and preferably enhance the site’s biodiversity value.

The proposed SANG site is in a noisy area adjacent to the very busy A31, it is on a slope overlooking this road and can only be reached by car or foot journeys involving busy roads. The walking routes proposed to facilitate the 2.4km walk route look somewhat contrived. Advise that the proposed

SANG may not prove a popular alternative to the SPA, for which it is intended.

Biodiversity Value.

The applicant's ecologist has stated that they were unaware of the full extent of the proposed housing development. Advise the Local Authority to seek confirmation from the applicant that the ecological recommendations made by their retained ecological company are still appropriate.

Advise that retaining and enhancing the boundary vegetation, hedgerows and woodland on this site is likely to be important to the biodiversity value of this site.

Concerned that development plans appear to show some fragmentation of the central hedgerow on the housing site, a habitat used by badgers, bats and breeding birds. It is also likely to act as a wildlife corridor. Would therefore advise the Local Authority to consider the importance of this hedge line to the site's biodiversity value and look for a robust strategy to ensure its continued biodiversity function.

Advise that all important habitats such as boundary features are retained in the public domain and made the subject of a Landscape and Ecological Management Plan (LEMP) which the Local Authority should have the opportunity to consider. This plan should include details of planting and seeding proposals with species lists, ecological enhancements such as bird and bat boxes and hibernacula, conservation maintenance regimes and a monitoring program.

Additional response (04/08/2016):

Note the contents of a letter from Matt Jones of EAD Ecology dated 2nd August 2016 concerning the lack of phase 2 protected species surveys on the SANG site.

Concur that the creation of the SANG would not involve major development works, the introduction of significant anthropogenic activity on this site is likely to have an impact on the species currently using it.

Without ecological survey information on the populations of legally protected species likely to be currently using this site,

such as reptiles and nesting wild birds, SANG creation and management proposals would need to be particularly robust to ensure that these animals have sufficient undisturbed habitat in which to be able to survive effectively.

Whilst the proposed LEMP for the proposed SANG, if fully implemented, is likely to add biodiversity value to the SANG site in its current ecological condition, would advise that, if the Local Authority is minded to grant this application, without a full protected species survey of the proposed SANG site, it will be important to ensure that all the precautionary actions detailed in the SANG LEMP to protect species should be fully implemented as should all the future habitat management actions.

We have the following additional ecological advice;

Reptiles.

Note that an Ecological Clerk of Works will supervise the SANG implementation, we would advise that the Local Authority has the opportunity to approve a Reptile Mitigation Strategy to help prevent risk of injury arising to these legally protected species from development works associated with SANG development, particularly any hard works such as car park construction and path creation.

Nesting Birds

As the proposed development involves the removal/management of dense shrubbery/vegetation, we would recommend that this is done outside the main bird nesting season (March to August inclusive), to avoid adverse effect to nesting wild birds.

All species of birds are protected under Section 1 of the Wildlife and Countryside Act (1981 as amended). The protection was extended by the Countryside and Right of Way (CRoW) Act 2000. This legislation makes it an offence to intentionally;

- Kill injure or take most wild birds.
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built.
- Take or destroy an egg of any wild bird.

Monitoring.

Advise that the SANG LEMP includes a monitoring programme to allow the Local Authority to be able to assess that the SANG creation has been implemented successfully and that the biodiversity value of the site has been enhanced.

Without survey information to establish the sites current biodiversity value it will be difficult to establish a baseline to compare with future monitoring results but it will be a useful set of data to inform the proposed future LEMP reviews.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. Section 40(3) also states that, *“conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”*.

Badgers.

As a disused sett was found on proposed SANG site, this indicates that badgers could return to the sett at a future date and to help conserve biodiversity value and the local badger population, we would advise that this sett site is protected from SANG usage by protective planting and by siting pathways away from the sett location.

Note the contents of a letter from Alexia Tamblyn, Managing Director of The Ecology Partnership dated 4th August, addressing the concerns raised by The West Surrey Badger Group and ourselves concerning the possible lack of foraging habitat for the badger social group on the development site.

	<p>Advise that provided the recommended mitigation detailed in Ms Tamblyn's letter and in The Ecology Partnership's Protected Species Survey Report, are undertaken in full, the badgers should have access to foraging habitat during the course of the development and while new habitat is developing post development.</p> <p>Advise that the badger population is monitored by ecologists during the development process to ensure that the badgers are maintaining their status on site and if necessary identify and undertake any further actions which may be required to maintain their status.</p>
Thames Water	<p>Waste Comments – no objection subject to conditions.</p> <p>Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like a 'Grampian Style' condition imposed requiring submission of a drainage strategy detailing any on and/or off site drainage works to be approved in writing.</p> <p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

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 18/03/2016 site notices were displayed around the site on the 15/03/2016 and neighbour notification letters were sent on 02/03/2016.

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

- Car park should be closed at night
- Walls or electric gates to protect west farm should be provided
- Controls over vehicle speeds along Tongham road are required
- Improvements to A31 slip road crossing are required
- Current increases in housing in Tongham, Badshot lea and surrounding area are more than enough to satisfy local needs and these proposals cannot be justified by any market assessment for new housing
- No proper assessment of local traffic growth from both new housing in Farnham but also major developments at Aldershot, Bordon and Church Crockham has been undertaken
- Site is on edge of the settlement and encroaching on open countryside this proposal would add to urban sprawl by endless string of inappropriate housing applications
- Residential housing is unsustainable as will attract high car ownership
- Plenty of parking should be provided for residents and visitors and off road parking for the street
- Ecology report omits assessment of loss of foraging area suitable for badgers, particularly during the development period. Almost all local foraging will be unavailable during construction period.

1 letter has been received expressing support for the following reasons:

- Good access to A3 and train services
- Superb planning which Farnham can accommodate

1 letter has been received making the following observations:

- Traffic flow will slow due to increase in parked cars
- Traffic volume estimates do not account for traffic flow in Tongham Road from Guildford Road as doesn't reflect the increased traffic to the Packhouse antique centre between the hours of 9-5:50
- Car park for the SANG should be lockable to deter anti social behaviour

Determining Issues

Principle of development

Loss of agricultural land

Impact on Countryside and visual impact

Impact on Strategic Gap

Impact on residential amenity

Highway safety and car parking

Effect on SPA and proposed SANG

Biodiversity and compliance with Habitat Regulations 2010

Heritage considerations
Planning Infrastructure Contributions
Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
Environmental Impact Regulations 2011 (as amended)
Pre Commencement Conditions
Working in a positive/proactive manner

Planning Considerations

Principle of development

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

Policy C2 3.17 (d) states that development within the Countryside beyond the Green Belt may be acceptable where it relates to tourism, outdoor sport and recreation in accordance with Policies LT4, LT5 and LT7.

Loss of agricultural land

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This sentiment accords with Policy RD9 of the Local Plan which states that development will not be permitted which would result in the loss or alienation of the best and most versatile agricultural land unless it can be demonstrated that there is a strong case for development which overrides the need to protect such land.

The SANG element of the proposal is made up of 14 ha of good quality Grade 3a agricultural land and 2.8ha of moderate quality Grade 3b agricultural land.

The proposal would amount to the Change of Use of the land and would result in the loss of Grade 2 and 3 agricultural land. The application is accompanied by an Agricultural Appraisal. The report concludes that the agricultural land is limited by droughtiness and slopes which restrict the type of agricultural machinery that could be safely operated. There is no evidence that the development would undermine the economic viability of the existing remaining holding.

Policy RD9 states that the loss of the best and most versatile agricultural land (which 84% of the SANG site constitutes) should only be permitted where

there is a strong case for development on particular site which overrides the need to protect such land.

It is noted that there is a shortage of SANG land available to mitigate against development in Guildford. At the present time it is not anticipated that the SANG land will be needed to mitigate against the impact of residential development in Waverley, as there is existing capacity at Farnham Park (an existing site). Nonetheless this supply is not infinite, so it may become necessary in the future. However, there is a duty to co-operate with adjacent Council's. It is in the interests of Waverley to provide the SANG to allow development within Guildford to be brought forward. Should Guildford be unable to meet their housing demand within its own Borough, there could be future pressure to accommodate the unmet need without other Boroughs which could include Waverley.

In this case, the need for SANG development, and the requirement to assist in the delivery of housing, is considered sufficient to override the need for protecting agricultural land. As such, the proposal is considered to comply with Policy RD9 of the Waverley Borough Local Plan 2002.

Impact on Countryside and visual impact

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

It is considered that the proposed use of the site for outdoor recreation and leisure is likely to be compatible with the rural character of the site.

The current access to the field is relatively informal and typical of rural semi-improved farm tracks in the area. The proposal seeks to upgrade the access and provide a car park for public use. The information submitted proposes use of tarmac surfacing.

The associated infrastructure, in particular the laying of hard standing including the proposed car parking would result in a minor adverse visual impact. However, the scale of this infrastructure would be very limited, and

having regard to this, the proposed development is considered not to be materially harmful.

The proposals include indigenous planting to screen the car park in the longer term and scattered planting to break up the vast expanse of open field. This approach has a landscape impact in changing the current open landscape character however is considered not to be detrimental.

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. This is considered to be wholly consistent with the aims of Policy C2, and is a key benefit to the application. The proposal would also accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Impact on Strategic Gap

The application site lies within the Farnham and Aldershot strategic gap. Policy C4 of the Waverley Borough Local Plan 2002 seeks to:

- a) protect the Strategic Gap by resisting inappropriate development
- b) promote the enhancement of the landscape and conservation of wildlife sites
- c) promote improved public footpaths and bridleways for informal recreation

Having regard to the modest amount of operational or engineering development on site, officers are satisfied that the proposal would not conflict with criterion a). The proposed use would help to preserve the open character of the land in the longer term which is considered to be consistent with the aims of Policy C4. Landscaping is proposed as part of the application, this would help to enhance the natural beauty and also facilitate enjoyment of the land.

The proposal would include new public footpaths through the site, and the existing Christmas Pie Cycle route would be improved using funds to be secured by way of a legal agreement. The proposal would increase opportunities for informal recreation. The proposal would comply with criterion c).

The proposal would be compliant with Policy C4 of the Waverley Borough Local Plan 2002.

Impact on AONB

The application lies just outside the Surrey Hills AONB which lies to the south and east of the application site and the residential development lies immediately adjacent to the AGLV.

Officers are satisfied that the proposed SANG, due to its open nature and absence of built form would satisfactorily preserve the nearby AONB. The key potential impacts of the proposal upon the AONB & AGLV are from the residential element of the scheme within Guildford Borough, owing to the increase in built form.

In respect of the proposed residential development the Surrey Hills AONB officer has commented that there are no significant views into the AONB that would be harmed by the proposed development. The retention of existing trees and hedgerows along the boundaries of the residential development would mean that there would not be any significant public view points of the AONB that would be adversely affected by the development.

In terms of implications for Waverley, the residential development would have no impact on views of the AONB from viewpoints within Waverley.

The use of the land as SANG would not harm the scenic beauty of the nearby AONB.

The Surrey Hills AONB officer has advised that there would be no harm to the landscape character of the AONB as a result of the development. Having regard to this, officers are satisfied that the proposal would comply with Policy C3 of the Waverley Borough Local Plan 2002.

Impact on residential amenity

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

The key neighbouring dwellings to the SANG are West Farm which is located off Tongham Road some 190m to the west of the application site. No significant operational development is proposed, however there would be some potential impacts on this dwelling by way of increased noise and disturbance from visitors to the SANG. In particular, from vehicle movements and pedestrians along Tongham Road, which is immediately adjacent to the

dwelling. It is noted that there are points along Tongham Road immediately adjacent to the dwelling where the road is single track in width, so there would be points where vehicles would be required to wait and/or reverse to require vehicles to pass.

The applicant has submitted heads of terms agreeing to enter into a management plan for the SANG land, which would include the proposed car park. The management plan would allow control over the opening hours of the car park, restrictions on entry, and signage to direct visitors and encourage considerate driving.

These measures are considered to be sufficient to mitigate against the increased noise. The impacts on West Farm are considered to be acceptable subject to these improvements being secured.

There is also residential development to the south of the site. There is some separation between the rear gardens and the application site. It is considered that the use of the SANG would not be so intensive such to result in adverse impacts on these dwellings by noise and disturbance.

The residential development would be a sufficient distance from the nearest residential dwellings in Waverley to avoid any resulting adverse impacts. The indicative layout submitted indicates that an acceptable layout could be achieved at the reserved matters stage having regard to residential amenities. Nonetheless, this would be a matter for detailed consideration by Guildford Borough Council as the lead authority.

The proposal, subject to an appropriate management plan, would be acceptable in terms of residential amenities such to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Highway safety and car parking

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

The NPPF states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Policy M4 of the Local Plan requires developments to include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, public open space, local facilities and amenities or, public transport.

The NPPF states that in order to make the fullest possible use of cycling, development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists. Policy M5 of the Local Plan accords with the NPPF in requiring developments to include, where possible, safe and convenient cycle routes which can connect to the Borough-wide cycle network.

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

The proposed residential development would be located within walking and cycling distance of many existing facilities. There is a continuous footway on the eastern side of The Street, a footway from the site to the existing crossing point on The Street is being provided. There are existing bus stops within walking distance of the site which provide future occupiers with an alternative mode of transport to the private vehicle. The bus routes provide access to both Ash and Aldershot railway stations which provide sustainable travel further afield. Contributions secured would cover improving local pedestrian and cycle infrastructure in the vicinity of the site; in particular improvements to the Christmas Pie cycleway and Public Rights of Way footpath 344 will be implemented. A Travel Plan has been approved by the County Council Travel Plan Officer and would be implemented upon first occupation. A Travel Plan Co-ordinator along with the continued monitoring by Surrey County Council would assess whether the objectives and targets of the Travel Plan are being met.

The County Highway Authority has reviewed the submitted Transport Assessment including an audit of the junction assessments. These show that junctions would continue to operate within capacity taking into account development traffic and future growth. Development traffic would not result in a significant increase in vehicular traffic compared with the existing position. The package of financial contributions would contribute to a capacity improvement scheme for the A331/A31 roundabout.

In addition a contribution is being secured for the parking improvement scheme for The Street. This would include the formalisation of parking on the eastern side of The Street to effectively manage the flow of traffic. These contributions would help to mitigate against any impact of the development on the immediate highway as well as within the vicinity of the site.

The access arrangements to the SANG has been agreed in principle, however, the priority for vehicles and cyclists should be agreed at the detailed design stage.

The impact of the SANG on Tongham Road would be minimal and not significant. The Transport Assessment suggests the impact of the proposal, if all parking spaces are occupied and turned over within a single hour, would be a maximum of 36 additional two-way vehicle movement in one or, or one movement every two minutes. Taking this into account with the existing peak hour two-way flows of 32, this would result in 68 two way movements or circa one every minute.

It is acknowledged that parts of Tongham Road are narrow and there are areas which are only single width. The highways information submitted by the applicant confirms this showing that whilst the majority of the route is wide enough to allow simultaneous movement of two vehicles, there are areas on Tongham Road where it is not wide enough for two vehicles to pass. This would result in vehicles having to wait to allow oncoming vehicles to pass. However, this is an existing situation and having regard to the number of vehicle movements that would be generated, the proposed SANG would not exacerbate this. It may cause some inconvenience, however, this would not result in a highway safety issue. The proposed access into the SANG car park would allow vehicles to enter and leave the site in forward gear.

It is also noted that there are no separate pedestrian footways along Tongham Road. Manual for Streets identifies a threshold of around 100 vehicles per hour as being acceptable for use as a shared use; therefore footways do not need to be provided on Tongham Road.

The S106 contributions detailed above will improve pedestrian/cyclist access from Grange Road to the SANG site. This would therefore provide an attractive and safe route for future residents of the proposed housing scheme to access the SANG, in addition to the acceptable shared surface along Tongham Road. Officers are therefore satisfied that subject to improvements an appropriate pedestrian and cycle route to the SANG would be provided.

Natural England has confirmed that unless SANG is to be provided for the sole use of a local population living within a 400 metre catchment around the site, then the availability of adequate car parking at sites larger than 10 ha is essential. Given the scale of the SANG exceeding the minimum requirement for the proposed housing development, and its location, it would not be solely used by the local population. As such, the SANG car park would have 18 parking spaces which would be accessed from Tongham Road. The County Highway Authority and Natural England are satisfied with number of car parking spaces provided. Secure cycle parking would also be provided at the SANG site.

The Council's Parking Guidelines stipulate that individual justification should be provided for the proposed use. Having regard to the comments of Natural England and the County Highway Authority, officers are satisfied that the proposed level of car parking for the SANG would be acceptable.

The residential development falls outside of Waverley Borough Council's boundary, and would not be subject to the Council's own parking guidelines. In addition, the application is outline and car parking would be a matter for consideration at the reserved matters stage. The County Highway Authority has raised no objection and both WBC and Guildford Borough Council officers are satisfied that an acceptable parking layout for the residential development could be achieved. As such, there would be no adverse impacts for Waverley in this respect.

The proposal, subject to entering into an appropriate legal agreement to secure contributions for off site highway works, would be acceptable in terms of highway safety and car parking, and would accord with Policies M2 and M14 of the Waverley Borough Local Plan, and paragraph 32 of the NPPF 2012.

Effect on SPA and proposed SANG

The SANG element of the proposal is necessary in order to mitigate the proposed residential element which falls within the Thames Basin Heaths Special Protection Area.

The proposed residential development (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified.

The size of the proposed SANG, at 17.5 ha, would be sufficient in size to mitigate not only the residential element of the scheme, but would also have spare capacity over and above requirements for this development which the applicant has stated could be made available to facilitate delivery housing on other sites. There would be residual capacity for 371 units in Phase 1 and a further 287 units in Phase 2. Phase 2 SANG would come forward once the residual capacity on Phase 1 has been used up but could be made available to facilitate the delivery of housing on other sites once that limit has been reached.

It is noted that there could be potential for the site to be used to provide mitigation for developments within the Badshot Lea sites/Hurlands/Hale Road area. Whilst Phase 1 of the SANG would be delivered prior to the first occupation of the residential dwellings, Phase 2 would come forward at a later date. This is considered to be acceptable as Phase 1 would be sufficient to mitigate the impact of the residential development proposed. A legal agreement to secure the entire provision is required, to ensure the full delivery of both phases of the SANG. The Council would be subject to this agreement, which would allow the use of the SANG to mitigate against impacts on the SPA from additional development projects, should it be required.

The amended landscape and Environmental Management Plan (LEMP) outlines the ecological management proposals for the SANG. Natural England has advised that the individual 'bespoke' proposals for an onsite SANG offered with this development are appropriate, and therefore removed its original objection to the scheme. As such, the SANG offered with this development would be appropriate, subject to the management being secured through an appropriate legal agreement.

The potential for the SANG to be used as mitigation for future developments within Waverley, is also a benefit to be weighed into the planning balance.

As a result of the suitable SANG provision, the proposal is not considered to result in a likely significant adverse effect upon the Thames Basin Heath SPA.

Biodiversity and compliance with Habitat Regulations 2010

The NPPF requires that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately

mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

Ecology information has been provided in the form of a Preliminary Ecological Appraisal Report and Protected Species Survey Report and the Landscape and Ecological Management Plan.

The proposed SANG includes two large arable fields, bordered by hedgerows and fences. Semi-natural broadleaved woodland occurred in the centre of the site and plantation broadleaved woodland and tall ruderal vegetation occurred in the centre of the eastern field. A small area of scrub surrounded a brick pill box in the south-eastern corner of the site; this had low potential for roosting bats and would be retained. The proposed SANG is likely to support populations of common reptiles and amphibians, although they are highly likely to be restricted to the field boundaries, scrub and woodland; these habitats would not be adversely impacted by the SANG proposals. The hedgerow, scrub and woodland provided potential nesting and foraging habitat for birds, and navigating and foraging habitat for bats; these habitats would not be adversely impacted by the SANG proposals. Disused (inactive) badger holes were present within the semi-natural woodland.

The reports identify a number of mitigation measures which would be sufficient to prevent adverse impacts on protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development. Should permission be granted, a condition is recommended requiring these recommendations to be carried out.

Concerns that have been expressed by the West Surrey Badger Group, regarding the lack of suitable foraging material within the residential scheme, where there are known badger setts in use. The applicant has provided additional information, this identifies that the development process would not result in the badgers being unable to forage successfully for food, and that provision has been made for green corridors throughout the site to ensure that their presence is maintained.

Natural England and Surrey Wildlife Trust have raised no objection to the proposal in respect of the development's impact on biodiversity, or on protected species. Officers are satisfied that appropriate mitigation could be secured by condition and/or legal agreement.

Heritage considerations

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

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

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

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

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

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be

demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

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

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

Pursuant to the decision of the High Court in Barnwell Manor Wind Energy, the Decision Maker should give considerable importance and weight to the setting of the Listed Building. If the harm is found to be less than substantial, it does not follow that the S66 duty can be ignored, although this would lessen the strength of the presumption against the grant of planning permission.

Pursuant to the decision of the Court of Appeal in Forge Field Society, the finding of harm to the setting of a Listed Building or a Conservation Area gives rise to a strong presumption against planning permission being granted. If harm is identified then the decision maker should acknowledge that there is a presumption against permission.

To the west of the Waverley portion of the application site are two listed buildings. Hewitts Farmhouse is Grade II* listed, and its significance lies in the survival of a 16th century or early timber framed building, and its architectural detail.

West Farm, contains Grade II Listed Buildings (Farmhouse and barn). Their significance lies in the survival of seventeenth century fabric illustrating the importance of agriculture before the twentieth century.

The impact on the setting of West Farm and Hewitts Farm will be negligible and not result in harm. The impact on the setting of the two heritage features is insignificant and would be preserved.

The proposal would not result in any harm to the significance of the nearby listed buildings and would accord with paragraphs 133 and 134 of the NPPF 2012.

Planning infrastructure contributions

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

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

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

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

The residential development is of a significant scale. It is important that adequate infrastructure provision is secured, in order to mitigate the impact of development on existing infrastructure which could include services within Waverley.

Waverley has consulted with infrastructure providers responsible for the provision of infrastructure within Waverley. As a result, the following Education Infrastructure projects have been identified as necessary:

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £836,996 -
- Secondary education £898,143 – projects at Farnham Heath End school to expand and provide sufficient school places

The applicant has submitted heads of terms confirming agreement to enter into a legal agreement to secure education infrastructure contributions. Subject to this being completed, and securing any other relevant contributions identified by Guildford Borough Council infrastructure providers, officers would raise no objection in respect of Planning Infrastructure

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

There are no implications for this application.

Environmental Impact Regulations 2011 (as amended)

A screening direction from the Secretary of state dated 12th October 2015 has been submitted in support of the application.

This confirms that the proposal would falls within the description at paragraph 10B Urban Development Projects of Schedule 2 to the 2011 Regulations. Therefore, the Secretary of State considers the proposal to be Schedule 2 development within the meaning of the 2011 Regulations.

However, the Secretary of State advised that taking into account the selection criterion in Schedule 3 to the 2011 Regulations, the Secretary of State does not consider that the proposal is likely to have significant effects on the environment.

Having regard to the above submission, officers are satisfied that the proposal does not amount to EIA development.

Pre Commencement Conditions

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

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

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

Development Management Procedure Order 2015 - Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- 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 negotiated additional information to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion/ planning judgement

As has been noted above, there is no provision in planning law for situations where an application site lies partly within the area of one local planning authority, and partly within another. Officers have considered in detail the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford.

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. This is considered to be wholly consistent with the aim of preserving the natural beauty of the Countryside. Existing biodiversity and ecological interests on site would be satisfactorily preserved and the proposal would be acceptable in relation to the nearby AONB.

There are potential impacts on neighbouring dwellings by way of noise and disturbance. These could, however, be appropriately mitigated through appropriate management of the car park and access. This would be secured by way of a legal agreement.

The proposed Tongham Road SANG access would be sufficient to accommodate the proposed vehicle movements, and the proposed car parking would be sufficient to accord with Natural England guidance. Subject to appropriate contributions to off site highway improvements there would no

adverse impacts on highway safety resulting from either the residential scheme or the proposed SANG.

The residential development, subject to the completion of an appropriate legal agreement towards planning infrastructure projects, would not adversely impact on existing infrastructure within Waverley.

The proposed SANG, which is necessary to mitigate the residential development, has the potential to also be used as mitigation for future developments within Guildford and Waverley. Furthermore, the SANG would enable the delivery of new housing within Guildford which is a further benefit to the application.

It is concluded therefore that there are no adverse impacts that would outweigh the benefits of the application when assessed against relevant local plan policies and the National Planning Policy Framework.

RECOMMENDATION A

That, subject to the completion of an appropriate legal agreement(s) by 15/11/2016 in respect of the provision and management of the SANG, management of the SANG car park and access to the SANG, off site highways works contributions, planning infrastructure contributions towards education infrastructure, as well as any other contributions required by Guildford Borough Council, subject to Guildford Borough Council resolving to approve the application and subject to the following conditions, that permission be GRANTED:

Conditions

The following conditions relate only to the outline development (residential on the northern site):

1. Condition
Details of the reserved matters set out below (“the reserved matters”) shall be submitted to the Local Planning Authority for approval within three years from the date of decision:
 1. Appearance
 2. Landscaping
 3. Scale
 4. LayoutThe reserved matters shall be carried out as approved. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

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

2. Condition

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

Reason

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

3. Condition

The plan numbers to which this outline permission relates are 1613_01 Rev A Site Location Plan, Tf 997/TRR/200 Rev A Tree Survey Retention and Removal Plan Sheet 1 of 3, Tf 997/TRR/201 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, Tf 997/TRR/202 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, 14-074-01 Surface Water Drainage Strategy and PlanApp - Topographical Survey 6R6A Rev 2 Model - Manor Farm - 04 2015. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

4. Condition

The outline (residential) development shall be undertaken in accordance with the following reports: Preliminary Ecological Appraisal Report and Protected Species Survey Report by The Ecology Partnership and the Landscape and Ecological Management Plan by EAD Ecology dated July 2016, and all the recommended actions in section 4 and section 5 of the Appraisal Report for biodiversity enhancements, and sections 2.21-2.5 for bats, 3.11 for dormice, sections 4.11-4.17 for reptiles, sections 5.22-5.24 for birds and sections

6.18- 6.29 for badgers in the Protected Species Report must be carried out in full.

Reason

To prevent adverse impacts on protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development such to accord with Policy D5 of the Waverley Borough Local Plan 2002.

5. Condition

The outline (residential) development hereby approved shall not be commenced unless and until the proposed access to The Street and 6 metres of the new access road have both been constructed and the access provided with visibility zones in accordance with the approved plans and thereafter the access visibility zones shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

6) Condition

Before the outline (residential) development is first occupied the proposed site access priority junction to The Street, including the re-alignment of the road and the lay-by, shall be constructed and provided with visibility zones in accordance with the approved plans, Drawing No. ITB10194-SK-018, all to be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

- 7) Condition
Before the outline (residential) development is occupied the proposed footway link to the south of the vehicular access, on the western side of The Street, shall be constructed, with dropped kerbs and tactile paving on both side of The Street, in accordance with the approved plan, Drawing No. ITB10194-SK-018.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

- 8) Condition
Before the outline (residential) development is occupied the proposed footway link to the north of the vehicular access, on the western side of The Street, to connect to the existing footway, shall be constructed in accordance with the approved plan, Drawing No. ITB10194-SK-018.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

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

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

- 10) Condition
The outline (residential) development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing

by the Local Planning Authority for Electrical Charging Points to be provided at each dwelling with on curtilage parking.

Reason

In order to promote sustainable travel such to accord with Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012.

12) Condition

The applicant shall implement the approved Travel Plan on the first occupation and for each subsequent occupation of the premises. The applicant shall thereafter retain and/or develop the Travel Plan to the satisfaction of the County Highway Authority. The applicant shall implement and monitor the approved travel plan in accordance with Local Authority specific Travel Plan guidance, and for each subsequent occupation of the development thereafter maintain and develop the travel plan to the satisfaction of the Local Planning Authority.

Reason

In order to promote sustainable travel such to accord with Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012.

13) Condition

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

- (a) The secure parking of bicycles within the development site,
- (b) Provision of safe routes for pedestrians / cyclists to travel between The Street and Grange Road and the development site, and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In order to promote sustainable travel such to accord with Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012.

14) Condition

The outline (residential) development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by the Local Planning Authority in

consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

To ensure an acceptable Sustainable Drainage System and to comply with Policy D1 of the Waverley Borough Local Plan 2002 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

15) Condition

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

Reason

The development proposed covers a large surface area and it is considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development in accordance with Policy HE15 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

16) Condition

Prior to the commencement of development on the residential scheme (northern site), the following information on the proposed Sustainable Drainage System shall be submitted to and approved in writing by the Local Planning Authority:

- a) results from infiltration testing in accordance with BRE Digest 365. The Sustainable Drainage System should then be designed in accordance with these results and be submitted to and approved by the Local Planning Authority. The drainage solution detailed design calculations for peak discharge rates for this site must be supplied for critical storm events (1 in 1, 1 in 30 and 1 in 100 + 30% CC events) and show that adequate capacity has been proposed to not increase flood risk on this site as per the National SuDS Standards

- b) details of storage volumes for each Sustainable Drainage system feature
- c) a drainage layout detailing the location of SuDS elements and all associated works such as soakaways/ manholes/ chambers/ pipes/ points of connection to other SuDS elements (If applicable) etc
- d) a pervious/ impervious area plan showing whole area(the value for proposed development area varied in section 5.1.1 & 5.4.5. Detailed drawings are required to identify the impermeable area. Drawing 1613-10 Rev. C shows a swale adjacent to The Street that it appears that have not been included in the storage calculations. Further clarification is required)
- e) long or cross sections of each SuDS elements
- f) details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite
- g) details of the proposed maintenance regimes for each of the SuDS elements
- h) details of how the Sustainable Drainage System will be protected and maintained during the construction of the development.

The Sustainable Drainage System shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason

To ensure an acceptable Sustainable Drainage System and to comply with Policy D1 of the Waverley Borough Local Plan 2002 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

17) Condition

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

Reason

To ensure an acceptable Sustainable Drainage System and to comply with Policy D1 of the Waverley Borough Local Plan 2002 and the advice contained within the NPPF, NPPG and Non-Statutory Technical Standards for SuDS.

- 18) Condition
- No development on the outline (residential) element of the proposal shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (j) on-site turning for construction vehicles
- has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012. This is a pre commencement conditions as it relates to the construction process.

- 19) Condition
- Construction works pursuant to this permission shall not take place other than between the hours 08:00am and 18.00pm Monday to Fridays and between 08.00 and 13.00pm on Saturdays. No works shall take place on Sundays or Bank Holidays.

Reason

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

- 20) Condition
- Prior to the commencement of the residential (outline) development, a management plan for the protection of badgers during the construction process shall be submitted to and approved in writing by the Local Planning Authority. This shall include the provision of green corridors throughout the site and a continued ability to forage successfully for

food. The management plan shall be fully adhered to during the construction process.

Reason

To prevent adverse impacts on badgers (a protected species) resulting from the proposed development works such to accord with Policy D5 of the Waverley Borough Local Plan 2002. This is a pre commencement conditions as it relates to the construction process.

The following conditions relate only to the detailed scheme (SANG land – southern site):

21) **Condition**

The plan numbers to which this permission relates are 1613_01 Rev A Site Location Plan, D2298 L.200 Revision K (showing cycle bollards) Proposed SANG Land: Landscape Proposals, Tf 997/TRR/200 Rev A Tree Survey Retention and Removal Plan Sheet 1 of 3, Tf 997/TRR/201 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, Tf 997/TRR/202 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, 14-074-01 Surface Water Drainage Strategy and PlanApp - Topographical Survey 6R6A Rev 2 Model - Manor Farm - 04 2015. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

22) **Condition**

Before the development is be first brought into use the proposed vehicular access to the Suitable Alternative Natural Greenspace shall be constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, but generally in accordance with Drawing No. ITB10194-SK-014, Revision B, and thereafter permanently maintained.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

- 23) Condition
Before the development is first brought into use the proposed pedestrian accesses to the Suitable Alternative Natural Greenspace shall be constructed in accordance the approved plan Drawing No. D2298 L.100, and thereafter permanently maintained.
- Reason:
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.
- 24) Condition
The development hereby approved shall not be first brought into use unless and until space has been laid out within the SANG site in accordance the approved plans, Drawing No. ITB10194-SK-014, Revision B, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.
- Reason:
In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.
- 25) Condition
The development hereby approved shall not be first brought into use unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for secure cycle parking within the Suitable Alternative Natural Greenspace site.
- Reason
In order to promote sustainable travel such to accord with Section 4 “Promoting Sustainable Transport” in the National Planning Policy Framework 2012.
- 26) Condition
No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance

with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.

Reason

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

27) Condition

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

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

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

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012. This is a pre commencement conditions as it relates to the construction process.

28) Condition

Construction works pursuant to this permission shall not take place other than between the hours 08:00am and 18.00pm Monday to Fridays and between 08.00 and 13.00pm on Saturdays. No works shall take place on Sundays or Bank Holidays.

Reason

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

29) Condition

Prior to the commencement of the SANG development (southern site), a scheme for the prioritisation of vehicles and cyclists shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full, prior to the first use of the proposed SANG development.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

30) Condition

Prior to the commencement of development of the SANG (southern site), a management plan for soil handling for the areas of built/hard development shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include identifying when soils are dry enough to be handled and how to make the best use of the different soils on site and shall accord with guidance in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. The development shall be undertaken in full accordance with the approved management plan.

Reason

In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the development in accordance with Policies D1 and RD9 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

Informatives

1. "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.

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

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.

3. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice

6. 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.
7. 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.
8. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.

RECOMMENDATION B

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

1. The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education infrastructure to mitigate the impacts of the development and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002.
2. The Local Planning Authority considers that the proposals (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NRM6 of the South East Plan and the NPPF 2012.