

SCHEDULE "B1" TO THE AGENDA FOR THE
JOINT PLANNING COMMITTEE
17th NOVEMBER 2014

Applications not subject to public speaking.

Background Papers

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report

B1	WA/2014/1047 McCarthy & Stone Retirement Lifestyles Ltd 09/06/2014	<u>Erection of new building to provide 31 retirement apartments with communal facilities and associated parking and the erection of a replacement church building with associated parking, following demolition of existing church building at First Church Of Christ Scientist, Ockford Road, Godalming GU7 1QY (As amplified by letter dated 24/07/2014 and as amended by plans received 08/09/2014 and email dated 27/10/2014)</u>
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Committee:	Joint Planning Committee
Meeting Date:	17/11/2014
Public Notice	Was Public Notice required and posted: Yes
Grid Reference:	E: 496666 N: 143713

Town :	Godalming
Ward :	Godalming Central and Ockford
Case Officer:	Mr T Lipscomb

13 Week Expiry Date	08/09/2014
Neighbour Notification Expiry Date	18/07/2014
Extended Expiry Date	20/11/2014

RECOMMENDATION

That, subject to, the consideration of the views of the Environment Agency by 17/11/2014, and to the receipt of a suitable legal agreement to secure infrastructure contributions and affordable housing contributions by 20/11/2014 and subject to conditions, permission be GRANTED.

Introduction

The application has been brought before the Joint Planning Committee as the scheme does not fall with the Council's Scheme of Delegation.

Site Description

The application site measures 0.47 hectares and is located to the northern side of Ockford Road.

The site currently comprises a substantial brick built building, located broadly in the centre of the site. The site accommodates two separate uses. Approximately $\frac{3}{4}$ of the building accommodates the Christian Science Church, with an office use occupying the rear $\frac{1}{4}$ of the building (small Business Centre).

There are two vehicular accesses to the site, from Ockford Road. The building is surrounded by hardstanding, which provides a car parking area. The rearmost part of the site is laid to grass with substantial tree coverage to the northwest and southwest boundaries of the site.

The site slopes down from front to back (southeast to northwest). There is a watercourse running along the north-western boundary of the site.

To the immediate east of the site is the Telephone Exchange. To the immediate west of the site are residential dwellinghouses.



View from Ockford Road



View from Ockford Road



View from Ockford Road (showing Telephone Exchange building)



View of the rear part of the site

Proposal

The proposal is for the erection of a three/four storey building, with a total footprint of 1750sqm, to provide 31 apartments (stated to be for occupation for those over 60 years of age, or in the case of a couple that at least one is aged over 60 years of age and the other is over the age of 55 years, if the occupants are part of a couple), following demolition of the existing Church/office building.

The proposed residential building would stand at a height of between 9.8m (when viewed from Ockford Road) and 16m. The highest part of the building would be 16m above the ground level at the rear of the building, although it should be noted that the rear elevation would stand at a height of 14.5m.

The design of the building is contemporary with the frontage and part of the rear elevation of the building presenting a mansard roof design, whilst the majority of the building would have a flat roof.

The building would provide underground parking with a courtyard garden above the underground parking area.

The rear part of the site would be landscaped to form a communal garden area.

The four apartments on the lower ground floor (level 1) would have access to a private terrace area (to the rear of the building), the four apartments of the upper ground floor (level 2) would have access to balconies and four apartments on the ground floor (level 3) would have access to balconies. The remaining 19 apartments would not have private outdoor space, but would have access to the internal courtyard garden, the communal area to the rear of the site, the communal sun lounge and sun deck on the second floor (level 5).

In addition to the residential apartments, the proposed residential building would provide the following facilities: a residents' lounge, a guest suite, internal refuse store, cycle store, mobility scooter parking, concierge office, coffee lounge, substation and a House Manager's office.

Also proposed is the erection of a building to provide a Church. This building would be located on the frontage of the site. The proposed Church building would have a footprint of approximately 202sqm. This building would measure 10.8m in height. The building would have a gable end, tiled roof. The application documents indicate that the design of the Church has taken some inspiration from 17th Century timber-framed buildings. The Church would provide seating for 40 people. The Church would provide a Sunday School for up to 10 pupils, a public reading room, a retail area for Church literature, a meeting/social space for 20 people, a kitchen and a basement.

One of the two existing vehicular accesses to the site would be closed, with a new access provided in a similar position to the existing access to the southern part of the site. The scheme includes the creation of a lay-by along the Ockford Road frontage.

The proposed mix of units is as follows: 1 x 1 bedroom and 30 x 2 bedroom.

There would be 31 undercover parking spaces for the proposed residential building and 8 external parking spaces for the proposed Church.

No on-site affordable housing is offered. A commuted sum, to contribute towards off-site affordable housing of £301,150 is proposed.

The following infrastructure contributions are proposed:

	Infrastructure contribution
Environmental improvements	£6,105
Libraries	£4,978.12
Recycling	£1,343.10
Sports and leisure centres	£17,639.86

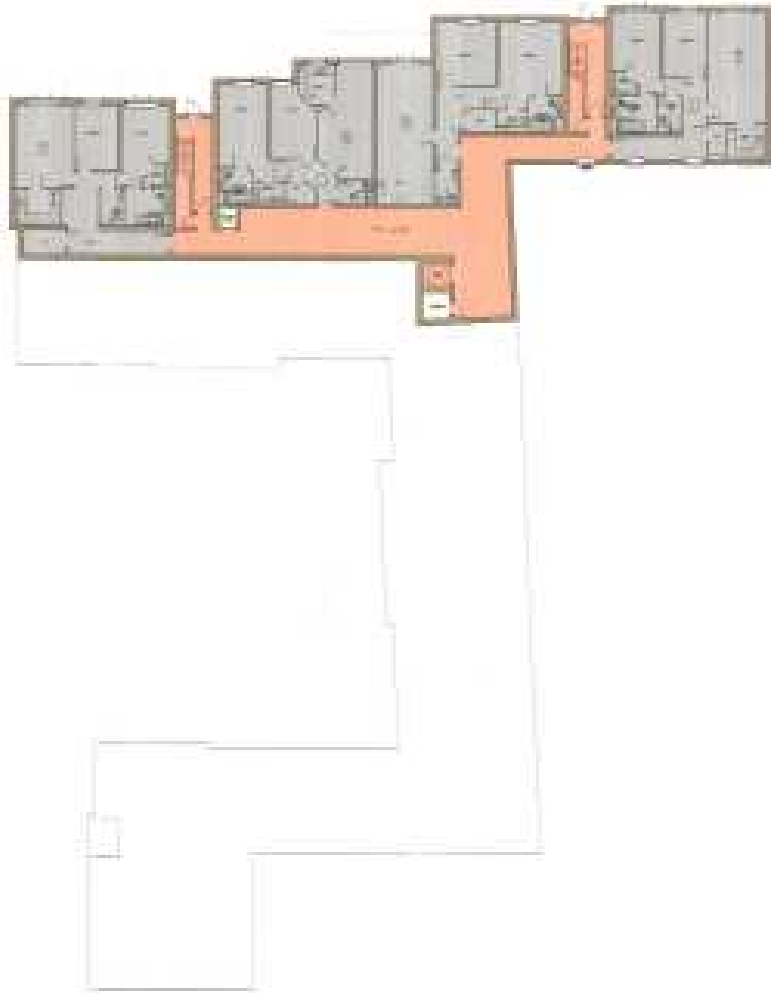
Transport	£29,222.60
Monitoring fee	£2,964.43
TOTAL	£69,850



Existing site layout

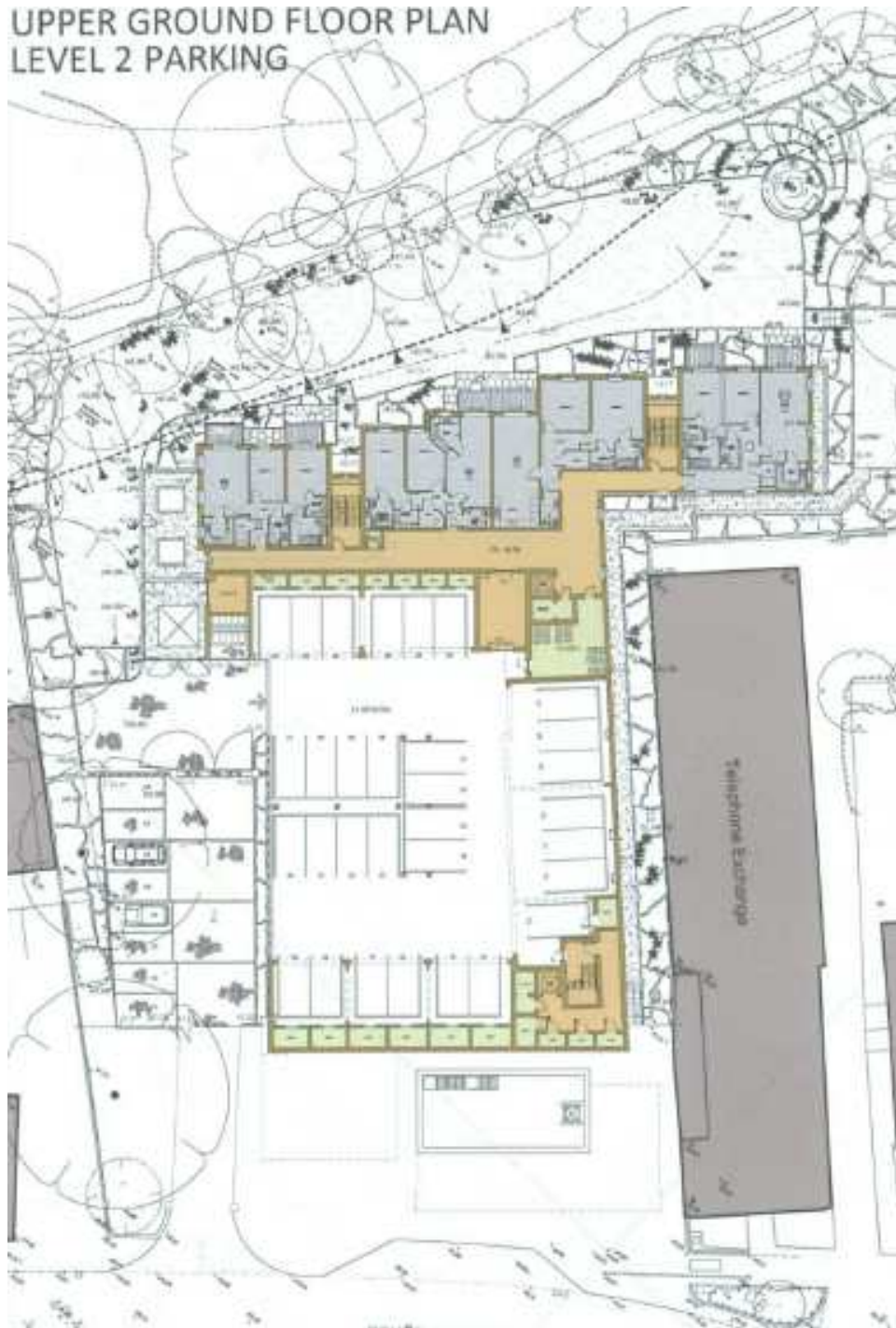


Layout Plan



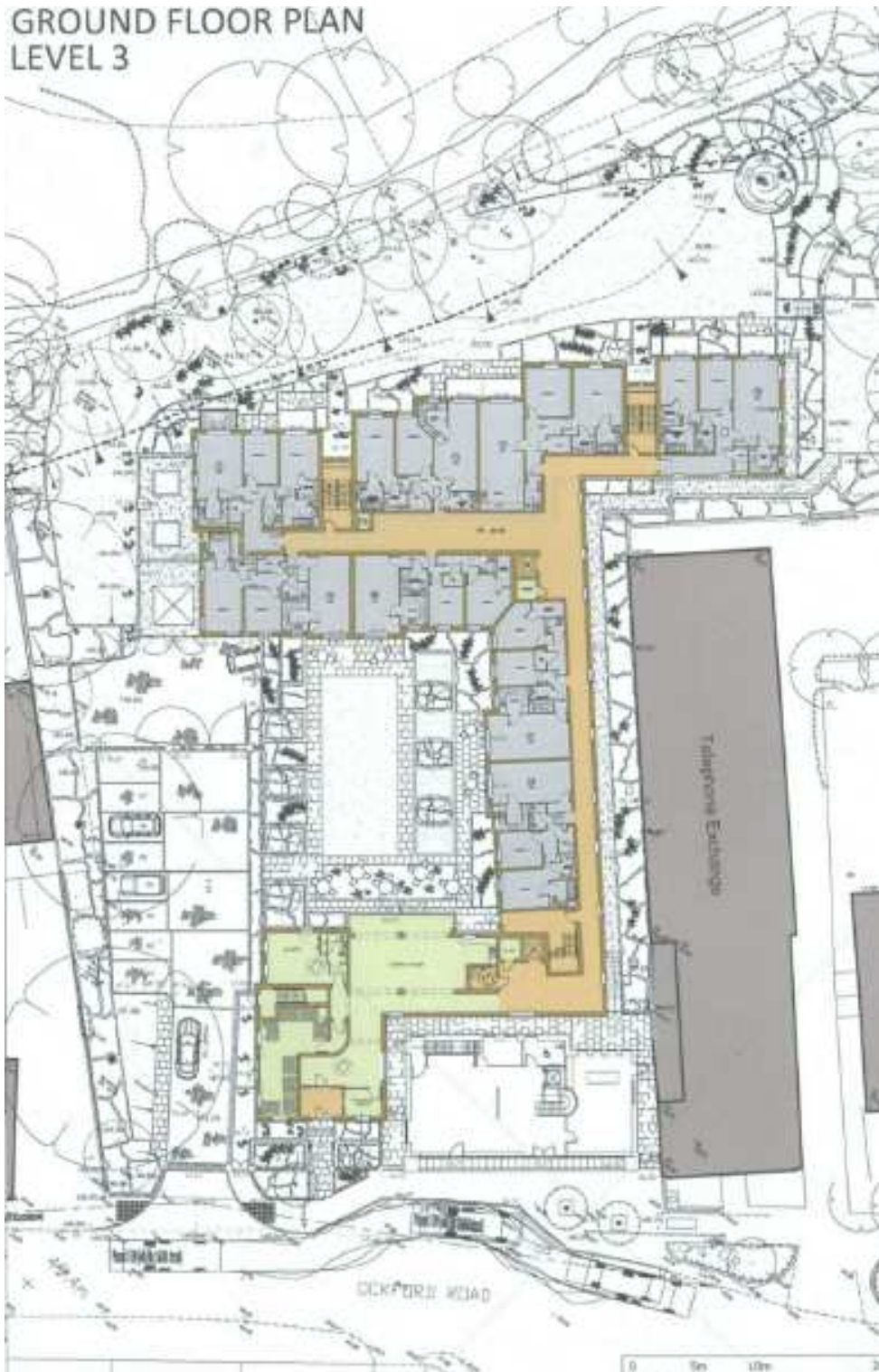
Lower Ground Floor Plan

UPPER GROUND FLOOR PLAN
LEVEL 2 PARKING

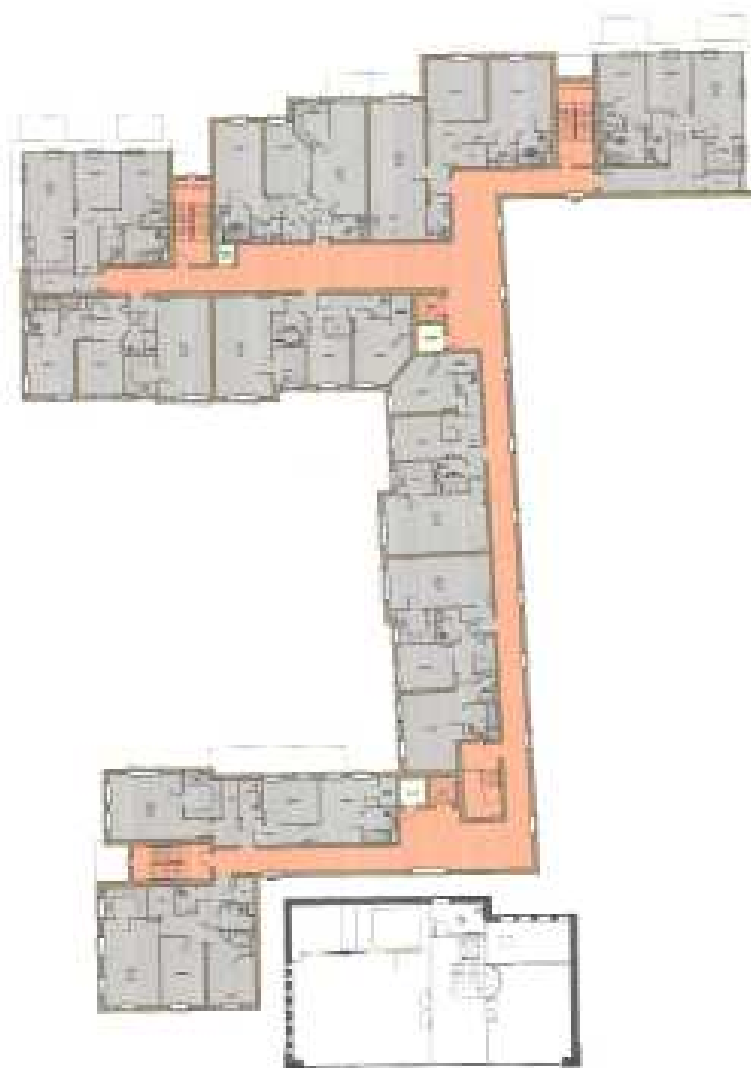


Upper Ground Floor Plan (Level 2)

GROUND FLOOR PLAN
LEVEL 3



Ground Floor Plan (Level 3)



First Floor Plan (Level 4)



16/10/17
16/10/17

Second Floor Plan (Level 5)



Roof Plan



Ockford Road Elevation



South West Elevation



Front and side (southwest) elevations



Side (northeast) and rear elevations

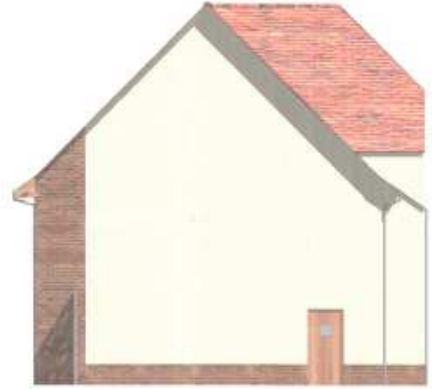


South Elevation (Detailed View) 1:50 @ 81' 6" W

Front elevation of proposed Church

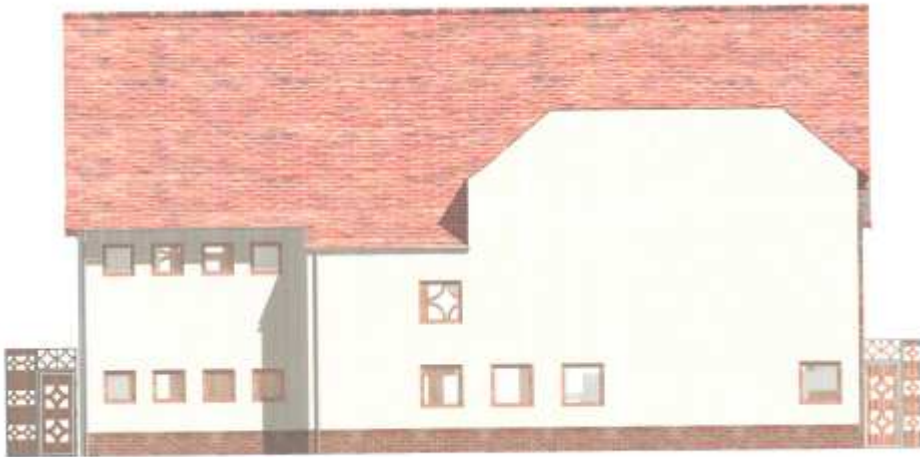


West Elevation (Orford Road) 1:50 @ A1 size
The Church of Christ Episcopal, Goddards



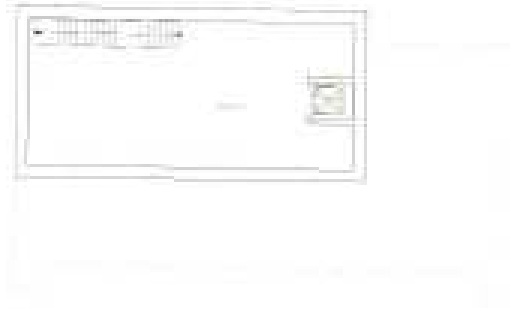
East Elevation (Orford Road) 1:50 @ A1 size
The Church of Christ Episcopal, Goddards

Side elevations of proposed Church



Rear Elevation (Orford Road) 1:50 @ A1 size
The Church of Christ Episcopal, Goddards

Rear elevation of proposed Church



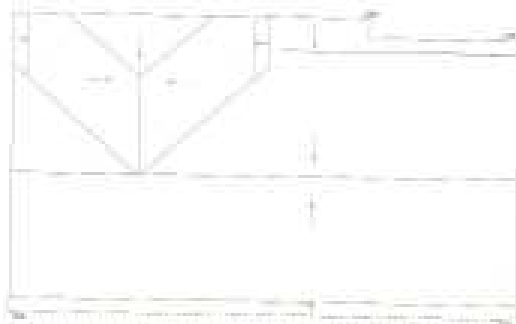
Second Floor
Covering 44.00 Sq. M.



Second Floor
Covering 44.00 Sq. M.



First Floor
Covering 44.00 Sq. M.



Floor and roof plans of proposed Church

Relevant Planning History

DM/2014/0004	Demolition notification: G.P.D.O. Part 31 of Prior Schedule 2. Demolition of church, reading room and offices.	Approval Required	22/08/2014
WA/2013/1985	Erection of new building to provide 31 retirement apartments with communal facilities and associated parking and the erection of a replacement church building with associated parking, following demolition of existing church building.	Appeal dismissed	30/09/2014
WA/1982/0315	Proposed change of use from Church Sunday School to professional offices	Full Permission	15/06/1982
WA/1980/0820	Part of building to be used as offices for local firm	Refused Appeal Withdrawn	24/06/1980 12/02/1981

Planning Policy Constraints

Developed Area of Godalming
AQMA Buffer Zone
River bank within 20m
Wealden Heaths I SPA 5km buffer zone
TPO (group order)
Flood zone 2
Flood zone 3
Adjacent to Grade II Listed Buildings
Adjacent to Conservation Area

Development Plan Policies and Proposals

Policies D1, D3, D4, D5, D6, D7, D8, D9, D13, D14, HE3, HE8, HE10, H1, H4, H5, H7, H10, CF1, CF2, IC1, IC2, M1, M2, M10, M14 and M17 of the Waverley Borough Local Plan 2002

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

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. Paragraph 215 states that where a local authority does not have a development plan adopted since 2004, due weight

may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The Council is in the process of replacing the 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. The current (provisional) timetable for the preparation of the Local Plan indicates the publication of the Part 1 draft plan in March 2015, with its submission for examination in June 2015. Adoption is scheduled for early 2016

Other guidance:

- The National Planning Policy Framework 2012 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Waverley Borough Council Parking Guidelines 2013
- Planning Infrastructure Contributions 2008
- Surrey Vehicular and Cycle Parking Guidance 2012
- Local Plan Consultation Evidence Documents 2014 (Green Belt Review Parts 1 and 2, Landscape Review, Employment Land Review Update, Strategic House Land Availability Assessment, Strategic Transport Report, Infrastructure Update, Habitats Regulations Assessment and Interim Sustainability Appraisal)

Consultations and Town Council Comments

County Authority	Highway	<p>No objection subject to conditions and informatives.</p> <p>Note: Following a site visit the Highway Authority have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway, subject to the above recommended highway conditions and informatives being imposed on any permission granted.</p> <p>The applicant has submitted a transport statement which assesses the likely trip generation associated with the proposed development, compared to the existing lawful use on the site. The Highway Authority considers the proposed development could result in a small increase in vehicular trips, but this increase would not have a material impact on highway safety compared to the existing situation. It should be noted that the</p>
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proposed development is likely to increase the number of trips to/from the site on foot, given the change of use to Sheltered Housing in close proximity to the wide range of service/amenities in Godalming town centre. The Highway Authority considers it reasonable for the applicant to pay a transport infrastructure contribution towards accessibility and safety improvements within the vicinity of the site (see further justification below).

The applicant has undertaken an assessment of the required parking provision for the proposed sheltered housing. This assessment provides survey data on car parking occupancy from other similar Sheltered Housing developments in the UK, which demonstrates that the peak demand for parking is 0.436 cars per apartment. In this instance, the applicant is proposing 1 parking space per apartment, totalling 31 parking spaces. The Highway Authority considers this level of parking provision is appropriate, given that 30 out of the 31 apartments have two bedrooms, therefore a higher proportion of residents are likely to own a car. The development includes 8 parking spaces dedicated for the use of the proposed church building. The Highway Authority considers this level of parking provision is appropriate, given that the site is in a town centre location accessible by a wide choice of non-car modes. Furthermore, there is plenty of public parking available for use within the vicinity of the site. There are existing parking restrictions on Ockford Road which would prevent any indiscriminate or dangerous parking associated with the site from taking place.

The applicant proposes to construct a lay-by adjacent to the site, for use by service/delivery vehicles. The Highway Authority considers this proposal would deliver a highway safety improvement. It should be noted that the construction of the lay-by and realignment of the public footway will require the applicant to enter into a S278 agreement with the county council. The applicant is also advised that the proposed off-site highway works will require the relocation of street furniture/statutory equipment, for which the cost will need to be met at the applicant's expense.

The Highway Authority will be seeking the transport element of the Planning Infrastructure Charge. It is understood that the applicant requires further justification for seeking the transport contribution, which are detailed below:

It is intended that the contribution would be used towards provision of:

- Accessibility improvements comprising provision of dropped crossings and tactile paving between the site

	<p>and Godalming Town Centre.</p> <ul style="list-style-type: none"> • Pedestrian Safety improvements at Holloway Hill/Flambard Way junction and on Station Road, including the provision of pedestrian crossing phases at the junction. • Pedestrian Crossing Improvements on Station Road. • Improvements to bus stop infrastructure , including provision of raising kerbing to improve accessibility, improvements to footways/kerbing to access bus stops more easily, provision of seating at bus stops, provision of bus shelters, provision of Real Time Passenger Information. <p>The Highway Authority considers the payment of a transport contribution is in accordance with the relevant CIL/NPPF tests as follows:</p> <p>(i) necessary to make the proposed development acceptable in planning terms; The proposed development will increase the occupancy of the site and increase the travel demand on the transportation network. The transportation element of the infrastructure tariff seeks to mitigate this impact and secure improved accessibility to local facilities and improve safety on the local highway network. Without the contribution, no measures to improve safety and promote sustainable travel choices would be secured.</p> <p>(ii) directly related to the proposed development; the contribution is required to provide improvements within the close vicinity of the appeal site and on areas of the highway network that would be regularly used by occupants of the proposed development when accessing local facilities in the area.</p> <p>(iii) fairly and reasonably related in scale and kind to the proposed development; The scale of contribution is considered to be reasonable given the nature of the development and that in combination with other Planning Infrastructure Contributions will promote non-car accessibility in this locality.</p>
Council's Independent viability assessor	<p>The appraisal shows that when the existing land value is input along with the profit at 20% there is a surplus at completion of £375,000.</p> <p>It is our opinion, therefore, that the amount available for affordable housing and/or other section 106 contributions is £375,000.</p>

<p>Environment Agency</p>	<p>Original response (21/07/2014):</p> <p>Object – inadequate buffer zone to the Ock Drain, designated a main river. We recommend that planning permission should be refused on this basis.</p> <p>Overcoming the objection:</p> <p>It may be possible to overcome this objection if the development is moved back to provide at least an 8 metre wide buffer zone measured from the bank top edge (defined as the point at which the bank meets the level of the surrounding land) alongside the Ock Drain, designated a main river. The buffer zone should be free from all built development and formal landscaping including lighting.</p> <p>To reduce light spill into the river corridor outside the buffer zone, all artificial lighting should be directional and focused with cowlings (for more information see Institute of Lighting Professionals (formerly the Institute of Lighting Engineers) "Guidance Notes for the Reduction of Obtrusive Light".</p> <p>Domestic gardens and formal landscaping should not be incorporated into the buffer zone. The buffer zone should be planted with locally native species of UK genetic provenance and appropriately managed under an agreed scheme. The buffer zone and river corridor could form a valuable part of green infrastructure.</p> <p>Any scheme to provide a buffer zone will need to include a clearly labelled dimensioned plan and a working methods statement detailing how the buffer zone will be protected during construction and for the lifetime of the development.</p> <p>Amended response:</p> <p>Not yet received – to be reported orally</p>
<p>Council's Environmental Health Service (contaminated land)</p>	<p>No objection. No contaminated land conditions required.</p>
<p>Council's Environmental Health Service (air quality)</p>	<p>No objection, recommend conditions, as follows:</p> <ul style="list-style-type: none"> • Suppression of mud, dust and grit. • Prohibition of burning waste materials. • Restriction on hours of working. • Low Emission Strategy.
<p>Council's Waste</p>	<p>Query size of bin store and number of bins proposed. Also</p>

and Recycling Co-ordinator	raises queries over location of, and access to, the bin store.
Natural England	No objection in relation to impact on SSSI. Natural England has not assessed the impact on protected species but refer the LPA to Standing Advice. Bio-diversity and landscape enhancements suggested.
Surrey Wildlife Trust	No objection, subject to recommended actions in the Phase 1 Report and Bat Report. Bio-diversity enhancements also suggested.
Town Council	No objection in principle. Town Councillors accept the loss of employment land at this location because the location is a good one for retirement apartments given its proximity to the town centre. Town Councillors think that the site should yield the required contribution for affordable housing or provide that affordable housing on site.

Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006” the application was advertised in the newspaper on 13/12/2013 site notices were displayed around the site 27/06/2014 and neighbour notification letters were sent on 17/06/2014.

1 letter has been received, raising objection on the following grounds:

- Concerns over the size of the building.
- Concerns regarding visual impact.
- Increased volume of traffic and impact on highway safety. Concern that proposed access is too close to an existing access serving residential dwellings.

Submissions in support

The applicant has made the following main points in support of the scheme:

- The proposal would provide the opportunity for a high quality development that would positively contribute to meeting a local housing need. The proposal would further provide a replacement Church which would better meet the needs of its congregation.
- The sustainability benefits are as follows:
 - Sustainable form of development that optimises the use of valuable urban land.
 - The provision of later life retirement accommodation that helps address the demographic imperative of an ageing population.
 - Accessible location would reduce reliance on the private motorcar.
 - The development would underpin local facilities.

- The land use is passive and would be a 'good neighbour'.
 - Substantial energy efficiency advantages.
- Other benefits are as follows:
 - Later Living Retirement housing provides significant planning and social benefits.
 - Brings underdeveloped 'brownfield' land into beneficial use.
 - Maximises use of scarce residential land.
 - Net environmental benefit.
 - Meets a recognised priority housing need.
- The proposal would accord with national and local planning policies.
- McCarthy and Stone are experienced in delivering similar forms of development.
- Each apartment would be restricted to occupation by a person over 60 years of age (with a spouse over 55 years of age). This is a reasonable and caring approach to the limitation on occupancy of retirement housing in that it recognises and allows for exceptional circumstances where a spouse, who is in need of special accommodation, may have a younger partner. Although 60-70% of occupants are likely to be aged 78 years or more.
- The proposal would meet level 3 of the Code for Sustainable Homes.
- The proposal would be suitable in terms of visual impact and would not result in material harm to residential amenity.
- The layout, scale, height, massing and appearance have been carefully considered in the design process.
- The loss of the Church building would not affect the historical character of the area.
- Retirement housing has a low requirement for active amenity space. The type of amenity space proposed is suitable for this scheme.
- The Church (community facility) would be replaced, so there is no conflict with Policy CF1.
- The occupiers of the existing office are due to relocate to elsewhere in Godalming. The applicant considers that there is no need to replace the 200-240sqm of office space, given the availability of alternative office space within Godalming.
- The existing use creates around 72 trips per day. The proposed use would create around 40 trips per day. The overall trip generation of the site would be similar to the existing (including the trips created by the Church).
- Car parking would be sufficient.
- Servicing would be by way of a lay-by which is an efficient solution.
- Development viability is a key material consideration. The Inspector's decision under WA/2013/1985 indicated that an amount of £375,000 would be available for off-site affordable housing and infrastructure contributions. Therefore, this amount is offered in the legal agreement.
- The submitted Flood Risk Assessment concludes that the proposal would not increase the risk of flooding to the surrounding area and is therefore compliant with the NPPF.
- Noise levels to future occupants would be acceptable.
- There are no air quality constraints to the proposed development.

- The site is not associated with significant potential sources of contamination. However, it is recommended that allowance be made for a thickness of capping material that will create a barrier between the underlying Made Ground and the site end users.
- Foul drainage would drain to the existing public sewer at the rear of the site.
- Surface Water drainage would discharge to a public surface water sewer crossing the site. However, percolation tests will be carried out to ascertain whether infiltration drainage can be used.
- McCarthy & Stone have carried out public exhibitions and consultation with the public to inform the proposal.
- There are bats in the main Church building. A number of recommendations are made in this regard. A licence from Natural England would be required, bat and bird boxes would be incorporated and a suitable lighting scheme incorporated.
- The Phase 1 Habitat Survey includes a number of recommendations to mitigate for the impact on biodiversity.
- The bin store capacity proposed is probably an overestimation of need. Nonetheless, the level of provision is sufficient.

Determining Issues

- Principle of development
- Loss of employment land
- Housing land supply
- Affordable Housing provision
- Housing mix and density
- Provision of community use
- Impact on visual amenity, setting of Listed Buildings and setting of the Conservation Area
- Impact on residential amenity
- Parking and highway considerations
- Amenity space
- Impact on trees
- Air Quality
- Contamination on site
- Servicing
- Effect upon SPA
- Crime and disorder
- Infrastructure
- Financial Considerations
- Financial considerations
- Climate change and sustainability
- Flooding and Drainage considerations
- Biodiversity and compliance with Habitat Regulations 2010
- Water Frameworks Regulations 2011
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications

- Environmental Impact Regulations 2011
- Working in a positive/proactive manner

Planning Considerations

Principle of development

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

Part of the site is within flood zone 2/3; the impact on flooding will be considered in the planning assessment.

There is a TPO on site. The impact of the proposed development on the protected tree(s) will be taken into account in this assessment.

Nearby buildings are Grade II Listed; the Council will seek high design standards in order to ensure the special architectural or historic interest of the building is preserved or enhanced and that all new work is appropriate to its setting in terms of its siting, style, scale, height, massing, colour, materials, archaeological features and detailing.

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

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

The NPPF sets out that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be

regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Policy IC2 of the Local Plan states that the loss of suitably located industrial and commercial land will be resisted.

In promoting healthy communities the NPPF states that the planning system should deliver social, recreational and, cultural facilities and services communities need, and should guard against the unnecessary loss of valued facilities. Policy CF2 of the Local Plan states that within settlements the development for community facilities will be supported subject to compliance with specified criteria.

The site is within the Wealden Heaths Special Protection Area Buffer Zone. Development should not result in a likely significant effect upon the integrity of the SPA.

Planning history and differences with previous proposal

An identical scheme has been dismissed at appeal under ref. WA/2013/1985. This decision is a material consideration in the current assessment.

The appeal was made against non-determination of the application. The Council's appeal statement sets out that had the application been determined it would have been refused for the following reasons:

1. Reason
The proposed development would result in the loss of employment land, which has not been sufficiently justified, contrary to Policy IC2 of the Waverley Borough Local Plan 2002. The Local Planning Authority is not satisfied that the justification for the development outweighs this consideration.
2. Reason
The proposal would by virtue of its, scale, height, bulk, massing, design and appearance be detrimental to the character of the area, the setting of the adjacent Conservation Area and the setting of nearby Grade II Listed Buildings and therefore harmful to the amenities of the area and contrary to Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002.
3. Reason
The application fails to comply with the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Council Local Plan 2002. The justification for the proposal is considered to not outweigh the adverse impact on local infrastructure.

4. Reason

The development does not make provision for affordable housing in accordance with Government Guidance and Policy H5 of the Waverley Borough Local Plan 2002. The justification for the under provision proposed is considered to not outweigh the wider concerns relating to this under provision of affordable housing.

The sole reason that the Inspector dismissed the appeal was that the application did not contribute sufficiently towards affordable housing or infrastructure provision. The Inspector accepted all other aspects of the proposed development. The Inspector's decision has clearly indicated that an identical scheme, with a greater commuted sum for affordable housing and infrastructure, would be acceptable.

The Inspector's reasoning was that the viability argument submitted by the applicant did not fully justify the under provision of contributions. The Council took the view that £375,000 would be available for affordable housing and infrastructure contributions. The Inspector supported this view.

Therefore, in line with the Inspector's decision, provided that at least £375,000 is made available for affordable housing and infrastructure, the concerns raised by the Inspector would be overcome and permission should be granted.

Loss of employment land

The NPPF establishes that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

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

At paragraph 22, the NPPF sets out that planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses

of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

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

Waverley Borough Local Plan 2002 is consistent with the NPPF with regards to securing economic growth. The Keynote Policy of the Local Plan states:

“The Council, through the Local Plan, will seek to maintain and improve the quality of life in Waverley without compromising the ability of future generations to meet their own needs and to enjoy a high quality environment. This means protecting and enhancing the Borough’s environmental quality and providing for homes, jobs, infrastructure and services without undermining the value of the built, natural and man-managed environmental resource.”

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

The Keynote Policy and the 5 aims underpin the planning policies of the Local Plan. Policy IC2, Safeguarding Suitably Located Industrial and Commercial Land, states:

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

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

Areas of suitably located industrial and commercial land over 0.4 hectares (1 acre) are identified on the Proposals Map. In giving consideration to applications which conflict with this policy, the Council will require the applicant to demonstrate that there is no need for the site to be retained for employment purposes”.

The site includes a Use Class B1 Office. The existing site is considered to be suitably located commercial land against the requirements of Policy IC2.

The Council’s Corporate Plan (2012-2015) sets out that the Council will act as a community champion to businesses and will seek to be business-friendly in our planning role.

The Council’s Employment Land Review (ELR) update 2014 sets out that employment growth is mainly expected to come from B1 sectors and primarily from small and medium sized enterprises. Under the trend based scenario, Waverley will have no net additional employment land requirements over the period to 2031, with the projected increase in B1 demand balanced out by the forecast decline in B2 and B8 land requirements. Under the Experian-based scenario Waverley is forecast to need approximately 7 ha of additional employment land by 2031. Waverley is projected to need some 16,000 sqm of additional B1a/b floorspace by 2031.

The scheme proposes the reduction in Class B1 floor space of approximately 220sqm of Use Class B1 Office space.

The applicant argues that the need to retain commercial land must be balanced with the other aspects of the scheme.

The applicant sets out that due to the availability of other commercial premises in Godalming and Guildford that it has been demonstrated that there is no need for the site to be retained for employment purposes.

The fact that there are office premises on the market at the time of the application does not necessarily demonstrate that there is no need for the site to be retained for employment purposes. The application has not sought to test whether there is a demand for the employment land to be retained, by way of a marketing exercise and therefore, the application does not provide evidence to demonstrate that the site is not needed for employment purposes.

The applicant has set out an argument that permitted development would now allow the office use to be used for residential purposes.

The applicant has also provided a viability appraisal which seeks to demonstrate that the retention of a commercial use would not be financially viable in any redevelopment. The Council’s Independent Financial Adviser has considered this argument and concludes that whilst Alder King have identified an ample supply of other office space in the area, they have not computed how many years supply this provides. There will always be empty office stock but the level of take-up of offices has not been provided in their

report - so only supply shown and not demand for offices. As the country climbs out of recession the rate of office take up will increase and the surplus will reduce.

Officers conclude that this loss of commercial floor space would conflict with Policy IC2.

The decision of the Inspector under WA/2013/1985 is a material consideration of significant weight in this assessment. The Inspector concluded that:

“Whilst the proposal would result in the loss of employment land, contrary to saved LP Policy IC2, that is outweighed by the other considerations identified”.

The Inspector concluded that loss of employment land was justified for the following reasons:

- If an office use were part of the development, the scheme would not be financially viable. To insist that an office use were included would jeopardise the delivery of housing on the site.
- The provision of replacement office floorspace would reduce the number of units possible by 4, thereby rendering the scheme less financially viable.
- Permitted Development rights would likely allow a change of use from office to residential in any event.

Having regard to the conclusions of the Inspector, Officers conclude that the loss of employment land is outweighed by other considerations in the proposal, in line with the Inspector’s decision under WA/2013/1985.

Housing land supply

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

It is acknowledged that both the latest household projections published by the Department for Communities and Local Government and the evidence in the emerging draft Strategic Housing Market Assessment point to a higher level of housing need in Waverley than that outlined within the South East Plan. Specifically, the SHMA indicates an unvarnished figure of 470 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure; initial estimates suggest a housing land supply of 4 years as of 1st October 2014 based on the unvarnished housing supply figure of 470 dwellings per annum. The Council has, in accordance with paragraph 47 of the Framework, worked “to boost significantly the supply of housing”. As such, it is considered that the shortfall in housing land supply identified at present, when assessed against the untested SHMA figure of 470 dwellings per annum, should be given limited weight at this time, particularly given the constraints of the Borough, which clearly influenced the conclusion of the Report of the Panel (August 2007) appointed by the Secretary of State to examine the Draft Regional Spatial Strategy for the South East.

Nonetheless, the proposed development will contribute to meeting the need for new homes in Waverley and this is a material consideration to be weighed against the other considerations for this application.

Affordable Housing provision

There is a considerable need for affordable housing across the borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2012 – 2015. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need. Planning mechanisms are an essential part of the Council’s strategy of meeting local housing needs.

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

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified. Policy H5 sets out the local requirements for affordable housing within settlements and states that in settlements of more than 3,000 in population, the Council will seek affordable housing on new developments comprising 15 or more new dwellings. Where proposals provide a housing density of more than 40 dwellings per hectare (which includes the current proposal) the Council will seek to negotiate that at least 25% of the number of net new dwellings are in the form of subsidised affordable housing. Policy H5 states that the scale of provision on individual sites will depend on the characteristics of the site, market conditions and other considerations.

The Strategic Housing Market Assessment (SHMA), published in 2013 indicates 293 pensioner only households are living in properties with at least 2 extra bedrooms than are technically required by the household. Provision of smaller affordable housing units for older people on this site would present an

opportunity to reduce under occupation and free up larger family units across Waverley.

The SHMA (2013) has also analysed information from the Housing LIN website's Strategic Housing for Older People (SHOP) about the need for affordable sheltered housing. Table 48 in Appendix 2 estimates 724 units of sheltered affordable housing are required over the next 18 years, which equates to over 40 units per annum and reiterates the housing need supporting the argument for this site to provide on site affordable sheltered housing.

Paragraph 7.24 of the SHMA goes on to say that 'there is clearly a case for the Council seeking to provide additional 'specialist' accommodation for older persons as the population ages. Paragraph 7.70 of the SHMA (Appendix 2) goes on to 'anticipate a requirement for additional levels of specialist care accommodation in both the market and affordable sectors'.

The requirement for affordable housing on proposals to develop housing for older people is in line with current Government guidance (contained in correspondence to all Local Authority Chief Executives, received March 2006) whereby "The Government sees no distinction between proposals for open market sheltered accommodation and any other open market housing in terms of assessing such schemes against affordable housing policies in the development plan...The Government therefore does not regard that development proposals for sheltered or extra care housing to be sold or let on the open market should be exempt from the need to provide an element of affordable housing."

The Council's Housing Strategy and Enabling Manager has commented on the application and sets out that: "The demonstrated need and limited supply of, affordable housing in Waverley supports the case for on-site provision of affordable housing on this site. Our view, supported by local evidence and national planning policy, is that affordable housing should be provided on-site on private retirement schemes. In this central location in Godalming, our preference would be for affordable housing specifically for older people, in particular to help encourage older people living in larger properties the opportunity to downsize".

Officers conclude that there is a recognised need for Extra Care housing but the proposal does not appear to constitute an Extra Care Scheme and accordingly is not assessed on this basis.

The application has been submitted on the basis that the residential units are age restricted Use Class C3 (dwellinghouses), as opposed to Use Class C2 (Residential institution).

The applicant has set out that it would not be feasible to provide affordable housing on site due to the managerial issues regarding mixing tenures. In lieu of on-site affordable housing the applicant has offered off-site provision, the amount of the contribution to be determined by way of a viability assessment.

The applicant has submitted a number of appeal decisions to seek to justify the lack of on-site provision. These in general recognise that there are management difficulties when managing mixed tenures.

The Council is mindful that viability issues form an important part of the planning assessment when determining the level of affordable housing to be provided.

The Council's independent viability assessor has scrutinised the viability information submitted by the applicant and concludes that there would be a surplus at completion of £375,000 (for both affordable housing and infrastructure contributions).

In terms of affordable housing provision, it is the preference of the Council and Government to secure affordable housing provision on site to ensure mixed and balanced communities, as indicated in Paragraph 50 of the NPPF. In this case, the available monies for contributions/planning obligations would be £375,000 (See Viability Report dated September 2014 by Adams Integra).

The Inspector's decision sets out that there would be £375,000 surplus at completion. The Inspector's decision indicated that a contribution of £69,850 should be made towards infrastructure provision (to be taken from the total of £375,000). The applicant has submitted a draft legal agreement to secure contributions of £305,150 for off-site affordable housing and £69,850 for infrastructure. It is envisaged that a completed legal agreement will be received by the time of the meeting. This matter will be reported orally to the meeting.

Therefore, in line with the conclusions of the Inspector, Officers conclude that the contribution towards affordable housing is justified and it would not be reasonable to insist on on-site provision or a higher commuted sum. The contribution towards affordable housing is considered to be acceptable in planning terms.

Housing mix and density

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

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

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

The density element of Policy H4 has been superseded by guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

Rather than prescribing a minimum or maximum density, the NPPF sets out, at paragraph 47, that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Density is a rather crude numeric indicator. What is more important is the actual visual impact of the layout and extent of development upon the character and amenities of the area. The proposed density is 20.42 dwellings per hectare. The density would be low in comparison to the surrounding area. However, it would be reflective of the landscape character in which the site is located.

The Council's Strategic Housing Market Assessment (Draft) 2013 (SHMA) sets out the likely profile of household types in the housing market area. The draft SHMA 2013 provides the follow information with regards to the indicative requirements for different dwelling sizes (2011-2013).

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Market	10-15%	30-35%	30-35%	20-25%
Affordable	40-45%	25-30%	20-25%	5-10%

The scheme proposes the erection of 31 residential units (30 x 2 bed and 1 x1 bed). The overall density proposed is 66dph.

Policy H4 of the Local Plan 2002 is considered consistent with this approach and outlines the Council's requirements for density and size of dwellings for residential developments comprising three dwellings or more. The Policy states that the Council will require at least 50% of all the dwelling units within the proposed development to be 2 bedrooms or less; not less than 80% of all dwellings units to be 3 bedrooms or less, and for no more than 20% of the dwelling units to exceed 165sqm in total gross external floor area, excluding garaging. The Policy also states that densities of 30-50 dwellings per hectare will be encouraged, with higher densities particularly encouraged at places with good public transport accessibility or around major nodes with good quality public transport corridors. It is important to note that the NPPF does not prescribe the density of new developments but states that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances.

97% of the units would be two bedroomed and 3% would be one bedroomed.

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

Number of bedrooms	Number of units proposed	% mix
1-bedroom	1	3%
2-bedroom	30	97%

The proposed housing mix would comply with the requirements of Policy H4.

As such Officers consider that housing mix is broadly in line with the requirements identified in both the SHMA and the Waverley Borough Council Household Survey 2007, as such it is considered that the proposal would be acceptable in accordance with the NPPF 2012 and Local Plan Policy.

The proposed housing mix is considered to be appropriate having regard to the evidence in the SHMA and the requirements of Policy H4.

Provision of community use

In relation to promoting healthy communities, the NPPF sets out, at paragraphs 69-70, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see. To support this, local planning authorities should aim to involve all sections of the community in the development of Local Plans and in planning decisions, and should facilitate neighbourhood planning. Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy CF2 sets out that:

"Within the settlements defined on the Proposal Map, planning permission will be granted for the development, expansion or change of use of premises for community facilities provided that:-

(a) the scale of the development is appropriate to the needs of the community and does not introduce a level of activity and disturbance which would detract from the character and amenities of the area;

(b) the location of the development is readily accessible to the population served and its layout and design maximise accessibility to people with disabilities or mobility problems;

(c) where buildings will house significant community uses they are of high quality design and create a landmark for the community which they serve....".

The scale of the proposed development is considered to be appropriate to the needs of the community. It is considered that the level of activity and disturbance from the use of the Church would not be materially harmful (this is explained in more detailed in the sections of this report titled 'Impact on residential amenity' and 'Highway Considerations').

The site is within the developed area and is readily accessible to the population served.

Officers acknowledge the relatively small size of the proposed church hall and estimates of the congregation. Therefore, the proposed development is not a significant community use, for the purposes of Policy CF2, and it is considered that it is not necessary for the building to be a landmark.

The proposal is considered to comply with the requirements of Policy CF2.

Impact on visual amenity, setting of Listed Buildings and setting of the Conservation Area

The NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposed development. Great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be.

Substantial harm to, or loss of significance of, a heritage asset should be exceptional and consent should be refused unless the harm is necessary to achieve substantial public benefits that would outweigh the harm. In considering development that may have substantial or less than substantial harm on a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including the possibility of securing its optimal viable use. Only where the benefits are found to outweigh the harm to the designated heritage asset should the development be approved.

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

Policy HE8 of the Local Plan 2002 state that development should preserve or enhance the character of conservation areas.

Whilst Officers raised concern in relation to the bulk and design of the proposed development, the Inspector stated, in the appeal decision for W/2013/1985, the following in terms of design:

- The proposed Church represents high quality design
- The overall result would be new buildings of high quality, which add interests to the street scene.
- In relation to the flat roofed design of the scheme, the Inspector stated: In so far as this aspect of the proposal might be regarded as detrimental, it would be significantly outweighed by the scheme's positive impact on the much more prominent Ockford Road frontage.

The Inspector concluded:

- The proposal would enhance the setting of the nearby Town Centre CA, the character and appearance of the area generally and, in so far as it has any impact, the setting of the nearby Grade II listed buildings.

Having regard to the conclusions of the Inspector, the proposed development, by virtue of its scale, form and appearance would not result in material harm to visual amenity and would enhance the setting of the Conservation Area and nearby Listed Buildings. The proposal would comply with Policies D1, D4, HE3 or HE8 and the advice within the NPPF.

Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future

occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

The proposed residential building would represent a significant increase in the level of built form on site. However, having regard to the separation distances to the boundaries of the site and the partial tree screening to the south-western boundary of the site, it is concluded that the proposed development would not result in material harm to residential amenity.

The windows of residential units to the south-western elevation would be positioned some 14m from the shared boundary (at the closest point). However, having regard to the juxtaposition between the proposed development and the existing residential properties to the southwest and the existing tree screening along the south-western boundary it is concluded that there would be no material loss of privacy for existing residential properties.

The proposal is considered to comply with Policies D1 and D4 in this regard.

Parking and highway considerations

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

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has recently 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 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 proposed residential development would provide 31 parking spaces. This equates to a ratio of one parking space per apartment. 30 of these apartments are two bed roomed and therefore the provision of one space per unit is technically a shortfall against the County Council's and Council's parking guidance, which sets out that two bedroom units outside of town centres should provide 2 spaces per unit. However, whilst the site is not within the town centre, it is in close proximity to the town centre and, importantly, to public transport links. Having regard to these mitigating issues it is considered that this level of parking would be acceptable.

The proposal would provide 8 parking spaces for the proposed Church use. The Council's and County Council's parking guidelines indicate a provision of one parking space per 10 seats or by way of individual justification. The Church would provide seating for 40 people and as such, the provision of 8 parking spaces would be sufficient when assessed against the Council's parking guidelines.

The proposed access and lay-by arrangements have been considered by the County Highway Authority, which raises no objection in terms of highway safety, capacity or on policy grounds. The arrangements are considered to be acceptable in highway terms and would not result in inconvenience or danger to other highway users. The comments of the objector in terms of the impact on existing accesses along Ockford Road have been carefully considered. However, there is no indication that the provision of a two-way access would have a material impact on the ability to use existing accesses further along the road.

Amenity space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

The proposed development provides outdoor terrace areas for 12 of the 31 units. The remaining 19 units would have access to a communal garden to the rear of the site, a communal terrace area in the central part of the site, a sun lounge and sun deck on the upper floor of the proposed residential building, along with access to a communal coffee lounge. It is concluded that the level of amenity space provided would be sufficient for the intended use.

The Council uses the standard recommended by Fields in Trust (FIT) for assessing the provision of outdoor playing space. The proposed development would generally require the provision of a Local Area for Play (LAP). This comprises a play area equipped mainly for children of early school age (4-8 years old). However, in this case, having regard to the age restricted nature of the residential development, it is concluded that this would not be justified. The Inspector's decision under WA/2013/1985 supports this position.

Impact on trees

Policies state that development proposals on sites which contain, or are close to, important trees, groups of trees or hedgerows should provide for their long-term protection.

The tree survey is a fair assessment of the species, size and position of existing trees on and adjacent to the site.

The Arboricultural Implications Assessment makes reference to the proposed revised tree/building proximity as being reasonable. There may be some future pressure to prune/remove trees to create an improved view/increased sunlight from the west.

Recommendations are made for the control of development and use of protective measures that would be appropriate if it is granted. The likely rooting constraints of the stream is recognised and recommended root protection areas have been commensurately increased into the site up to the proposed build line. The requirement to use ground protection measures is recognised to limit damage to the ground and roots therein from the build process. The lower branches/crowns of the trees to the west may be an impediment on the construction process that could require additional protective measures.

If permission is granted, Officers recommend certain conditions to afford protection to the TPO trees around the edge of the site that are proposed for retention be imposed.

Air Quality

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area to adverse effects from pollution, should be taken into account. Policy D1 of the Local Plan sets out that development will not be permitted where it would have a materially detrimental impact to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

The site is within the Godalming Air Quality Management Area. The use of the proposed development would not give rise to significant levels of pollution. However, there is potential for air pollution during the demolition and construction stages of the development and as such a number of conditions are recommended, if permission is granted.

Contamination on site

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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

The application is accompanied by a contamination investigation, which indicates that the site is not associated with significant potential sources of contamination. However, it is recommended that allowance be made for a thickness of capping material that will create a barrier between the underlying Made Ground and the site end users.

The submitted information has been scrutinised by the Council's Environmental Health Service, which concludes that there are no issues regarding contamination on site and that no planning conditions are required.

Servicing

The plans show that there would be adequate provision for bin storage and as such no objection is raised on this basis.

The comments of the Council's Waste and Recycling Co-ordinator are noted, however, the location and size of the proposed bin store is clearly shown on the submitted plans and it is concluded that there would be sufficient space for bin storage and that the bin store would be readily accessible from the highway for servicing purposes.

Effect upon SPA

The site is located within the Wealden Heaths I SPA Buffer Zone. The proposal would result in an increase in people (permanently) on the site. However, due to the availability of alternative recreational opportunities within the area, which could divert residents from use of the SPA, the proposal would not have a likely significant effect upon the integrity of the SPA. An appropriate assessment is not, therefore, required.

Crime and disorder

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

Given the nature of the proposal, together with its location within a private curtilage (residential element), it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF.

Infrastructure

Policy D13 of the Local Plan states that “development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements”. Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. At the time of the previous application, guidance upon the content of legal agreements was provided by Circular 05/05. This has now been cancelled. 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 Council adopted a SPD on Infrastructure Contributions in April 2008. The policy requires developments which result in a net increase in dwellings to

contribute towards infrastructure improvements in the Borough. This is the starting point for calculating the contribution.

The SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development.

In this case, the available monies for contributions/planning obligations (including affordable housing) would be £375,000 (See Viability Report dated September 2014 by Adams Integra). The contributions towards PIC would amount to £69,850.

A signed and completed unilateral undertaking to secure this level of contribution has been received and, as such, the proposal has adequately mitigated for its impact on infrastructure.

Viability issues are important in this assessment, it is concluded that in this case the application has demonstrated that the failure to mitigate adequately for the impact on local infrastructure is justified. This position is in line with the conclusions of the Inspector for the appeal under WA/2013/1985.

Financial Considerations

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

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

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling, (Total of £44,950) per annum for six years.

Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. This said, the applicant has indicated as part of their Design and Access Statement that the new building will be built to modern standards and be more energy efficient and better for the environment than the existing building. The lack of any policy backing in this regard however prevents conditions being added to require this.

Flooding and Drainage considerations

Paragraph 103 of the NPPF 2012 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. The Technical Guidance which accompanies the NPPF outlines, in Table 1 that for sites in Flood Zone 1, development proposals comprising one hectare or above should take account of vulnerability to flooding from other sources as well as from river and sea flooding, and also the potential to increase flood risk elsewhere.

The northern boundary of the site is within Flood Zones 2 and 3. However, the part of the site to be developed is all within Flood Zone 1.

The application is accompanied by a Flood Risk Assessment which concludes that the proposal would not increase the risk of flooding to the surrounding area.

The Environment Agency has commented on the application and originally raised objection due to the lack of an undeveloped 8m wide buffer zone adjacent to the river. The applicant has revised the layout of the scheme and it would appear that the alterations to the landscaping would overcome the objection, as it would omit any development from within the 8m buffer zone by the riverbank.

The plans originally submitted with the application showed a riverside path as part of the proposed development. Whilst the Environment Agency (EA) did not raise objection to the previous, identical application (WA/2013/1985), a response was received in relation to the current application raising objection due to the failure to provide a 8m wide buffer strip along the watercourse.

In response to this comment from the EA the applicant amended the plans for both the current application and the previous application WA/2013/1985.

The Inspector determined the appeal in the absence of any further comments from the EA. Whilst there is no specific comment in the Inspector's decision relating to the impact on the watercourse, the amended plans provided by the applicant, or the comments of the EA, it would appear that the Inspector reached the conclusion that the changes to the scheme had overcome the objection raised i.e. a 8m wide undeveloped buffer zone was incorporated into the layout of the scheme.

In terms of light spillage, planting to the buffer zone and working method statement relating to the buffer zone; these matters could be adequately controlled through conditions if permission is granted.

Having regard to the conclusions of the submitted Flood Risk Assessment, it is concluded that there would not be an increased risk of flooding as a result of the proposal.

The majority of the site is laid to hardstanding currently and as such the proposed development would not increase the level of impermeable surfacing. The scheme proposes to discharge to an existing sewer as there should not be any increase surface water run-off. Therefore, no objection is raised on this basis.

Further comments from the EA are awaited, to confirm that the application has overcome the objection previously raised. This matter will be reported orally to the meeting. However, notwithstanding the position of the EA, having regard to the Inspector's decision, under WA/2013/1985, it is concluded that the application has overcome the objection in relation to the potential impact on the watercourse and it would not be reasonable to pursue this matter as a reason for refusal.

Biodiversity and compliance with Habitat Regulations 2010

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

When determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

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

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

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

The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is within 200m of ancient woodland, however, it is separated by a river, a pond and a road. There is a watercourse running along the north-western boundary of the site which has the potential to impact on biodiversity interests. The application is accompanied by a bat survey and ecological report which sets out a number of recommendations in order for the impact on biodiversity to be acceptable.

The Bat survey submitted with the application indicate that the proposals would involve activities which would affect a European Protected Species (Bats). Two legal decisions have recently helped to clarify the role and

responsibilities of Local Planning Authorities (LPAs) in respect of European Protected Species (EPS) when they are considering development consent applications. Those cases are R (Simon Woolley) v Cheshire East Borough Council and Millennium Estates Limited¹, a High Court case, and more recently still the Supreme Court decision in R (Vivienne Morge) v Hampshire County Council (the Morge case). These cases do not create a new obligation or requirement on LPAs but they do provide some clarification of the duties placed on LPAs by the Conservation of Habitats and Species Regulations 2010 (the Regulations).

The Regulations transpose certain prohibitions against activities affecting EPS. These include prohibitions against the deliberate capturing, killing or disturbance and against the damage or destruction of a breeding site or resting place of such an animal. The Habitats Directive provides for the derogation from these prohibitions for specified reasons and providing certain conditions are met. Those derogations are transposed into the Regulations by way of a licensing regime that allows what would otherwise be an unlawful act to be carried out lawfully. Among the reasons why a licence may be granted and the reason relied upon by developers when seeking a licence to carry out operations for the purposes of development, is that there are imperative reasons of overriding public interest why the operation should be carried out.

Natural England is the licensing authority for the purposes of this licensing regime. In addition to satisfying itself that one of the reasons provided for by the Regulations, in this case imperative reasons of overriding public interest exists, before granting a licence Natural England must also be satisfied that there is no satisfactory alternative and that any action licensed will not be detrimental to the maintenance of the population of the species at favourable conservation status in its natural range. The reason for granting the licence together with the two conditions that must be met before a licence can be granted are what Natural England refers to as the three statutory tests.

The Regulations also provide that a competent authority, including a planning authority must, in the exercise of any of their functions, have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. It is this duty that was considered in the Morge case. In that case the Supreme Court stated that it could not see why planning permission should not ordinarily be granted unless it is concluded that the proposed development would (a) be likely to offend one of the prohibitions referred to above and (b) be unlikely to be licensed under the regime described. Following that, it is clear that there will be circumstances in which planning authorities will be required to form a view on the likelihood of a licence being granted by Natural England. It is for the planning committee to determine the planning application in light of the three tests and the Morge and Woolley cases do not alter that position.

In determining whether or not to grant a licence Natural England must apply the requirements of Regulation 53 of the Regulations and, in particular, the 3 tests set out in sub-paragraphs (2)(e), (9)(a) and (9)(b):-

- (1) Regulation 53(2)(e) states:
a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
- (2) Regulation 53(9)(a) states:
the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”
- (3) Regulation 53(9)(b) states:
the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range

It is clear from the Bat Survey results that the proposal would offend Article 12(1) of the Habitats Directive and a licence would be required. Following the advice contained above, it is incumbent on the Local Planning Authority to assess the likelihood of obtaining the said licence. This assessment is based on the comments of Surrey Wildlife Trust/Natural England and the 3 tests already cited. Given the comments from Surrey Wildlife Trust and subject to the imposition of suitable planning conditions to secure where necessary extra survey work, and mitigation, officers consider that owing to the overriding need for additional housing in the Borough; that the proposal would contribute to the social and economic needs of the local community; and subject to the effective implementation of mitigation measures, that the proposed development would meet the Imperative Reasons of Overriding Public Interest test in a licensing context and would, with the effective implementation of mitigation, cause no adverse effect on the conservation status of the protected species concerned. Officers conclude that the proposal would be likely to obtain the requisite licence.

Therefore, no objection is raised on Biodiversity ground subject to condition(s) to ensure that the recommendations identified in the reports are carried out. Moreover, subject to the effective implementation of the recommendations identified in the reports, the biodiversity value of the site could be increased.

Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems
- promote the sustainable use of water
- reduce pollution of water, especially by ‘priority’ and ‘priority hazardous’ substances
- ensure progressive reduction of groundwater pollution

The proposal would not conflict with these regulations.

Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that, subject to conditions, the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

Human Rights Implications

The proposal would have no material impact on human rights.

Environmental Impact Regulations 2011

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

Article 2(3) Development Management Procedure (Amendment) Order 2012 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 the following:-

- 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 suggested and accepted amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.

Conclusion

The principle of development in the developed area is acceptable.

The loss of commercial land would conflict with Policy IC2; however, the benefits of the scheme would outweigh this matter.

The submitted viability information and the conclusions of the Inspector are such that the under provision of affordable housing and infrastructure contributions is justified.

The proposal is considered to not result in material harm to visual amenity, the setting of adjacent Conservation Area and the setting of nearby Grade II Listed Buildings.

The benefits of the proposal in terms of the delivery of market and affordable housing have been weighed against the adverse impacts and it is concluded that the benefits outweigh any planning concerns.

This position is consistent with the conclusions of the Inspector. The principle of development has effectively been established by the Inspector's decision. The single outstanding issue, that of financial contributions to affordable housing and infrastructure, has been overcome. Therefore, Officers advise that it would not be reasonable to refuse the application unless there are clear and compelling reasons to take a different view to that of the Inspector.

Recommendation A

That, subject to the consideration of the views of the Environment Agency by 17/11/2014 and to the receipt of a suitable legal agreement to secure infrastructure contributions and affordable housing contributions by 20/11/2014, permission be GRANTED subject to the following conditions:

1. Condition

Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: 10-1825-OS, 047.0007.100 Rev P3, 10-1905-100, 10-1905-101 Rev A, 10-1905-102, 10-1905-103, part superseded 10-1905-104, 10-1905-106 Rev A, 7993/01, part superseded 7993/02, MCS500/DRg 01 Rev B, 1330, 226 001, 226-100, 226-101, 226-102, 01 Rev A, 1330 and PP/2949/M&S/2013.

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.

2. Condition

- a) No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:
 - (i) proposed finished levels or contours;

- (ii) hard surfacing materials;
 - (iii) planting materials;
 - (iv) planting plans;
 - (v) written specifications (including cultivation and other operations associated with plant and grass establishment);
 - (vi) schedules of plants, noting species, planting sizes and proposed numbers / densities where appropriate;
 - (vii) implementation timetables
- b) All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason

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

3. Condition

No persons under the age of 60 years of age and or a partner of 55 years shall occupy any of the retirement living units hereby permitted with the exception of guests and / or warden(s), unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that sufficient parking is provided with the proposed development and in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

4. Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the amenities of the area, in accordance with Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002.

5. Condition
No hardstanding shall be laid until samples of the materials to be used in the construction of the hard surface areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the amenities of the area, in accordance with Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002.

6. Condition
Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

To adequately protect the retained trees subject of a Tree Preservation Order from development and to provide for their amenity contribution to the character of the area and thereafter and to accord with Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

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

Reason

To adequately protect the retained trees subject of a Tree Preservation Order from development and to provide for their amenity contribution to the character of the area and thereafter and to accord with Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

8. Condition
Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and

shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to be agreed with the Local Planning Authority in writing.

Reason

To adequately protect the retained trees subject of a Tree Preservation Order from development and to provide for their amenity contribution to the character of the area and thereafter and to accord with Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

9. Condition

Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.
3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The space referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the Local Planning Authority.

Reason

To adequately protect the retained trees subject of a Tree Preservation Order from development and to provide for their amenity contribution to the character of the area and thereafter and to accord with Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

10. Condition

Notwithstanding details already submitted with the application, no development, including demolition works, shall start on site until an Arboricultural Method Statement (AMS) detailing low impact methods of demolition and construction and other tree protection measures within the root protection area (RPA) of all retained trees, has been submitted to and approved in writing by the local Planning Authority.

This statement to include specifications for detail and type of no dig path and road construction and a scheme of arboricultural supervision, in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations for all works within the RPA of retained trees and to report to this Planning Authority, the status of all tree works and tree protection measures throughout the course of the development. The frequency of that supervision, monitoring and reporting shall relate to the phasing of the development and shall be agreed at the time of a pre-commencement site meeting between the Tree Officer, appointed arboriculturist and Site Manager.

The development shall then be carried out strictly in accordance with the approved AMS and this condition shall not be discharged before a satisfactory arboricultural completion statement is submitted to the local Planning Authority and approved in writing on completion of the whole development.

Reason

To adequately protect the retained trees subject of a Tree Preservation Order from development and to provide for their amenity contribution to the character of the area and thereafter and to accord with Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

11. Condition

Prior to the first occupation of any residential units on the site, the proposed bin stores, as shown on the approved plans shall be constructed and available for use by residents, unless otherwise first agreed in writing by the Local Planning Authority.

Reason

In the interests of the environment and to assist in maintaining the clean appearance of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

12. Condition

No floodlighting or other form of external lighting scheme shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, which is so installed, shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance that does not change its details.

Reason

In order to minimise light pollution from the proposed development in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

13. Condition

No trade refuse shall be burnt or otherwise disposed of on the site.

Reason

To ensure that any concentration of air pollutants in the vicinity is minimised and/or a nuisance is not caused and to comply with Policy D1 of the Waverley Borough Local Plan 2002.

14. Condition

The development shall be carried out in strict accordance with the recommendations set out in section 8.0 of the Phase 1 Report, including the biodiversity enhancements detailed in subsections 8.2-8.5.

Reason

In the interests of the ecology of the site and to accord with the Wildlife and Countryside Act 1981 and Regulation 40 of the Conservation of Species and Habitats Regulations 2010, to comply with Policy D3 of the Local Plan 2002 and the guidance contained within the NPPF 2012.

15. 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 in writing by the Local Planning Authority.

Reason

The site within an Area of High Archaeological Potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy HE14 of the Waverley Borough Local Plan 2002.

16. Condition

Before the development is first occupied the proposed vehicular access to Ockford Road (A3100) shall be constructed and provided with visibility splays in accordance with the approved plans all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility splays 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 and to accord with Policy M2 of the Waverley Borough Local Plan 2002.

17. Condition

Before the proposed vehicular access is first brought into use the existing accesses from the site to Ockford Road (A3100) shall be permanently closed and the kerbs/footway fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason

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

18. Condition

Before the development is first occupied the off-site highway works, comprising realignment of the public footway and creation of a lay-by for use by service vehicles, shall be constructed in general accordance with Drawing No. 10-1905-101.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Policies M2 and M4 of the Waverley Borough Local Plan 2002.

19. Condition

No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

Reason

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

20. Condition

No development shall start until a Method of Construction Statement, 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

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

Reason

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

21. Condition

No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to provide:

- (a) Secure cycle parking
- (b) Information for residents, staff and visitors regarding public transport, walking and cycling

to the satisfaction of the Local Planning Authority and shall thereafter be permanently maintained.

Reason

The above condition is required in recognition of the National Planning Policy Framework (2012).

22. Condition
No machinery or plant shall be operated, no process carried out and no demolition/construction related deliveries taken at or dispatched from the site except between the hours of 08:00 to 18:00 Monday to Friday, 08.00 to 13.00 on Saturday, and not at any time on Sundays, Bank or Public Holidays.

Reason

In the interests of the amenities of adjoining residents and to comply with Policies D1 and D4 of the Local Plan 2002.

23. Condition
The commencement of the development shall not take place until a programme for the suppression of dust during the demolition of existing buildings and construction of the development has been submitted to and approved in writing by the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation has been approved by the Local Planning Authority.

Reason

In the interests of the amenities of adjoining residents and to comply with Policies D1 and D4 of the Local Plan 2002.

24. Condition
The development permitted by this planning application shall be carried out in strict accordance with the approved Flood Risk Assessment (FRA) dated November 2013.

Reason

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

25. Condition
Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail a working method statement relating to the protection of the 8m wide buffer zone adjacent to the riverbank, throughout the construction process. The development shall be carried out in strict accordance with the approved details

Reason

In the interests of the amenities and ecology of the area and to accord with the aims of the NPPF 2012 and Policy D5 of the Waverley Borough Local Plan 2002.

26. Condition
Prior to the commencement of development revised plans, to show the correct and consistent layout of the development to the rear of the site (the plans to be revised are: 10-1905-108, 10-1905-107 and 10-1905-105 shall be

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

Reason

In order 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.

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. The applicant's attention is drawn to the requirements of the Environmental Protection Act 1990 and the Clean Air Act 1993 with regard to burning on site. A Statutory Nuisance may be caused by smoke and ash from fires or noise from the cutting or chipping trees. In addition, air quality could be adversely affected on large projects. The granting of this planning permission does not permit a statutory nuisance to be caused and advice should be sought from the Environmental Protection team or the Waverley Website prior to the commencement of works. The Environment Agency should also be contacted regarding Exemption Permits to burn on site.
3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00. 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.

4. The Local Planning Authority shall be informed, in writing (for the attention of the Planning Obligations Officer), of the proposed commencement date of development a minimum of 14 days prior to that commencement date, in accordance with Section 4.1.2 of the Unilateral Undertaking.
5. The applicant is advised that payment of the Planning Infrastructure Contribution within 28 days of commencement of work should be marked for the attention of the Planning Obligations Officer (cheques should be made payable to Waverley Borough Council), in accordance with Section 6.1 of the

Unilateral Undertaking.

Please note that this is a requirement of the agreement and no invoice will be sent at this stage.

6. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
7. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk

For further information please see the Guide to Street and Property Naming on Waverley's website.

8. The planning permission hereby granted followed the completion of a related Planning Obligation (either a Unilateral Undertaking or a Legal Agreement) under S.106 of the Town and Country Planning Act (as amended).
9. The applicants' attention is drawn to the letter from Natural England dated 01 July 2014, attached to this decision notice, and the suggested biodiversity enhancements therein.
10. The applicants' attention is drawn to the letter from the Surrey Wildlife Trust dated 19 December 2013 (in relation to WA/2013/1985), attached to this decision notice, and the suggested biodiversity enhancements therein.

Recommendation B

In the event that the requirement of Recommendation A are not met, that permission be REFUSED for the following reasons:

1. Reason
The application fails to comply with the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Council Local Plan 2002.
2. Reason
The development does not make provision for affordable housing in accordance with Government Guidance and Policy H5 of the Waverley Borough Local Plan 2002. The justification for the under provision proposed is considered to not outweigh the wider concerns relating to this under provision of affordable housing.

Informatives

1. The plan numbers relevant to this decision are 10-1825-OS, 047.0007.100 Rev P3, 10-1905-100, 10-1905-101 Rev A, 10-1905-102, 10-1905-103, part superseded 10-1905-104, 10-1905-106 Rev A, 7993/01, part superseded 7993/02, MCS500/DRg 01 Rev B, 1330, 226 001, 226-100, 226-101, 226-102, 01 Rev A, 1330 and PP/2949/M&S/2013.