

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 17 NOVEMBER 2014

SUBMITTED TO THE COUNCIL MEETING – 9 DECEMBER 2014

(To be read in conjunction with the Agenda for the Meeting)

Present

Cllr Brian Ellis (Chairman)	Cllr Simon Inchbald
Cllr Maurice Byham (Vice Chairman)	Cllr Peter Isherwood
Cllr Brian Adams	Cllr Bryn Morgan
Cllr Paddy Blagden	Cllr Stephen Mulliner
Cllr Mary Forszewska	Cllr Jane Thomson
Cllr Richard Gates	Cllr Nick Williams
Cllr Michael Goodridge	

Apologies

Cllr Elizabeth Cable, Cllr Stephen Hill, Cllr Julia Potts, Cllr Stefan Reynolds and Cllr John Ward

38. MINUTES (Agenda item 1.)

The Minutes of the Meeting held on 12 November 2014 were confirmed and signed.

39. APOLOGIES FOR ABSENCE (Agenda item 2.)

Apologies for absence were received from Councillors Elizabeth Cable, Stephen Hill, Julia Potts, Stefan Reynolds and John Ward.

40. DISCLOSURE OF INTERESTS (Agenda item 3.)

There were no interests raised under this heading.

PART I - RECOMMENDATIONS TO THE COUNCIL

There were no matters raised under this heading.

BACKGROUND PAPERS

The background papers relating to the following item in Part II are specified in the agenda for the meeting of the Joint Planning Committee.

PART II - BRIEF SUMMARIES OF OTHER MATTERS DEALT WITH

41. APPLICATIONS FOR PLANNING PERMISSION (Agenda item 5.)

42. WA/2014/1047 - FIRST CHURCH OF CHRIST SCIENTIST, OCKFORD ROAD, GODALMING (Agenda item 5.1)

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 (as amplified by letter dated 24/07/2014 and as amended by plans received 08/09/2014 and email dated 27/10/2014).

- 42.1 The Committee received an introduction from officers setting out the planning history and differences with a previous proposal. The Committee was advised that an identical scheme had been dismissed at appeal and the decision was therefore a material consideration in the current determination of the planning application.
- 42.2 The appeal was made against non-determination of the application and the Council's appeal statement had set out that had the application been determined, it would have been refused on four grounds relating to the loss of employment land, the proposal being detrimental to the area, failing to comply with infrastructure contributions and not making provision for affordable housing.
- 42.3 The Inspector had dismissed the appeal because the application did not contribute sufficiently towards affordable housing or infrastructure provision however the Inspector did accept all other aspects of the proposed development indicating that an identical scheme, with a greater commuted sum for affordable housing and infrastructure would be acceptable.
- 42.4 The Committee expressed concern that the design of the proposals were not adequate for the area and that the input from local members could not be taken into account. However, it was noted that no objections had been received from local residents on the grounds of design and that the views of the Planning Inspector were a material consideration which would be taken into account by any future Inspector.
- 42.5 The Committee noted that more time would be required to finalise the legal agreement and agreed to extend the date in the agenda papers by one month to 20.12.14.
- 42.6 Having concluded its deliberations, the Joint Planning Committee RESOLVED 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 20/12/2014, and subject to the following conditions, permission be GRANTED:-
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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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

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.
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.
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 zoneshas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.
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 cyclingto the satisfaction of the Local Planning Authority and shall thereafter be permanently maintained.
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.
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.
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.

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

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.

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.

In the event that the requirements of the above permission were not met, the Joint Planning Committee RESOLVED to REFUSE planning permission 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.

The meeting commenced at 7.00 pm and concluded at 7.28 pm

Chairman