

A2 WA/2016/1921 Erection of 54 dwellings including 16 affordable homes with associated parking, landscaping and amenity space at Land South Of Elmbridge Road, Cranleigh (As amended by additional information received 20.01.2017)  
Stovolds Hill Farms Limited and  
Thakeham Homes Ltd  
29/09/2016

Committee: Joint Planning Committee  
Meeting Date: 28 June 2017  
Public Notice: Was Public Notice required and posted: Yes  
Grid Reference: E: 504183 N: 139055

Parish: Cranleigh  
Ward: Cranleigh West  
Case Officer: Chris French  
Expiry Date: 29/12/2016  
Time Extended Date: 30/06/2017  
Neighbour Notification Expiry Date: 04/11/2016  
Neighbour Notification Amended  
Expiry Date: 15/02/2017

#### RECOMMENDATION A

That, subject to the completion of a S106 agreement to secure 30% affordable housing, infrastructure contributions towards off site highways improvements, leisure contributions, environmental improvement contributions, early years and primary education contributions and the provision, management and maintenance of play space, open space and SuDS within 6 months of the date of the Committee resolution to grant permission, permission be GRANTED

#### RECOMMENDATION B

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

#### Introduction

This application has been brought before the Committee as approval falls outside of the scheme of delegation.

## Location Plan



## Site Description

This site comprises a 3.7 hectare parcel of agricultural land located to the south of Elmbridge Road and to the west of Cranleigh. The northern and eastern site boundaries are well defined by mature trees. The site's western boundary adjoins open pasture land with the Wey and Arun Canal and the Cranleigh Waters (main river) being located to the west just outside of the application site.

To the south of the site is the West Cranleigh Nurseries site, which has recently been subject to a committee resolution to grant planning permission for up to 265 dwellings (WA/2016/2207). This site is also part of a strategic allocation in the Draft Local Plan Part 1 Strategic Policies and Sites (Policy SS5).

## Proposed layout



## Proposal

This application seeks full planning permission for the erection of 54 dwellings along with associated works.

The site would have a vehicular access off the Elmbridge Road, along with a pedestrian access linking the development to Elm Park to the east. The plans include the provision of a Local Area of Play (LAP) and Local Equipped Area of Play (LEAP).

The proposed housing mix is as set out below:

Dwelling Type	Market Housing	Affordable Housing	Total
1 bed	0	7 (43%)	7
2 bed	8 (21%)	5 (31%)	13
3 bed	18 (47%)	4 (25%)	22
4 bed	12 (31%)	0	12
Total	38 (100%)	16 (100%)	54

## Street Scene Drawings



### B to B



### D to D



### E to F



## Heads of Terms

### Highways:

- £5,400 – Travel Vouchers (maximum £200 per dwelling)
- £135,000 – Elmbridge Road Safety and Capacity Improvements
- £25,000 – Elmbridge Road Bus Stop Infrastructure Improvements
- Section 278 works including: construction of the access in accordance with drawing ITB11312-GA-002 Rev D, construction of the footway link, construction of dropped kerbs and crossings and construction of bus stop infrastructure improvements on Elmbridge Road

### Sports and Leisure:

- £44,010 – towards Cranleigh leisure swimming pool project
- £30,375 – towards play provision contribution at Cranleigh Skatepark
- £33,075 – towards playing pitch and pavilion improvements at Snoxhall Fields

### Environmental Improvements:

- £14,191.50 – towards surfacing works at Snoxhall Fields
- £1,648 – provision of recycling containers
- Provision, management and maintenance of SuDS, public amenity space, LAP and LEAP.

### Education:

- Early Years                      £36,345      -      To increase the number of pre school places
- Primary                              £182,308    -      Cranleigh C of E School

### Affordable Housing:

- Provision of 29.6% on site along with an appropriate financial contribution to bring the scheme up to 30%
- 50% of which would be rent and 50% shared ownership

### Relevant Planning History

WA/1984/1251	Outline application for residential development of approximately 177 dwellings on 7.9 hectares	Application Refused - Appeal withdrawn 18.10.84
--------------	--	---

### Planning Policy Constraints

Countryside beyond Green Belt – Outside of the settlement boundary  
Gas Pipe Line Low Pressure (to the north east of the site)  
TPO (Tree belt along the northern and eastern boundaries covered by an area order)

### Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002:

- D1              Environmental implications of development
- D2              Compatibility of uses
- D3              Resources
- D4              Design and layout
- D5              Nature conservation
- D6              Tree controls
- D7              Trees, hedgerows and development
- D8              Crime prevention
- D9              Accessibility

D13	Essential infrastructure
D14	Planning benefits
C2	Countryside beyond the Green Belt
HE14	Sites and Areas of High Archaeological Potential
H4	Density and size of dwellings
H10	Amenity and play space
RD9	Agricultural land
M1	The location of development
M2	The movement implications of development
M4	Provision for pedestrians
M5	Provision for cyclists
M14	Car parking standards

Draft Local Plan Policies:

SP1	Presumption in favour of sustainable development
SP2	Spatial Strategy
ALH1	The Amount & Location of Housing
ST1	Sustainable Transport
ICS1	Infrastructure and Community Facilities
AHN1	Affordable Housing on Development Sites
AHN2	Rural Exception Sites
AHN3	Housing Types and Size
EE2	Protecting Existing Employment Sites
TCS3	Neighbourhood and Village Shops
LRC1	Leisure, Recreation and Cultural Facilities
RE1	Countryside beyond the Green Belt
RE3	Landscape Character
HA1	Protection of Heritage Assets
NE1	Biodiversity and Geological Conservation
NE3	Thames Basin Heaths Special Protection Area
CC1	Climate Change
CC2	Sustainable Construction and Design
CC4	Flood Risk Management

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

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of

consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is in the process of replacing the adopted 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Non-Strategic Policies and Site Allocations) will follow the adoption of Part 1. The new Local Plan builds upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. The Council approved the publication of the draft Local Plan Part 1 for its Pre-submission consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on 19 July 2016. The consultation period commenced in August 2016 and closed on 3 October 2016. On the 21<sup>st</sup> December 2016 the Council submitted the draft Local Plan Part 1 for Examination. In accordance with paragraph 216 of the NPPF, weight can be given to the draft Plan, but the degree to which it can is determined by the stage the Plan has reached and the extent to which there are any unresolved objections to it. It is considered that significant weight can be given to the Draft Plan following its publication on Friday 19 August, with the Examination Hearing beginning on the 27<sup>th</sup> of June 2017, given its history of preparation thus far, the iterations of it and the extent of consultation and consideration on it to date. The weight afforded to the Draft Local Plan will increase as the Plan progresses through Examination and onto its adoption in 2017.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Policy Guidance (2014)
- Design Statement Cranleigh (2008)
- Strategic Housing Land Availability Assessment (2014 update)
- West Surrey Strategic Housing Market Assessment (2015)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment 2015: Waverley Addendum (2015)
- Settlement Hierarchy (Draft 2010 and factual update 2012)
- Climate Change Background Paper (2011)
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Waverley Borough Council Parking Guidelines (2013)
- Technical Space Standards
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)



- Natural England's Technical Information Note 049
- Surrey Design Guide 2002
- Waverley Borough Council Parking Guidelines (2013)

Consultations and Parish Council Comments

County Highway Authority	No objections subject to conditions
Cranleigh Parish Council	<p>Objection</p> <ul style="list-style-type: none"> <li>• Negative impact on the amenity of existing residents</li> <li>• Outside of the village envelope</li> <li>• Overdevelopment of the site</li> <li>• Elmbridge Road is single carriageway at either end</li> <li>• Cumulative impact on this locality</li> <li>• WBC has 5.3 years housing supply</li> <li>• Objections from Thames Water and Surrey County Council</li> <li>• Other sites are less at risk of flooding and could accommodate this number of houses</li> <li>• Flood maps don't take into account the latest climate change allowances</li> <li>• Ample contemporary evidence that this site suffers from fluvial flooding</li> </ul>
Council's Environmental Health Officer (Pollution Control)	The desk study and ground investigation report have been reviewed. The report is comprehensive and has identified that no further works are required with regards to contaminated land issues.
Council's Environmental Health Officer (Other – Noise)	No objection subject to conditions
Council's Environmental Services (Waste Collection)	No objection subject to securing appropriate contributions towards bin provision

Council's Environmental Health Officer (Odour)	<p>The applicant has submitted an Odour report based on an updated survey. It has been demonstrated that the development would not be adversely affected by odour from the pumping station.</p> <p>No objection</p>
Natural England	No objection
Thames Water	<p>Original response received 23/10/2016:</p> <p>Thames Water would advise that with regard to sewerage infrastructure capacity, it would not have any objection to the above planning application.</p> <p>Cranleigh Sewerage Treatment Works is located close to the proposed development. Our consultation response reflects our concern that the applicant has failed to demonstrate that future occupiers of the proposed development will have adequate amenity. Given the proposed development's close proximity to the Sewage Asset objects to the planning application. The applicant should submit an odour report.</p> <p>Response in relation to odour report not yet received. To be reported orally.</p>
County Archaeologist	No objection subject to conditions
Surrey County Council – Lead Local Flood Authority	No objection subject to conditions
Environment Agency	The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Flood Risk Assessment submitted with this application are implemented and

	secured by way of a planning condition on any planning permission.
Surrey Wildlife Trust	No objection

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 14/10/2016, site notices were displayed around the site on 18/10/2016 and neighbour notification letters were sent on 04/10/2016 and 02/02/2017.

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

- Adverse impacts on highway safety
- Increased flooding
- Does not reflect the needs of Cranleigh given the high number of other applications which have been consented
- Adverse impacts on ecology
- Sewerage plant can not cope with extra demand
- Proposed number of houses is more than currently in the road
- Impact on doctor’s surgery
- Loss of farmed agricultural land
- More urban sprawl than Cranleigh can cope with
- The traffic flow model does not take into account the increased volume of traffic from the already approved sites
- Developers were refused permission 33 years ago
- Thames Water is increasing capacity at the sewerage works by 30% without planning permission
- Support of Dunsfold development as an alternative
- Affordable housing will be unaffordable
- Loss of vital flood plain
- Adverse impacts on water quality
- Inadequate gas, electricity and water supplies
- Harm to the character, beauty and openness of the countryside
- Up to date allowances for flooding and climate change have not been used
- The site is not deliverable in 5 years
- The Council has a current 5 year land supply
- Adverse conditions in terms of odour
- Trucks using the road shake foundations of properties along Elmbridge Road

- No landscaping
- Loss of trees
- Flood event in December 2013 was greater than the 1 in 100 year flood plus allowance for climate change.
- SuDS on the western edge of the site would be overwhelmed
- Proposal would fail the sequential test
- Site is not deliverable as works are required to Cranleigh Sewerage Treatment Works
- Impact on schools

### Determining Issues

Principle of development

Planning history and differences with previous proposal

Housing Land Supply

Prematurity

Loss of Agricultural Land

Location of the development

Housing Mix

Provision of Affordable Housing

Impact on the Countryside beyond the Green Belt

Layout and Design

Parking Access and Highway Safety

Provision of Affordable Housing

Impact on residential amenity

Impact from odour

Impact on the setting of the Listed Buildings

Biodiversity and compliance with Habitat Regulations 2010

Impact on Trees

Impact on Flood Risk

Water Frameworks Regulations 2011

Financial Considerations

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

Implications

Environmental Impact Regulations 2011 (as amended)

Pre Commencement Conditions

Working in a positive/proactive manner

## Planning Considerations

### Principle of development

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

The planning application seeks full permission for the erection of 54 dwellings along with associated works, to include formation of an access onto the Elmbridge Road and provision of a LEAP and LAP.

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

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

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

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the

development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: inter alia any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. The site lies in the Countryside Beyond the Green Belt where Policy C2 of the Local Plan states that building away from existing settlements should be strictly controlled. However, Policy C2 does not carry full weight as it is not considered to be entirely consistent with the NPPF as Policy C2 refers to protection for "its own sake", whereas the NPPF places emphasis on protecting the intrinsic character and beauty of the Countryside. Accordingly, as the policy is considered to be out of date, the tilted balance in favour of sustainable development, as set out in paragraph 14 of the NPPF applies.

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

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

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

The NPPF states that access to high quality open spaces including canals and waterways can make an important contribution to the health and wellbeing of communities. Policy C12 of the Local Plan states that development will not be permitted where it would have a detrimental impact on the visual qualities, setting, amenities, ecological value, heritage interest or water quality of canals and waterways.

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

#### Planning history and differences with previous proposal

The planning history for this site shows application WA/1984/1251 was refused permission and the subsequent appeal withdrawn on the 18.10.1984. That application sought outline planning permission for the application site,

along with a parcel of land to the south. The application was refused for the following reasons:

1. The application site lies outside the limits of the settlement of Cranleigh in an area subject to Policy 6A in the Approved Surrey Structure Plan. Within areas subject to Policy 6A there is a presumption against development and the proposed development conflicts with that policy.
2. Because of the shape and size of the site and its frontage to both Elmbridge Road and Alfold Road, the proposed development would comprise a significant intrusion of urban development out into the countryside and, in consequence, would have a serious adverse effect on the present character of the locality.
3. The scale of housing development envisaged with this application would result in a substantial addition to the settlement the size and population of Cranleigh. In the opinion of the Local Planning Authority, such a scale of development would, in the context of the settlement as a whole, be detrimental to the character of the town and strain the capacity of local roads and services. Such an opinion was expressed by the Secretary of State, in his letter dated 23<sup>rd</sup> May 1974, in respect of a proposed development of some 200 dwellings on the south side of Cranleigh. Taking account in particular of the scale and rate of housing development which has taken place in Cranleigh in the recent past, the Local Planning Authority are of the view that the views expressed by the Secretary of State in 1974 remain relevant in the consideration of the present application.
4. The proposed development would result in the loss of trees which are protected by a Tree Preservation Order and, in addition to reason for refusal No. 2 above, such loss would have had a detrimental effect on the character of the area.
5. The proposed development would result in the loss of agricultural land and, in consequence, would conflict with Policy 77 of the Surrey Structure Plan.
6. A significant part of the site is within an area liable to flood and, in consequence, its development would conflict with Policy 89 of the Surrey Structure Plan.
7. The Local Planning Authority is satisfied that sufficient housing land to meet the requirements of the Surrey Structure Plan has been identified as part of the studies associated with the preparation of the Waverley

Local Plan. Furthermore, the Local Planning Authority is satisfied that the requirements of Circular 9/80 can be met. Having regard to this, in the opinion of the Local Planning Authority there is no case to allow the development of this site thus setting aside the fundamental objections to the proposed development as set out in reasons for refusal nos. 1-6 above.

Given the significant time that has lapsed and the introduction of the NPPF, there have been material changes in planning circumstances since the determination of the above application. Furthermore, the current proposal is for a smaller development on part of the site. The application must therefore be assessed on its own merits, against current planning policy.

### Housing land supply

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

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their Local Plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Furthermore, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

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

The Council has published and updated its Housing Land Supply position, with a base date of 1 April 2017. The document sets out the housing requirement for the next five years based on West Surrey SHMA figures and various components of housing supply that the Council expects to come forward in that period. As it stands, this document demonstrates that the Council is able to meet its identified housing need. Therefore, the Council can demonstrate in excess of the requirements of paragraph 47 of the NPPF. Notwithstanding this point, the provision of up to 54 dwellings as proposed



would make a significant contribution to housing supply, and being able to demonstrate an adequate supply does not mean that appropriate forms of development should be refused.

Should permission be granted, the proposed development would be included within the Council's housing land supply assessment and, therefore, would assist in contributing to the additional supply of housing for the Borough. This is a material consideration to be weighed against the other considerations for this application.

### Prematurity

[Annex 1 of the National Planning Policy Framework](#) explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the [presumption in favour of sustainable development](#) – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging [Local Plan](#) or [Neighbourhood Planning](#); and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

Whilst the Local Plan has been submitted to the Secretary of State for examination, the development proposed is not considered to be so substantial, or its cumulative effect so significant, that granting permission would undermine the plan-making process. A Neighbourhood Plan has not been published in any form. Therefore, no weight can be given to this.

Accordingly, the proposal would not undermine the Neighbourhood Plan making process

#### Loss of agricultural land

Policy RD9 of the Local Plan outlines that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land.

On all grades of agricultural land, development will not be permitted which would result in the fragmentation of agricultural or horticultural holdings as to seriously undermine the economic viability of the remaining holding.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

It is confirmed within the NPPF that the best and most versatile agricultural land comprises Grades 1, 2 and 3a of the Agricultural Land Classification. The applicant has submitted an agricultural land statement, which confirms that 80% of the site comprises of Grade 3a (good quality) and 20% of the site Grade 3b (Moderate Quality). 80% of the site is therefore considered to be the best and most versatile for the purposes of the NPPF.

The applicant has, however, confirmed that this 3.7 hectares site forms 3.7% of a large 100 hectare holding. Furthermore, that the land forming the application site is separated from the main holding and that the topography and the flood risk on the site restricts the usable area within this parcel of land for agricultural activity. The applicant's statement also confirms that a large proportion of the Borough (43.5%) is Grade 3 land, and as a result large levels of good quality agricultural land are expected to exist within the surrounding area.

It is accepted that the site, due to its isolated nature in relation to the surrounding fields, and because of part of the site falling within Flood Zones 2 and 3, would limit its use for agricultural purposes. In this instance the loss of the agricultural land is not so significant as to warrant the refusal of planning permission.

## Location of the development

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment. The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF states, inter alia, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

The village of Cranleigh provides a significant number of services and facilities. This is a material consideration that weighs in favour of additional housing growth in and around the village.

Although the application site falls outside of the settlement boundary, its position adjacent to the settlement boundary, with access directly onto the Elmbridge Road, allows easy access to Cranleigh Village Centre. Footpaths exist along the Elmbridge Road provide the opportunity to walk 1.4 km into the Village Centre. Alternatively, the Village Centre would be accessible by bicycle. The location of the site is not so isolated so as to warrant refusal on sustainability grounds.

## Housing Mix

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.

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

The SHMA 2015 provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan; as such, limited weight should be attached to Policy H4.

However, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4 of the Waverley Borough Local Plan 2002.

The West Surrey SHMA provides the following information with regard to the indicative requirements for different dwelling sizes:

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

The applicant has proposed the following mix of housing:

Unit Type	Number of units	% of overall total
1 bedroom	7	12.9%
2 bedroom	13	24%
3 bedroom	22	40.7%
4 bedroom	12	22.2%
Total	54	100%

In comparison with the indicative requirements of the SHMA, this is broken down into the following two tables for market and affordable housing:

#### Market Housing

Unit Type	SHMA	Proposed mix
1 bedroom	10%	0 (0%)
2 bedroom	30%	8 (21%)
3 bedroom	40%	18 (47%)
4 bedroom	20%	12 (31%)
Total	100%	38 units (100%)

#### Affordable Housing

Unit Type	SHMA	Proposed mix
1 bedroom	40%	7 (43%)
2 bedroom	30%	5 (31%)
3 bedroom	25%	4 (25%)
4 bedroom	5%	0 (0%)
Total	100%	16 units (100%)

The proposed mix would not be fully compliant with the requirements of the 2015 SHMA. However, on balance the mix put forward is considered to be acceptable in Officer's opinion.

The total number of units which would have 2 bedrooms or less would be 20, which would equate to 36% of the total number of units. This would not accord with criterion a) of Policy H4 as it would not meet the 50% requirement.

Of the 54 dwellings proposed, 42 would have 3 bedrooms or less, equating to 77% of the total number of units. This would not accord with criterion b) of Policy H4 which requires not less than 80% of the dwellings to have 3 bedrooms or less.

None of the dwellings would have an external floor area in excess of 165m<sup>2</sup>. Therefore, the proposal would be below the maximum 20% threshold of Policy H4 for a maximum percentage of dwellings in excess of 165m<sup>2</sup>.

It is acknowledged that there is some conflict with Policy H4 of the Local Plan 2002. However, this policy is out of date when considered against the NPPF. The proposed mix would better reflect the more up to date need in the SHMA 2015. Overall, Officers consider that the proposal provides a good mix of both market and affordable homes that would contribute toward meeting the

identified needs. Furthermore, it is noted that the emerging Local Plan Policy (Policy AHN3) is not as prescriptive in this regard and neither is the NPPF.

The density element of Policy H4 of the Waverley Borough Local Plan 2002 is given less weight than guidance in the NPPF 2012 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 considered more important is the actual visual impact of the layout and extent of development upon the character and amenities of the area.

The overall development would have a density of approximately 15.6 dwellings per hectare. Excluding the proposed open space outside the main residential area, the density would be approximately 30 dwellings per hectare.

Policy H4 of the Local Plan 2002 states that the Council will resist developments which make inefficient use of land and encouragement would be given to proposals which would provide 30 to 50 dwellings per hectare. Officers consider that as the density on the main residential area of the site would meet the 30 dwellings per hectare target, and that the density when calculated excluding the proposed open space would be very similar to that of the adjoining development at Elm Park, that the proposed density would be appropriate to the character of the area and in accordance with Policy H4 of the Local Plan 2002.

The proposed housing mix and density are considered to be appropriate having regard to the evidence in the SHMA, the requirements of Policy H4 of the Local Plan 2002, Policy AHN3 of the Draft Local Plan Part 1 and the NPPF.

### Affordable Housing

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

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.

The Local Plan is silent with regard to the delivery of affordable dwellings in locations such as this. Specifically, there is no threshold or percentage requirement in the Local Plan for affordable housing on sites outside of settlements. This is because, within an area of restraint, housing development under the current Local Plan is unacceptable in principle, including affordable housing. If, however, the Council were to accept the principle of housing development on this site, in the interest of creating a balanced and mixed community and meeting the identified need for affordable housing in the Borough, the provision of affordable housing would be required as part of the proposals.

The provision of a significant level of affordable housing could be regarded as a benefit of considerable weight which would need to be evaluated when considering whether to make an exception to planning policy.

Policy AHN1 of the Draft Local Plan states that the Council will require a minimum provision of 30% affordable housing.

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

The West Surrey SHMA 2015 indicates a high need for affordable housing in Waverley, with an additional 314 additional affordable homes required per annum. New affordable homes are needed for a broad spectrum of households in Waverley, including people struggling to get on the housing ladder and family homes, as proposed on this site.

The SHMA (2015) provides the following information with regard to the indicative requirements for different dwelling size affordable units:

Unit type	1 bed	2 bed	3 bed	4+ bed
Affordable	40%	30%	25%	5%

Affordable units

Unit Type	SHMA	Proposed mix
1 bedroom	40%	7 (43%)
2 bedroom	30%	5 (31%)
3 bedroom	25%	4 (25%)
4 bedroom	5%	0 (0%)
Total	100%	16 units (100%)

Although it is noted that some variations are proposed from the mix in the SHMA, the mix set out above is considered to be acceptable.

The SHMA (2015) also recommends 30% of new affordable homes to be intermediate tenures and 70% rent. In this instance, the applicant is proposing 50% shared ownership and 50% of the affordable homes would be affordable rented. This split has been reviewed by the Council's Housing Enabling Officer who has confirmed that, due to changes in the funding of new affordable housing, that some associations are now proposing a higher proportion of shared ownership in order to cross subsidise the rented accommodation. Therefore, no objection is raised to the tenure split.

It is noted that some of the units which are proposed as affordable units fall below the Technical Housing Space Standards. Notably the 3 bedroom houses S3H1 and S3H2 (plots 10, 11, 12 and 21) have a floor space of 82 sqm, which is below the requirement of 93 sqm. In the absence of an adopted Local Plan policy setting out the floor space standards required for the affordable housing units it is not considered that the shortfall in floorspace would warrant the refusal of the application.

The proposed affordable housing mix would contribute to meeting local needs in line with guidance contained within the NPPF. The provision of affordable housing on site is a benefit in favour of the scheme that should be weighed in the balance of the decision. The proposal is considered to be acceptable with regards to affordable housing provision.

#### Impact on the Countryside beyond the Green Belt

Paragraph 17 of the NPPF sets out 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 are that planning should: *inter alia* take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the



intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

This site falls within the Low Weald National Character Area (NCA) (area 121) defined in the Landscape Character Map of England (Countryside Agency:1999) and updated in 2013. The Low Weald NCA is a broad, low lying clay vale, and is predominantly agricultural, supporting mainly pastoral farming, with horticulture and some arable farming.

The Surrey County Council Landscape Character Assessment: Waverley Borough Council (2015) shows that the site forms part of the Wey and Arun Canal River Foodplain (RF9) Landscape Character Area. With the key characteristics defined as set out below:

- Flat, low lying flood plain, cutting through open greensand hills to the north and within the wider wooded low weald to the south.
- Consists mainly of pasture, with riparian vegetation including large mature trees. Includes occasional arable fields, such as the edges of large arable fields which extend beyond the boundary of the character area.
- Irregular, mainly small scale, fields, with some hedges, ditches and tree lines.
- Views along the length of the flood plain, but surrounding vegetation obscures or frames distant views.
- Occasional road and foot bridges cross the character area, but there is generally limited access.
- Very limited settlement, except for eastern edge of 'Elmbridge Village' development to the west of Cranleigh.
- The Downs Link Recreational Path which connects the North Downs Way and South Downs Way National Trails, crosses and runs alongside the northern half of the character area, along the dismantled Cranleigh railway line.
- Historic importance of the Wey and Arun Canal, which once connected the Thames in London, to the sea at Littlehampton. The route continues south until it reaches Pallingham in West Sussex, where it meets the River Arun. Sections of the canal, including bridges and locks, have been restored, but about two thirds of its length still requires restoration, including removal of infill and diversion around

development, before the entire length of the canal is navigable and the link between London and the south coast is restored.

- A short stretch of the Wey to the south-west of Westland Farm is designated as a Site of Nature Conservation Interest.
- Relatively tranquil, remote riparian character area, appearing as a local feature within the wider landscape.

The landscape areas to the west lie within the Grafham to Dunsfold Wooded Low Weald LCA (WW5) character area, and the land to the south and east lying within the Dunsfold to Pollingfold Wooded Low Weald LCA (WW6).

Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. Policy C2 of the Local Plan carries significant weight; however, it should be noted that this is not full weight as Policy C2 refers to protection for 'its own sake', whereas the NPPF places emphasis on protecting the intrinsic character and beauty of the Countryside.

The proposal would replace an open agricultural field with substantial, urban built form through the construction of a mixture of 2 storey residential properties, associated roads, lighting and hardstanding. As such, the development of this site would significantly change the character from an open agricultural field to an extension of the urban settlement.

It is noted that the existing tree belts to the north and east would reduce the visual impact from the Elmbridge Road and Elm Park. Furthermore, in considering the impact of the development on the character of the countryside the proposal would extend the settlement from the outer edge rather than appearing as a development read in isolation. However, the existing tree belt to the east does create a clear division between the settlement area and the Countryside beyond the Green Belt, which this site sits within. Even when viewed from the Elmbridge Road frontage, the access would be clearly visible and the development would be apparent through the existing tree belt and would not completely conceal the development.

The applicant has submitted a Landscape and Visual Impact Appraisal, which sets out that additional landscaping would be provided to limit the impact, and that the detached houses along the southern and western edges of the development would create a more visually permeable interface. However, the applicant's appraisal does recognise that the development would result in a complete change to the character of the application site from agricultural land

to residential development with, associated infrastructure and lighting being introduced into an otherwise largely undisturbed area.

A footpath runs along the eastern side of the Wey and Arun Canal. Clear views currently exist across the Cranleigh Waters and into the application site from this footpath, with the views of the site making a positive contribution to the intrinsic character and beauty of the countryside. The applicant's Visual Impact Appraisal accepts that the development would be apparent from this footpath creating a perception of encroachment. However, it concludes that the effect would be a limited adverse effect on the overall experience of the route. Officers consider that the encroachment of the built form would be significant and, unless outweighed by any other benefits in the planning balance the harm to the intrinsic character and beauty of the countryside would be significant enough to warrant refusal of planning permission.

The proposed screening would not bring back the open rural character. Furthermore, there is likely to be pressure to thin and reduce the existing tree belts to the north and east over time as these would be located close to the residential development.

The proposal's impact on the Countryside beyond the Green Belt is to be weighed in the balance of the overall conclusion, as the proposal is contrary to the objectives of Policy C2 of the Local Plan and NPPF in this regard.

### Layout and Design

This application seeks full planning permission. Aside from the impact identified above on the Countryside beyond the Green Belt, consideration does have to be given to the layout and design of properties.

The Cranleigh Design Statement 2008, provides an assessment of the character of the village. The design guidelines consider that sites for new development should have regard to the traditional character of the Cranleigh area, and that development in various residential areas should have regard to the design and character of those areas.

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

With regard to the proposed layout, the form of the proposal, with a central road running through the site and a number of other roads running off, would create a high level of permeability through the site and an unregimented pattern, which is to be encouraged. The proposed flatted building, maisonettes and terraces would be well integrated into the scheme and dispersed amongst the larger dwellings, such that the development would appear as relatively low density comparable to the existing pattern of development to the east. A footpath linking the proposed development to the existing cul-de-sac to the east has been proposed and would ensure connectivity with the surrounding area for pedestrians.

The proposed dwellings would be two storeys in height, with maximum ridge heights of 8.9 metres. The flatted building (plots 24 – 29) is the largest being proposed, incorporating three gable features and a mixture of materials in order to break up the built form. It is noted that this building would have larger bulk and massing when compared to the proposed houses. However, its position centrally within the site and on a corner with adequate spacing would ensure that it would be well integrated into the development. It is noted that the flatted building does include some chimneys, however subject to appropriate materials being agreed the chimneys would not be at odds in design terms to cause harm to the overall scheme.

The proposed dwellings are varied in design and would make use of a range of materials. Plain clay tiles are proposed to all dwellings, with a mixture of facing bricks, tile hanging and cladding.

Subject to an appropriate landscaping scheme, and appropriate materials being agreed via condition, the proposed residential development is considered acceptable in design terms, and would accord with the objectives of Policies D1 and D4 of the Local Plan and guidance contained in the NPPF.

#### Parking Access and Highway Safety

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

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

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

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

The application is accompanied by a detailed Transport Assessment which provides an assessment of the proposed vehicular access, the accessibility of the site and the impact on the highways network from the additional trips associated with the development.

The County Highway Authority has reviewed the submitted Transport Assessment and confirms that no objections are raised. It is considered that subject to the mitigation measures set out in the heads of terms the impact on the surrounding highways network is acceptable.

These heads of terms include S278 works to construct the access in accordance with the approved drawings and also S106 contributions towards capacity improvements along the Elmbridge Road, which includes works to improve the canal bridge along the Elmbridge Road.

In terms of parking space provision the development would provide for 140 spaces. The Council’s adopted parking guidance suggests that this development should achieve 118 spaces. It is, however, noted that the distribution is not entirely compliant with the Council’s guidance. For example, some of the larger 4 bedroom units are provided with more than the 2.5 spaces and some of the 1 bedroom flats have been provided with 2 spaces rather than 1 required by the guidance. Some parts of the site would suffer a slight under provision, notably plots 21 to 18 would have 2 rather than 2.5 spaces, therefore additional visitor spaces are not provided for these properties. However, taken as a whole the level of parking provision is acceptable and the application provides an acceptable level of parking provision.

The proposed development, subject to conditions and completion of the 106 agreement, would not result in conditions prejudicial to highway safety, and would comply with the objectives of the NPPF in this regard.

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.

Policy TD1 of the Draft Local Plan Part 1 refers to maximising opportunities to improve the quality of life and health and well being of current and future residents. Such opportunities include, inter alia, appropriate internal space standards for new dwellings.

With regards to the full element of the application the following table provides an assessment against the Technical Housing Space Standards:

House Types	Size	Technical Requirement (m2)	Proposed	Meets/Fails
1BAF1, 1BAF2,	1 bedroom flat (2 person)	50m2	50 m2	Meets
1BAF3	1 bedroom flat (2 person)	50m2	52.9 m2	Meets
1BAF4	1 bedroom flat (2 person)	50m2	51.0 m2	Meets
2BAF1,2,3	2 bedroom flat (4 person)	70m2	70 m2	Meets
S3H1	3 bedroom house (5 person)	93m2	82.3 m2	Fails
S3H2	3 bedroom house (5 person)	93m2	82.7 m2	Fails
2H7	2 bedroom house (4 person)	79m2	71.9 m2	Fails
3H2	3 bedroom house (5 person)	93m2	82.7 m2	Fails
3H7BF	3 bedroom house (6 person)	102m2	98 m2	Fails
3H9BF	3 bedroom house	102m2	119.6 m2	Meets

	(6 person)			
3H10B	3 bedroom house (5 person)	93m2	87.7 m2	Fails
3H11	3 bedroom house (5 person)	93m2	86.5 m2	Fails
3H12B	3 bedroom house (5 person)	93m2	88.6 m2	Fails
4H4B	4 bedroom house (8 person)	124m2	138.4 m2	Meets
4H7BF	4 bedroom house (8 person)	124m2	147.4 m2	Meets

It is noted that the 1, 2 and 4 bedroom properties would all meet the technical space standards. However, the 3 bedroom units would fall below these space standards. Notwithstanding this point, the three bedroom units would still be of a reasonable size. In the absence of a local plan policy which would specifically require these standards to be met it is not considered that the size of the three bedroom units would be so restrictive on the amenities of future occupants as to warrant refusal of planning permission.

The closest residential properties are located to the east separated by the Elm Park Road and on the opposite side of the Elmbridge Road. Given the separation distances, the proposal would not result in an overbearing impact, loss of light or loss of privacy to neighbouring properties.

Built relationships within the development are also a material consideration, as the NPPF requires that a good standard of amenity to be provided for all existing and future occupants of land. The scheme has been amended since it was originally submitted, with the number of units reduced and the relationships between these buildings has been improved. The relationships between buildings is now considered to be acceptable. The proposal would therefore not result in overbearing impacts, loss of light or loss of privacy between buildings within the development.

#### Impact from odour

One of the core principles of the NPPF (as set out under paragraph 17) is to always seek to secure high quality design and good standard of amenity for all existing and future occupants.

Paragraph 109 sets out that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk

from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. The definitions within the NPPF confirm that pollution includes anything that affects air which might have an adverse impact on human health, the natural environment or general amenity, the definition goes on to confirm that odour is included as a form of pollution.

The Cranleigh Sewerage Treatment Works is located on the opposite side of the Elmbridge Road. The initial consultation with Thames Water highlighted the need for an odour assessment for the development site, to ensure that siting the development in this location would not give rise to adverse impacts on amenity. An odour report was provided in January 2017. However, due to the time of the year the applicant was only able to submit a desk based study report, with detailed odour assessments only able to be undertaken in the spring. This assessment indicates that 25% of the site would be subject to slight to moderate odour impacts on potential residents. It was noted that this modelling data was based on odour surveys conducted in 2006 and 2007 and it was noted that there may have been improvements to on site processes in the past 10 years. Therefore, in order to address this and provide a more realistic representation of the on site conditions, an odour survey was requested by the Council. A detailed odour survey report was submitted to the Council on the 31/05/2017, the Council's Environmental Health Officer and Thames Water were consulted on the additional information. The Council's Environmental Health Officer has reviewed this extra information and confirmed that no objections are raised on the grounds of odour impact. Thames Water has not responded at the time of writing this report, any further comments from Thames Water will be updated to the committee. Moreover, it is important to emphasize that Thames Water in this context is relevant as the potential source of the odour rather than the provider or expert opinion on its significance for neighbouring amenity, which remains the Council's Environmental Health Team.

Sufficient information has been submitted to demonstrate that the future occupants of the site would not suffer from adverse impacts on amenity due to odour from the nearby treatment plant. The proposal would comply with the objectives of the NPPF in this regard.

#### Impact on the setting of the listed buildings

There are no listed buildings or listed monuments within the site, however it is noted that there are two Grade II listed buildings outside of the site to the north west (Rye Farm House and Rye Barn). In addition the collection of buildings around the bridge over the Wey and Arun Canal form a group of non designated heritage assets. Consideration does therefore have to be given as



to whether there would be an impact on setting of these designated and non designated heritage assets.

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

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

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.

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

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

Paragraph 132 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building... should be exceptional’.

Paragraph 133 states that ‘Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

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

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

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

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

The nearest listed buildings are located on the opposite side of the Elmbridge Road set back from the road frontage. Furthermore, the clear visual break between the development and the canal would be retained and would not harm the setting of the undesignated heritage asset. Given the distance of separation there would not be a material impact on the setting of these Listed Buildings, therefore paragraphs 133 and 134 of the NPPF would not be engaged.

#### Biodiversity and compliance with Habitat Regulations 2010

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

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

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

This application is supported by an Ecological Impact Assessment comprising a range of surveys, in relation to badgers, bats, reptiles, great crested newts and otters. The ecological surveys have been reviewed by Surrey Wildlife Trust which has confirmed that, subject to appropriate conditions ensuring that the recommended mitigation is put in place, that the application is acceptable. Therefore, it is accepted that the application can be completed without harm to protected species, subject to appropriate conditions.

#### Impact on Trees

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Policies D6 and D7 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

A mature tree belt runs along the northern and western boundaries, which is subject to an area Tree Preservation Order (TPO). The proposed access would result in the loss of trees, including the removal of three better quality trees and a young Sycamore. The sight lines would require some further tree

removal, however, this is limited to small saplings. The Council's Tree and Landscape Officer has raised some concerns that whilst proposed development would be outside of the Root Protection Areas (RPA), the layout, with properties facing towards the tree belt, could cause additional pressure for pruning and reduction in the size of the trees. With regard to the loss and harm to trees. The loss of the trees to create the access and the potential for some thinning of the trees to reduce the impact on amenities could be accepted, and outweighed by then benefits of bringing the development forward.

However, should the principle of development of this site within the Countryside beyond Green Belt not be accepted there would be additional harm to the character of the countryside arising from the loss of the trees.

### Impact on Flood Risk

The southern and western parts of the site fall within Flood Zone 2 and 3 and are therefore at medium and high risk of flooding. The main access to and from the site along with the central spine road would all be within Flood Zone 1. However, Plot 49 along with the western internal access road would fall within Flood zone 2.

The applicant has indicated that raised floor levels would be provided for Plot 49, along with the other dwellings on the site in order to factor in the latest climate change model. The Environment Agency has reviewed the submitted Flood Risk Assessment (FRA) and has raised no objections to the proposal, subject to the condition, that the development is completed at all times in accordance with the details submitted within the FRA.

Decisions on planning applications relating to major developments should ensure that SuDS for the management of run-off are put in place, unless demonstrated to be inappropriate. Under these arrangements, Local Planning Authorities should consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. SuDS may not be practicable for some forms of development. New development should only be considered appropriate in areas at risk of

flooding if priority has been given to the use of SuDS. When considering major development, SuDS should be provided unless demonstrated to be inappropriate.

Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The FRA identifies that there is limited capacity on site for infiltration, and proposes attenuation on site through a series of attenuation ponds, with the water eventually discharging to the ditch on the southern boundary. The scheme is reliant on Sustainable Urban Drainage Systems being accommodated within the development to achieve suitable drainage. These SuDS systems would be positioned within the Flood Zone 2, however sufficient information has been provided to satisfy the Local Lead Flood Authority and the Environment Agency that these systems are suitable and can work without increasing flood risk within the site or the surrounding area.

Paragraph 102 of the NPPF states that “if, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted”.

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, it should be made safe without increasing flood risk elsewhere. Development should only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

This general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

The application site falls within Flood Zones 1, 2 and 3 and is classed as a more vulnerable form of development and as such in accordance with paragraphs 102 and 103 of the NPPF the sequential and exception tests have to be passed.

The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the exception test is required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the exception test if required.

### Sequential Test

In light of the site's location, being partly in both Flood Zones 2 and 3, along with plot 49 being within Flood Zone 2 consideration as to whether the site passes the Sequential Test is set out below.

The applicant has considered the sequential test approach and states that the site was considered along with 15 other sites within the Level 2 SFRA and would therefore pass the sequential test.

However, development sites falling within flood zones 2 and 3 should only pass the sequential test where there are not any other sequentially preferable deliverable sites.

This site has not been put forward as part of the Local Plan process or under a neighbourhood plan, therefore despite the site having been assessed in the Level 2 SFRA, no indication has been made as to whether this site is sequentially preferable over other deliverable sites.

Officers consider that the Sequential Test should be applied to the sites within the Land Availability Assessment (LAA) 2016 which was an update to the SHLAA 2014, as this is the most comprehensive list of presently available sites. There are other sites within the LAA which are not subject to flood risk such as 49-53 Horsham Road (20 units), Cranleigh Infants School (31units) and Land at Horsham Road (250 units 149 consented).

With regards to 49-53 Horsham Road, the LAA considers that there is a reasonable prospect of this site being delivered within the plan period. Although this site is sequentially preferable in terms of flood risk, it would only deliver 20 units. Cranleigh Infants School is also considered by the LAA to be deliverable within the plan period and would provide 31 units. These sites are, however, considerably below the amount of housing which would be delivered by this site.

It is considered that the remaining capacity at Land at Horsham Road would represent a sequentially preferable site, which is nearby and the LAA considers this site to be deliverable within the plan period.

Notwithstanding that other sites may be more favourable purely on the basis of a quantitative exercise, it is a material consideration that the majority of the residential development for this site would be located within Flood Zone 1. Therefore, it is considered appropriate to apply the Exception Test required by paragraph 102 of the NPPF.

#### Exception Test

The Exception Test, as set out in paragraph 102 of the Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.

Essentially, the two parts to the test require proposed development to show that it will provide wider sustainability benefits to the community that outweigh

flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.

The recent appeal decision on the nearby site (Land South of the High Street WA/2014/0912) considers in detail the matter of sustainability benefits and confirms at paragraph 58 that the ranking through the Council's Interim Sustainability Appraisal (ISA) is only one step in a three-stage process assisting the Council with selection of initial alternative housing scenarios. The score may say something about the sustainability credentials of the site in the context of a Borough-wide assessment produced for a specific purpose.

However, the ISA does not provide an analysis of the sustainability benefits of a development, or how the benefits to the community are sufficient to outweigh flood risk. It was the Inspector's view that this element of the Exception Test goes beyond the broad exercise carried out in the ISA. It requires a much more focussed consideration of the scheme's sustainability benefits, and the balancing of those benefits against the flood risk, which is a matter that will be considered in the overall assessment of the scheme.

In terms of the second bullet point to paragraph 102, safety of the development for its lifetime is dependent on the location of the proposed housing outside of areas at risk of flooding, that flood risk is not increased elsewhere and the safety of access and egress from the site in the event of a flood.

#### Fluvial Flood Risk

Flooding on site currently results from either the Cranleigh Waters or Littlemead Brook watercourses independently, or both watercourses together. However, the flood risk is limited to the western and southern parts of the site.

Plot 49 is the only plot which would be sited within Flood Zone 2, with the recommendation within the flood risk assessment that the finished floor levels are raised above the 1 in 1000 year flood level by 300 mm. Therefore it is proposed to raise finished floor levels of all properties to 46.2 metres AOD. This would result in the finished floor levels of plot 49 being raised by approximately 0.4m. The Environment Agency is content with this position, and therefore the proposal would not give rise to additional flood risk.

#### Surface Water

There is currently no formal drainage provision for the site.



The FRA suggests that the feasibility of infiltration SuDS on this site is low as a result of the poor levels of infiltration in the land and therefore recommends the use attenuation storage across the site, to ensure surface water run-off is attenuated to the existing greenfield run-off rate. It is noted that some of this storage falls within the Flood Zones 2 and 3. The LLFA has scrutinised the range of SuDS proposed and is satisfied that an appropriate scheme could be achieved for dealing with surface water from the development via condition, should the application be approved.

The LLFA is satisfied that the drainage strategy satisfactorily details the proposed surface water drainage matters. Therefore a condition is recommended should planning permission be granted to secure the provision of such drainage details, prior to occupation. A condition is also proposed to control surface water drainage throughout the construction process.

#### Foul Drainage and sewage infrastructure

In terms of foul drainage, it is proposed that the development would link into the existing foul drainage network. Thames Water has been consulted and has confirmed in its consultation response that there is sufficient capacity within the existing network to accommodate the proposed development.

Officers are aware of concerns raised regarding the sewage treatment plant in Cranleigh, and matters of treated foul water being discharged to the existing watercourse, which at various times have been dry, resulting in water quality issues. It is for the statutory authorities to take the necessary measures to satisfactorily accommodate the new development, and Thames Water has confirmed that the development can be accommodated.

#### Access and Egress

It is the responsibility of the Local Planning Authority to consider matters of access and egress. In this instance the main access from the site onto the Elmbridge Road would be unimpeded by flood events, and there would be safe access down the Elmbridge Road into the village of Cranleigh. It is however noted that plot 49 along with the adjoining properties which would use the access road which runs along the western and southern boundary of the development would fall within Flood Zone 2. The finished floor level of plot 49 would need to be raised by approximately 0.4 metres, therefore the use of rear raised patio area would allow for safe access into the rear garden. Whilst it is noted that some access along the south western internal road may be impeded in the 1 in 1000 year flood event, pedestrian access out of properties would remain unimpeded. The proposal would be acceptable with regards to access and egress during the modelled flood events.

## Summary of flood risk

The properties themselves and the majority of the site would be a safe zone, free from flood risk. The Environment Agency has confirmed that the homes would be safe from flood risk, subject to conditions, which are recommended should planning permission be granted.

In taking account of the assessments within the submitted FRA, consultation responses from the Environment Agency, Thames Water and the Lead Local Flood Authority, it is concluded that the proposed development would be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere, therefore this element of the exception test is passed.

Nevertheless, given part of the site's location within Flood Zones 2 and 3, in accordance with paragraph 102 of the NPPF, an assessment of the sustainability and community benefits must be considered as to whether they outweigh the risk. This assessment is made below in conclusion to this report.

## 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

Thames Water has confirmed that there is sufficient capacity and that they have undertaken a risk based foul capacity assessment for this proposal which looks at the available sewerage infrastructure. It is therefore considered that appropriate treatment would be available, and that the proposal would not harm water quality in the Cranleigh Waters. The proposal would not therefore conflict with the Water Framework Directive.

## Financial Considerations

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

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

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total of £78,300) per annum for six years. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal.

## Accessibility and Equalities Act 2010, and Human Rights Implications

There are no adverse impacts as a result of this development. The proposal would be accessible and would be required to comply with the building regulations requirements in terms of accessibility for all.

## 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 NPPF and Policy D8 of the Local Plan, which state 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.

It is noted that a number of concerns were raised by the Surrey Police Design Out Crime Office. These concerns relate to an under croft which is no longer part of the scheme, the rear carpark and the isolated nature of the footpath running around the southern and western boundaries.

The car parking would be overlooked by the surrounding properties within the development providing natural surveillance, and is considered to be acceptable in this regard.

Furthermore, the footpath would not be so isolated from the development as to cause a significant concern. The paths would be overlooked by the properties on the edge of the site, and appropriate low level lighting could be incorporated into the scheme.

#### Environmental Impact Regulations 2011 (as amended)

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

#### Pre Commencement Conditions

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

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

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

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

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

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

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

### Conclusion

The site is outside of the defined settlement boundaries and the development would conflict with Policy C2 of the Local Plan. The test is whether the benefits outweigh the harm to the countryside. The Council, overall, has a five year housing supply of homes and, therefore, substantial weight can be given to Policy C2. However, full weight can not be given to Policy C2 as it is not fully compliant with the NPPF. Further, the Council's adopted 2002 Local Plan policies for the supply of housing can not be considered up to date. As such, the tilted presumption in favour of sustainable development, as set out in paragraph 14 of the NPPF, is applicable and planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In considering the principle of developing this site, the site is located in a sustainable location with good access into the Cranleigh Village Centre. The site is, however, within the countryside outside of the defined settlement boundary whereby the NPPF recognises the importance of protecting the intrinsic character and beauty, but is not within the Area of Outstanding Natural Beauty (AONB) or Area of Great Landscape Value (AGLV). There would be harm to the intrinsic character and beauty of the countryside by reason of the extension of the settlement into the open field, which would be contrary to the objectives of Policy C2 of the Local Plan and the NPPF.

The proposal does represent a logical extension of the settlement boundary, to provide for additional housing, and whilst the Council can demonstrate a 5 year housing land supply, provision of well designed additional housing in sustainable locations would strengthen the Council's housing land supply position. The proposal would also deliver other benefits such as the provision of 30% affordable housing and the off site infrastructure enhancements which are listed in the heads of terms. On balance, the benefits of this development outweigh the harm to the countryside.

Turning to the technical matters, the proposal is considered to be acceptable with regards to highway safety and ecology. With regards to flood risk the exception test is passed as the development can mitigate any impact through

undertaking the measures in the flood risk assessment, furthermore this is considered to be a sustainable site for the purposes of the exemption test.

On balance, having regard to all material considerations as set out in the report, Officers conclude that there would be no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the NPPF taken as a whole. As such, Officers recommended that permission is granted.

### **Recommendation**

#### Recommendation A

That subject to the completion of a S106 agreement to secure 30% affordable housing, infrastructure contributions towards off site highways improvements, leisure contributions, environmental improvement contributions, early years and primary education contributions and the provision, management and maintenance of play space, open space and SuDS within 6 months of the date of the committee resolution to grant permission, permission be GRANTED subject to the following conditions:

1. Condition

The plan numbers to which this permission relates are A-1000, A-1001B, A-1003, A-1005J, C-1005J, A-1007, A1010C, A-1011C, A-1012C, A-1013C, 3000E, 3001E, 3005D, 3006D, 3007D, 3008F, 3009A, 3010E, 3011E, 3015E, 3020F, 3025E, 3026F, 3027A, 3028A, 3030E, 3031E, 3032E, 3033D, 3034E, 3035E, 3036B, 3037B, 3038A, 3040E, 3041E, 3045G, 3050E, 3055F, 3100C, 3105C, 3110C, 3115C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

2. 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 interests of the character of the area, to accord with the objectives of Policies D2 and D4 of the Waverley Borough Local Plan. This pre commencement condition goes to the heart of the permission.

3. Condition

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason

In the interests of parking, access and highway safety. To accord with the objectives of Policy M2 and M14 of the Waverley Borough Council Local Plan.

4. Condition

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

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

Only the approved details shall be implemented during the construction of the development.

Reason

In the interests of parking, access and highway safety. To accord with the objectives of Policy M2 of the Waverley Borough Council Local Plan. This has to be a pre commencement condition as it relates to the construction process.

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

Reason

In the interests of parking access and highway safety, to accord with the objectives of Policy M2 of the Waverley Borough Council Local Plan. This has to be a pre commencement condition as it relates to the construction process.

6. Condition  
The development hereby approved shall not be commenced unless and until a scheme for providing the following measures has been submitted to and approved in writing by the Local Planning Authority for:
- (a) The secure parking of bicycles within the development site
  - (b) Rapid Electric Vehicle Charging Units available for use by all residents
  - (c) Travel plan welcome packs to include information relating to the availability of and whereabouts of local public transport, walking, cycling, car clubs, local shops, schools and community facilities. Thereafter the said approved facilities and the Travel Plan Welcome Pack shall be provided prior to first occupation of the development and retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In the interests of parking, access and highway safety, to accord with the objectives of Policy M2, M4 and M14 of the Waverley Borough Council Local Plan. This pre commencement condition goes to the heart of the permission.

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



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

b) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events

c) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.

d) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.

#### Reason

To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site. This pre commencement condition goes to the heart of the permission.

#### 8. Condition

Prior to the commencement of development the applicant shall undertake intrusive ground investigations to determine ground conditions including infiltration rates and ground water level to determine the feasibility of source control infiltration suds features, as proposed by the applicant in Section 3.1 of the Flood Risk Assessment Report CCE/S401/FRA-02 (August 2016). These details shall be submitted to the Local Planning Authority prior to agreement of details pursuant to condition 7 (above). Should infiltration be feasible the applicant shall produce a revised drainage strategy in accordance with SUDS hierarchy.

#### Reason

To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site. This pre commencement condition goes to the heart of the permission.

#### 9. Condition

Prior to commencement of development the applicant shall provide details to demonstrate the ecology and aesthetics benefits of the proposed basin and micropools in accordance with Section 3.5 of the Flood Risk Assessment Report CCE/S401/FRA-02 (August 2016) to be approved by the Local Planning Authority. Once approved the

development shall be completed at all times in accordance with the approved details.

Reason

In the interests of amenity and ecology, and to accord with the objectives of Policies D4, D1 and D5 of the Waverley Borough Council Local Plan. This pre commencement condition goes to the heart of the permission.

10. Condition

The finished floor level (FFL) of the buildings shall be set at least 300mm above the 1:1000 year + cc flood level.

Reason

To ensure that the proposal does not increase flood risk to properties, in accordance with the objectives of the NPPF.

11. Condition

Prior to commencement of development details of how the Sustainable Drainage System will be protected and maintained during the construction of the development, during the operation of the systems and for the lifetime of the system, shall be submitted to and approved by the Local Planning Authority. Once approved the development shall be maintained at all times in accordance with these details.

Reason

To ensure that the proposal does not give rise to adverse drainage conditions. This is a pre commencement condition as it goes to the heart of the consent. This pre commencement condition goes to the heart of the permission.

12. Condition

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

Reason

To ensure that the Sustainable Drainage System is constructed as proposed.

13. Condition  
There shall be no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change.

Reason

This condition is sought in accordance with paragraph 103 of the National Planning Policy Framework (NPPF) and seeks to ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

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

Reason

In the interests of the visual amenities of the area, and to ensure that the proposal does not have an adverse impact in terms of flood risk. To accord with the objectives of Policy D4 of the Waverley Borough Council Local Plan and guidance contained in the NPPF. This pre commencement condition goes to the heart of the permission.

15. Condition  
Prior to commencement of development a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interests of the visual amenities of the area, to accord with the objectives of Policy D4 of the Waverley Borough Council Local Plan and guidance contained in the NPPF. This pre commencement condition goes to the heart of the permission.

16. Condition
- Prior to the commencement of development and before any alteration of the existing condition of the site takes place, a pre-commencement meeting will be held with the LPA Tree Officer and designated arboricultural consultant to agree tree removal, barrier fencing and ground protection measures and method and sequencing of the development process in accordance with the details submitted within the arboricultural method statement by ACD Environmental dated 24th August 2016. Works shall be carried out in accordance with the agreed arboricultural method statement (Ref: THA20295aia\_ams), tree protection plan (ref: THA20295-03A) and specifications for fencing and ground protection measures. Any amendments to be agreed with the Local Planning Authority in writing.

Reason

To ensure that the development is completed in an appropriate manner with regards to trees, to accord with the objectives of Policy D6 of the Waverley Borough Council Local Plan and guidance contained in the NPPF. This pre commencement condition goes to the heart of the permission.

17. 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 ensure the protection of trees during the development, to accord with the objectives of Policy D6 and D7 of the Waverley Borough Council Local Plan, and guidance contained in the NPPF. This pre commencement condition goes to the heart of the permission.

18. Condition
- The development hereby approved shall be completed at all times in accordance with the recommended actions 4.0 Mitigation, compensation and enhancement of the EAD Ecology Report.

Reason

To ensure that the proposal does not adversely impact on ecology, to accord with the objectives of Policy D5 of the Waverley Borough Council Local Plan and guidance contained in the NPPF.

19. Condition

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

Reason

To ensure the protection of archaeology, to accord with the objectives of Policy HE14 of the Waverley Borough Council Local Plan. This has to be a pre commencement condition as it archaeological investigation must be undertaken before works begin.

20. Condition

Prior to first occupation of the development hereby approved the footpath shown between the development and Elm Park shall be completed in accordance with drawing 2482-C-1005-J . Once completed the access shall remain in place at all times in accordance with the approved details.

Reason

To ensure that the layout provides appropriate connectivity, to accord with the objectives of Policy D4 of the Waverley Borough Council Local Plan and guidance contained in the NPPF.

21. Condition

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

- a) An indicative programme for carrying out of the works
- b) The arrangements for public consultation and liaison during the construction works
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination

- e) the parking of vehicles of site operatives and visitors
- f) loading and unloading of plant and materials
- g) storage of plant and materials used in constructing the development
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i) wheel washing facilities
- j) measures to control the emission of dust and dirt during construction
- k) a scheme for recycling/disposing of waste resulting from demolition and construction works

Where any of the above points are not relevant to the proposed site this should be indicated.

**Reason**

To ensure that the construction process is undertaken without harm to amenity. To accord with the objectives of Policy D1 of the Waverley Borough Council Local Plan, and guidance contained in the NPPF. This pre commencement condition goes to the heart of the permission.

**22. Condition**

No deliveries shall be taken at or dispatched from the site outside the hours of 08:00- 18:00 Mondays-Fridays and 08:00-13:00 on Saturdays, nor at any time on Sundays and Public Holidays.

**Reason**

In the interests of residential amenities, to accord with the objectives of Policy D1 of the Waverley Borough Council Local Plan.

**23. Condition**

No machinery shall be operated which is audible outside the site boundary outside the following hours:-

08:00 – 18:00 Mondays - Fridays

08:00 – 13:00 Saturdays and not at all on Sundays or Public Holidays.

**Reason**

In the interests of the amenities of neighbouring properties, to accord with the objectives of Policy D1 of the Waverley Borough Council Local Plan.

**24. Condition**

Prior to first occupation of development a scheme for lighting shall be submitted to and approved by the Local Planning Authority. Once approved the development shall be completed at all times in accordance with the approved details. No additional floodlights or other forms of external lighting shall be installed at the premises without the prior approval in writing of the Local Planning Authority.

## Reason

In the interests of character and residential amenity. To accord with the objectives of Policy D2 and D4 of the Waverley Borough Council Local Plan, and guidance contained in the NPPF.

## Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

## **Recommendation B**

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

1. The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development. As such the proposal would fail to effectively limit the impacts of the development on existing infrastructure. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.
2. The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education, leisure, environmental improvements and the ongoing management and maintenance of SuDS and public open spaces. The proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF.
3. The applicant has failed to enter into an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal would therefore fail to create a sustainable, inclusive and mixed community, contrary to the requirements of paragraph 50 of the NPPF.

## Informatives

1. 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.