

A2 WA/2016/0114  
 Wyevale Garden Centres Ltd.  
 19/01/2016

Outline application for the erection of 10 dwellings, including 2 affordable with associated access works following demolition of existing garden centre buildings and associated works. Access and layout to be considered at outline, (as amended by plan received 20/04/2017) at Alfold Garden Centre, Horsham Road, Alfold GU6 8JE

Committee: Joint Planning Committee  
 Meeting Date: 10/07/2017

Public Notice: Was Public Notice required and posted: Yes  
 Grid Reference: E: 504285 N: 134976

Parish: Alfold  
 Ward: Alfold, Cranleigh Rural and Ellens Green  
 Case Officer: Mrs J Dawes  
 13 Expiry Date: 19/04/2016  
 Neighbour Notification Expiry Date: 04/03/2016  
 Neighbour Notification: 12/5/2017  
 Amended/Additional Expiry Date:  
 Time extension agreed to: Yes  
 Extended expiry date:: 31/08/2017

RECOMMENDATION That, permission be REFUSED

Contents

Introduction ..... 3  
 Location Plan ..... 4  
 Site Description ..... 4  
 Proposal ..... 5  
 Heads of Terms ..... 5  
 Proposed Site Layout..... 6  
 Indicative Elevations ..... 6  
 Relevant Planning History ..... 7  
 Planning Policy Constraints ..... 8  
 Development Plan Policies and Proposals ..... 8  
 Consultations and Parish Council Comments ..... 11  
 Representations ..... 15  
 Submissions in support..... 16  
     Planning, Design and Access Statement ..... 16  
     Ecological Report ..... 17

|  |    |
|--|----|
| Arboricultural Report .....  | 18 |
| Transport Statement.....   | 18 |
| Flood Risk Assessment.....   | 19 |
| Determining Issues .....   | 19 |
| Planning Considerations .....  | 20 |
| Principle of development.....  | 20 |
| Planning history and differences with previous proposal .....                                    | 21 |
| Prematurity.....   | 21 |
| Lawful use of the site .....   | 22 |
| Loss of existing uses.....   | 22 |
| Location of development.....   | 23 |
| Housing Land Supply .....  | 25 |
| Housing Mix and Density .....  | 26 |
| Affordable Housing .....   | 28 |
| Impact on Countryside beyond the Green Belt and visual amenities .....                           | 31 |
| Highways and parking considerations .....  | 32 |
| Impact on residential amenity .....  | 34 |
| Impact on Trees .....  | 35 |
| Provision of amenity and play space .....  | 36 |
| Land Contamination.....  | 37 |
| Air Quality .....  | 38 |
| Noise Impacts .....  | 39 |
| Archaeological considerations .....  | 40 |
| Flooding and drainage .....  | 41 |
| Infrastructure contributions .....   | 43 |
| Financial Considerations.....  | 45 |
| Biodiversity and compliance with Habitat Regulations 2010.....                                   | 46 |
| Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights<br>Implications ..... | 47 |
| Environmental Impact Regulations 2011 (as amended).....  | 47 |
| Response to Third Party comments.....  | 47 |
| Cumulative Effects/in-combination effects .....  | 48 |
| Pre Commencement Conditions .....  | 49 |
| Development Management Procedure Order 2015 - Working in a<br>positive/proactive manner .....    | 49 |
| Conclusion/ planning judgement.....  | 49 |
| Recommendation.....  | 51 |

## Introduction

The application has been brought before the Area Committee as one of two development proposals being considered on the same site. The larger of the two applications (WA/2017/0198) does not fall within the Council's Scheme of Delegation.

This planning application seeks outline permission of the development proposal with the access and layout for consideration, with all other matters reserved.

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

As indicated above this outline application also seeks detailed approval in relation to the access and layout.

Access - this covers the accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside of the site.

Layout - includes buildings, routes and open spaces, including the provision of a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP) within the development and the way they are laid out in relation to buildings and spaces outside the development.

The reserved matters would include:

Appearance - aspects of a building or place which affect the way it looks, including the exterior of the development.

Scale - includes information on the size of the development, including the height, width and length of each proposed building.

Landscaping - aspects of a building or place which affect the way it looks, including the exterior of the development.

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

### Location Plan



### Site Description

Alfold Garden Centre is located on the western side of the A281 to the south east of the Alfold Crossways junction. The site is currently used as a Garden Centre with associated hardstanding and car parking and includes covered canopies and polytunnels.

A residential property, Medland House, lies immediately to the north east of the site and a petrol filling station lies immediately to the south east. A field lies to the north.

The application site measures 1.19 hectares.

## Proposal

The proposal is for outline planning permission with access and layout to be considered. The proposal is for the development of 10 residential dwellings, following the demolition of existing garden centre buildings. The proposal also includes a Local Area of Play (LAP).

Of the proposed 10 dwellings, 2 would be affordable with 8 market dwellings. Whilst the application does not provide an indication of the proposed mix for the market units, it is noted that of the affordable units one would be 1-bed and one 2-bed.

The supporting information indicates that issues of scale are reserved, however indicative elevations demonstrate that the scale of units envisaged would be predominantly two storey. A pair of semi detached bungalows are also indicated.

Vehicular access to the site would be taken from the existing entrance onto the A281, although the existing access would be altered, reducing the existing junction radii to 10 m, tapering to a carriageway width of 5.5m which would taper further to 4.8m within the site itself.

The proposals include footway provision on each side of the access road, for the first 55m, which will connect with the existing footway provision. The footway to the south of the site to the petrol filling station and convenience store would be provided at a width of 1.8m.

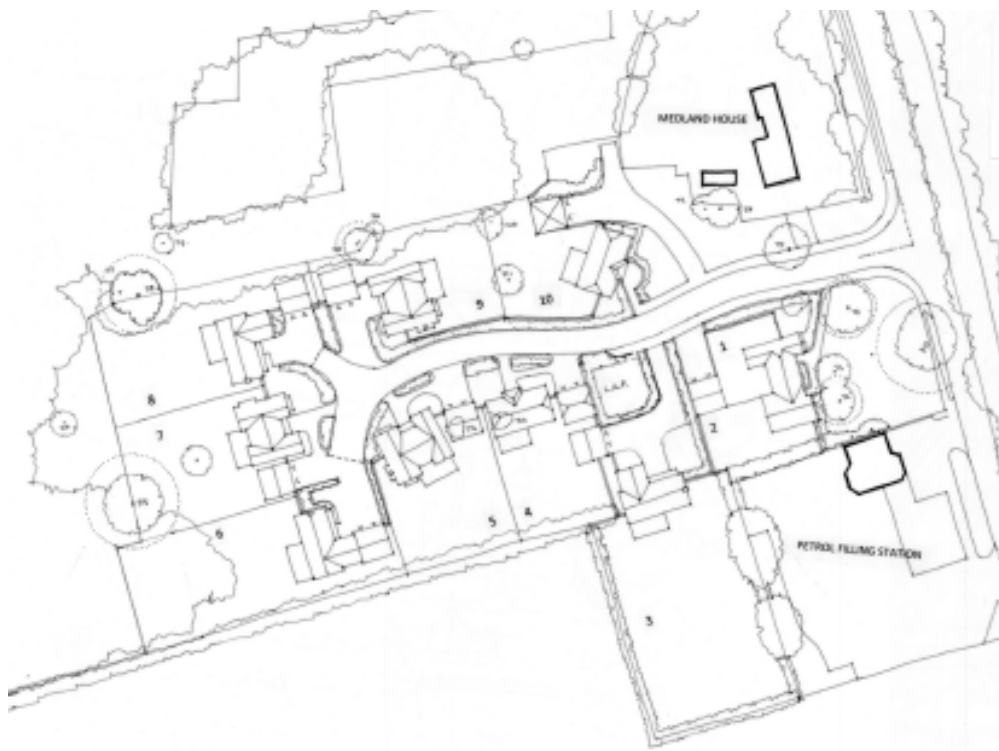
## Heads of Terms

The following matters are proposed to be subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

|                                   |         |
|-----------------------------------|---------|
| Early years contribution          | £6,731  |
| Primary contribution              | £29,378 |
| Secondary contribution            | £0      |
| Provision of affordable housing   | 2 (20%) |
| Provision of recycling containers | £300    |
| Total                             | £36,409 |

- The provision and future maintenance, management and financial responsibility for an on site LAP and SuDS.

Proposed Site Layout



Indicative Elevations



**BUNGALOWS PLOTS 1 & 2**



### Relevant Planning History

There is a lengthy planning history relating to the Garden Centre:

|              |   |                            |
|--------------|---|----------------------------|
| WA/2017/0198 | Outline application with all matters reserved except access and layout for erection of 27 dwellings including 9 affordable with new access and associated works following demolition of existing buildings.   | Not yet determined         |
| WA/2012/1099 | Erection of a replacement poly tunnel and replacement of part of glazed walls of greenhouse with timber.  | Full permission 03/09/2012 |
| WA/2009/0625 | Change of use of part of car park to provide a hand car wash facility and the erection / siting of a storage container.   | Full Permission 18/06/2009 |
| WA/2000/1009 | Erection of covered sales and display area (as amplified by letter dated 15/09/00)  | Full permission 5/10/2000  |
| WA/1997/1973 | Continued use of refurbished polytunnel and greenhouse for garden centre purposes; retention of field shelter, and provision of overflow car parking and bulk storage areas (as amended and amplified by letters 17/04/98, 22/06/98, 11/01/99 , 05/02/99) | Full Permission 05/03/1999 |

|              |   |                               |
|--------------|---|-------------------------------|
| WA/1996/0651 | Erection of replacement greenhouses (renewal of WA91/0841) (as amplified by letter dated 25/07/96 and amended by letter and plan received 30/09/96) | Full Permission<br>10/10/1996 |
| WA/1991/0841 | Erection of replacement glasshouses (as amended by letters and plans received 10/09/91)   | Full Permission<br>23/10/1991 |
| WA/1978/1699 | Erection of single storey link building between existing shop and new green house   | Full Permission<br>15/12/1978 |
| WA/1978/0931 | Demolition of existing greenhouse and erection of new resisted green house, erection of new display unit  | Full Permission<br>14/08/1978 |
| WA/1976/1040 | Erection of car park for customers and replacement of storage and garage facilities to replace buildings to be demolished                           | Full permission<br>30/09/1976 |
| HM/R 17396   | Two seasonable display of produce for sale sign   | Approve<br>5/12/1968          |
| HM/R 16996   | Three additional greenhouses, lock up garages and sales office for garden centre  | Approve<br>16/04/1968         |
| HM/R 14823   | Erection of glasshouses for tomato and lettuce growing  | Approve<br>14/01/1965         |

### Planning Policy Constraints

Countryside beyond Green Belt - outside rural settlement boundary  
Contaminated land

### Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002:

|            |   |
|------------|---|
| Policy C2  | Development in the Countryside            |
| Policy D1  | Environmental Implications of Development |
| Policy D2  | Compatibility of Uses                     |
| Policy D4  | Design and Layout                         |
| Policy D5  | Nature Conservation                       |
| Policy D7  | Trees, Hedgerows and Development          |
| Policy D8  | Crime Prevention                          |
| Policy D9  | Accessibility                             |
| Policy D13 | Essential Infrastructure                  |
| Policy D14 | Planning Benefits                         |



|             |  |
|-------------|--|
| Policy H4   | Density and Size of Dwellings            |
| Policy H10  | Amenity and Play Space                   |
| Policy HE15 | Unidentified Archaeological Sites        |
| Policy M1   | The Location of Development              |
| Policy M2   | The Movement Implications of Development |
| Policy M4   | Provision for Pedestrians                |
| Policy M5   | Provision for Cyclists                   |
| Policy M14  | Car Parking Standards                    |

Draft Local Plan Part 1 Policies:

|             |  |
|-------------|--|
| Policy RE1  | Countryside beyond the Green Belt                |
| Policy TD1  | Townscape and Design                             |
| Policy NE1  | Biodiversity and Geological Conservation         |
| Policy NE2  | Green and Blue Infrastructure                    |
| Policy SP1  | Presumption in Favour of Sustainable Development |
| Policy SP2  | Spatial Strategy                                 |
| Policy ICS1 | Infrastructure and Community Facilities          |
| Policy AHN1 | Affordable Housing on Development Sites          |
| Policy AHN3 | Housing Types and Size                           |
| Policy LRC1 | Leisure, Recreation and Cultural Facilities      |
| Policy ALH1 | The Amount and Location of Housing               |
| Policy ST1  | Sustainable Transport                            |
| Policy CC1  | Climate Change                                   |
| Policy CC2  | Sustainable Construction                         |
| Policy CC3  | Renewable Energy Development                     |
| Policy 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 21st 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, 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 Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015) and Addendum 2015
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (Update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Viability Assessment (2016)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)
- Alfold Design Statement

## Consultations and Parish Council Comments

|                            |  |
|----------------------------|--|
| County Highway Authority   | There are no objections on safety, capacity and policy grounds - recommends conditions and informatives  |
| Alfold Parish Council      | <p>Alfold Parish Council does not object to the proposed development, although regrets the loss of the facility in the village and loss of employment.</p> <p>Parish Council request that the planning authority are satisfied on the following matters and if necessary impose relevant conditions:</p> <ul style="list-style-type: none"> <li>- Ensure that proposed means of foul water drainage satisfies requirements of Southern Water;</li> <li>- For the S106 agreement to ensure the appropriate percentage of open market dwellings that can be occupied before delivery or construction of the affordable dwellings;</li> <li>- That prior to commencement of development, a registered provider has been established for the affordable dwellings.</li> </ul> <p>Parish would be concerned at any potential development on the remainder of the site and would be unlikely to support an enlarged development.</p> |
| Natural England            | No comments to make  |
| Lead Local Flood Authority | Satisfied that a viable method of dealing with surface water can be achieved which would not increase flood risk. Therefore, no objections to the application, subject to submission of an appropriate SuDS design at detailed design stage. Recommends that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS is properly implemented and maintained throughout the lifetime of the development.   |

|                             |   |
|-----------------------------|---|
|                             | <p>Recommends condition.</p>  |
| <p>Thames Water</p>         | <p>There are public sewers crossing close to the development, in order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building would be over the line of, or would come within 3m of a public sewer.</p> <p>Surface Water drainage is the responsibility of a developer to make proper provision.</p> <p>With regard to water infrastructure capacity, no objections are raised to the application.</p> <p>Thames water will aim to provide a minim pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres / minute.</p>   |
| <p>County Archaeologist</p> | <p>The desk based assessment produced by Oxford Archaeology South uses appropriate professional expertise to identify and assess the significance of any Heritage Assets. The Assessment has consulted all available sources to provide a thorough overview of the archaeological potential of the site and surrounding area and concludes that the site has a moderate potential for archaeological remains from the prehistoric and Roman periods with less potential for other periods. Further archaeological investigations in the form of a trench evaluation are required.</p> <p>The recommendations of the assessment and results of the evaluation will enable mitigation measures to be developed for the site.</p> <p>Recommends a condition to secure evaluation and further works that may be required.</p> |

Surrey Wildlife Trust

Comments in respect of original submission – The Richard Tofts Ecology’s Ecological Assessment dated September 2015 provides sufficient information for the LPA to determine the likely effects of the development on protected and important species using the site. The Mitigation and Enhancement actions detailed in section 4 of the Ecological Report should be undertaken.

Any rough grassland should be cleared in a precautionary manner, and the development area should be kept largely clear of vegetation.

Comments in respect of amended information received – Note that updated ecology reports and arboricultural reports dated 2016 have been submitted for another outline application at the site, these reports should also be available for this application.

- Bats do not pose a constraint for the proposed development;
- If minded to grant, it is recommended that the Council require the development to proceed in a precautionary manner to avoid killing or injuring any reptiles which may be within suitable habitat areas adjacent to the development footprint;
- In relation to breeding birds, all vegetation clearance should be timed to avoid the bird nesting season (March to August) and should provide compensatory habitat for breeding bird habitat lost, and install bird boxes;
- If minded to grant recommend an appropriately detailed landscape and ecological management plan (LEMP) to be submitted;
- There shall be no increase in artificial lighting, recommend that any lighting is secured through a Sensitive Lighting Management Plan.

|  |   |
|--|---|
| Environment Agency   | No comments   |
| Council's Environmental Health Officer – Contamination       | <p>Planning history for the site indicates former use as part of a wider plant nursery and fruit farm. Plant nurseries and fruit farms historically used potentially contaminative herbicides, pesticides and fungicide contaminants including arsenic based compounds.</p> <p>Recommends contaminated land conditions.</p>   |
| Council's Environmental Health Officer – Waste and recycling | <p>The roads accessing and within the development will need to be capable of accommodating a collection vehicle 2530mm wide and 9840 mm in length, with a maximum weight of 26 tonnes, together with suitable turning.</p> <p>Each house will require 1 x 140 black refuse bin; 1 x 240 blue recycling and brown garden waste bin and a kerbside caddy.</p>   |
| Council's Environmental Health Officer - Noise               | <p>Application does not include details of how the permission, if granted will be undertaken in a manner to avoid nuisance to neighbouring properties.</p> <p>Noise needs to be considered when developments may create additional noise and when new development would be sensitive to the prevailing acoustic environment;</p> <p>Implications of light pollution need to be considered.</p> <p>The proposal is within 300 m of a number of domestic properties in a predominantly tranquil residential area, therefore noise and other nuisances should be controlled satisfactorily.</p> <p>There is no information provided within the application for lighting, noise and other potential nuisances which may occur during construction</p> |

|                |  |
|----------------|--|
|                | and occupation. Therefore recommends conditions in relation to lighting, noisy equipment of other potential nuisances.         |
| Southern Water | Proposed development is not located within Southern Water's statutory area for water supply, drainage and wastewater services. |

### 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 12/02/2016 site notices were displayed around the site and neighbour notification letters were sent on 1<sup>st</sup> February 2016.

8 letters have been received raising on the following grounds:

- More housing is out of keeping with a village the size of Alfold;
- The A281 and B2133 are at full capacity, very busy at peak times – will lead to delays – there have been two recent accidents, one fatal, it's a dangerous section of road;
- Increased flooding in an area known to be wet and boggy. Surface water and sewerage issues;
- Sewerage system is overloaded;
- Existing residents suffer frequent power cuts, will make worse;
- Existing garden centre has close ties with the village and employs local people, providing a vital role in the local economy;
- Land should only be used for agriculture;
- Existing employees would find it difficult to find other employment;
- Character of village would be adversely affected if business were to close, been there for years;
- Existing traffic is generated outside of peak hours, however housing will have an implication at rush hour;
- Impact on drainage and local wildlife habitats;
- Site has not been marketed in any capacity;
- Do not wish to lose a local garden centre with knowledgeable staff;
- Unnecessary loss given other housing developments;
- Centre provides valuable goods and amenities;
- Construction disruption over a long period on a part of the A281 which is already an accident black spot, disruption to traffic flows and with possible contamination risks;
- Increased traffic congestion and accidents from residential traffic during peak times;
- Bus service is sporadic so a car would be essential – not sustainable;
- Light pollution;
- Loss of productive greenfield land, implications for wildlife;

Following the receipt of amended plans to provide a Local Area of Play (LAP) within the layout, 3 further letters were received raising the following objections:

- There is already a huge amount of development planned for the Alfold / Dunsfold / Cranleigh area – Alfold is a largely rural area and is a sanctuary away from the urbanisation of countryside;
- Numbers whilst modest will still have a significant impact on the local area;
- Roads and infrastructure are under immense pressure – significant traffic flow on the A281, with journey times becoming unsustainable given poor public transport;
- Potential to exacerbate accidents;
- Noise, light, air and rubbish pollution – implications for people and wildlife;
- Existing garden centre is a valuable local amenity;
- Entrance to the site is on a bend where numerous accidents have occurred;
- Extra play area will not improve the road or provide educational benefits to the extra children planned for Alfold;
- Overdevelopment of the area causing a strain on sewage, water, GPs and school services and increased congestion.

#### Submissions in support

In support of the application, a number of detailed documents have been submitted:

#### Planning, Design and Access Statement

The agent concludes in the Planning, Design and Access Statement the following:

- The scheme is sustainable as it meets the three dimensions to sustainable development –
  - Economic Role – the development will provide construction jobs and enhance the local economy by contributing to the supply of much needed and suitably located housing, the occupants of which will support local facilities;
  - Social Role - provide much needed high quality housing units, including affordable housing to meet an identified need in the local area, in a suitable location at the edge of an existing settlement;



- Environmental Role - makes prudent use of previously developed land and will provide a high quality development that contributes to the visual appearance of the area.
- The NPPF recognises that there is a presumption in favour of sustainable development;
- The lawful use of the site is as a garden centre, a retail use falling within Class A, for which there is no national or policy protections to safeguard its loss in out of centre locations;
- The site is considered to be 'previously developed land', and is of low environmental value, therefore its re-use is encouraged by para 17 of the NPPF;
- The site is identified in the LAA as suitable for housing;
- Scheme provides much need housing;
- Proposed housing in a suitable location on the edge of an existing settlement, with easy access to existing facilities and public transport links;
- Scheme offers a significant reduction in the scale and spread of development on the site and will have a decreased visual impact upon the character of the area when compared with the existing commercial buildings;
- Proposed layout is compatible with character of surrounding area and will not have any impact on adjoining occupier;
- Proposal will lead to a net decrease in traffic associated with the site to the benefit of conditions of highway safety and the proposed access arrangements will secure and enhance both pedestrian and vehicular safety.

### Ecological Report

The Ecological Report summarises that the site is not subject to any ecological designations. The development focuses specifically on parts of the site already developed or occupied by hardstanding, which are of negligible ecological value. None of the buildings have any potential to support protected species.

No evidence of protected fauna was found, although the woody habitat within the site is likely to be used by nesting birds during the breeding season.

The only species of note was the Pennyroyal, a plant listed as Nationally Scarce, although a more robust non native variant has been introduced at various sites and appears to be increasing.

Given that the proposed development focuses on those parts of the site that have already been developed and which are of negligible value, the proposals are considered to have a negligible ecological impact. A range of ecological enhancement measures are proposed.

#### Arboricultural Report

An Arboricultural Report concludes that the proposed layout will not affect the important trees on the site, nor will retained trees affect the development. Tree protection will be required to ensure retained trees are protected during the construction process.

#### Transport Statement

The Transport Statement concludes that:

- Whilst the site is located in a relatively rural setting, there are a number of land uses that act as typical trip attractors from residential sites, which are within reasonable proximity, which ensures residents are not wholly reliant on travel by private car for all journeys;
- The proposals will provide direct footway connection to existing footways both north and south of the site access, with resurfacing and footway widening proposed for the short section between the site access and adjacent petrol filling station to support movements to / from the associated shop;
- The application will provide incentive funding to be used for bus tickets;
- The proposed land use will result in a decrease in vehicle movements when compared to the existing use both across peak periods and across the day;
- There are therefore no transport related reasons why the planning application should not be supported.

## Flood Risk Assessment

The Flood Risk Assessment concludes that the site is Flood Zone 1. No significant flood risk to the proposed development has been identified.

Whilst the development leads to a 65% reduction in drained surfaces compared to the existing garden centre, the developer will construct all new roadways and driveways using a permeable paving and direct roof drainage to the porous sub base beneath the permeable paving.

In conclusion, flooding does not constrain the grant of planning permission to the development as proposed because resultant risks are low and acceptable and no sequential test is required.

## Determining Issues

Principle of development

Planning history and differences with previous proposal

Prematurity

Lawful Use of the site

Location of development

Housing Land Supply

Housing Mix and density

Affordable Housing

Impact on the Countryside beyond the Green Belt and visual amenities

Highways and Parking Considerations

Impact on residential amenity

Impact on Trees

Provision of amenity and play space

Land Contamination

Air Quality

Noise Impacts

Archaeological considerations

Flooding and drainage

Standard of accommodation for future occupants

Infrastructure contributions

Financial considerations

Biodiversity and compliance with Habitat Regulations 2010

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

Environmental Impact Regulations 2011 (as amended)

Response to third party concerns

Cumulative effects / In combination effects

Pre Commencement Conditions

Working in a positive/proactive manner

## Planning Considerations

### Principle of development

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access and layout. As such, the applicant is seeking a determination from the Council on the principle of the residential development and associated access and proposed layout.

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 or specific policies in this framework indicate development should be restricted.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled.

As indicated, the site is located in the Countryside Beyond the Green Belt. Policy C2 states that the Countryside should be protected for its own sake and new housing is unacceptable in principle. 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. Notwithstanding this, Policy C2 can be used for environmental protection purposes, for protecting the character of the countryside, and is considered to be consistent with paragraph 17 of the NPPF.

Policy SP1 of the Draft Local Plan Part 1 states that the Council will apply a presumption in favour of sustainable development.

Policy SP2 of the Draft Local Plan Part 1 sets out the Council's Spatial Strategy to 2032 and refers to the allocation of strategic sites under Policies SS1-SS9 to meet the majority of the housing needs for the Borough.

#### Planning history and differences with previous proposal

The planning history is a material consideration.

Whilst this application was submitted early last year, it has been held in abeyance at the request of the applicant to enable a more intensive redevelopment scheme to be submitted.

A further planning application has been submitted for the redevelopment of the site for the construction of 27 residential units, including 9 affordable units), planning reference WA/2017/0198. That application is still under consideration and is considered elsewhere on the agenda.

Given that no formal decision has been made, that application does not form a material consideration in the determination of the current application and this application should be considered on its merits.

#### 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.

#### Lawful use of the site

The application site is currently a garden centre with associated hardstanding and external storage and car parking. A hand car wash facility is also located within the northern section of the car park.

It is acknowledged that historically the site started as a horticultural nursery, however, the site has been used as a garden centre for some considerable time. Indeed, reference was made in a report in 1978 that 'the nursery has consent to operate a garden centre'.

An application in 1997 (ref WA/1997/1973) regularised the use of a refurbished greenhouse and a poly tunnel to the rear of the main garden centre buildings for retail use, essentially substantially increasing the retail floor space on the site. At the same time additional space was given over to seasonal parking at the rear of the site. In view of the above therefore, officers are of the view that the site is predominantly established as being within a retail use, a garden centre.

#### Loss of existing uses

As detailed above, the existing lawful use of the site is as a retail garden centre, a use falling within use class A1. Given that this site lies within the countryside away from existing retail centres, whilst it is accepted that the use contributes to the rural economy, there is no protection of such uses in the long term within the NPPF in this location. As such it would be very difficult to sustain an objection to the proposal on the basis of the loss of the existing use of the site. Whilst paragraph 28 of the NPPF supports the retention of local services and community facilities such as a local shop, the provision catered for at the Garden Centre would not fall within this category.

It is further noted that the site has been included within the Council's Land Availability Assessment 2016 (updated in December 2016), although it also includes a larger parcel of land to the north (ID no 472).

### Location of development

The site is located within the Countryside beyond the Green Belt, outside of any defined settlement area.

Paragraph 55 of the NPPF 2014 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 2012 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.

Paragraph 70 of the NPPF 2012 states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- sustainability of communities and residential environments;
- guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
- ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy C2 of the Waverley Borough Local Plan 2002 states that building in the Countryside beyond the Green Belt, away from existing settlements, will be strictly controlled. Policy RE1 of the Draft Local Plan Part 1 state that the

intrinsic beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

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.

Policy SP2 of the Draft Local Plan Part 1 refers to the Council's Spatial Strategy to 2032 and the need to maintain Waverley's character whilst ensuring development needs are met in a sustainable manner. Policy SP2 sets out the following:

- Major development on land of the highest amenity value will be avoided
- Development will be focused at the four main settlements
- Moderate levels of development will be allowed in larger villages
- Limited levels of development will be allowed in and around other specified villages
- Modest levels of development will be allowed in all other villages.
- Opportunities for the redevelopment of suitable brownfield sites will be maximised.
- Strategic and Non-Strategic sites will be identified and allocated through Local Plan Part 2 and Neighbourhood Plans
- Infrastructure, where needed, will be provided alongside new development including funding through the Community Infrastructure Levy (CIL)

Alfold is identified in the Council's Sustainability Report 2016 as being an 'other settlement' where, according to the sequential approach, greenfield sites around these settlements should be the final location at which to deliver growth. However, this site is a previously developed site. Alfold is described as a smaller village which stands out due to its relatively few environmental constraints where a large number of sites are promoted within the draft Local Plan. The village is considered to have very limited level of facilities and therefore a total number of 100 homes to be delivered over the plan period has been considered by the Council as appropriate within Policy ALH1.

It is recognised that the application site falls outside of the settlement boundary, within the Countryside beyond the Green Belt. However, the site is included within the Council's Land Availability Assessment (LAA) 2016 under



ID 472. It is acknowledged that this designation is larger than the application site and includes the open field to the north of the site, which immediately adjoins the settlement boundary of Alfold Crossways.

The LAA considers that the former garden centre site is a rural brownfield site which has potential for housing with a reasonable prospect of deliverability during the Plan Period.

The proposal would have limited access to the facilities required for promoting healthy communities as Alfold is not considered to be a sustainable location in terms of available services and facilities. However, this is only one aspect to be weighed against any benefits. In addition the Local Plan envisages some small scale growth within the village. It is acknowledged that the site is immediately adjacent to a Petrol Filling Station which has within it a convenience shop and is within walking distance of the village community centre.

Whilst acknowledging that the site is outside of a defined settlement or developed area, it is considered that the proposal would not result in isolated dwellings in terms of its visual relationship to the existing settlement and in terms of access to the limited facilities within the village.

#### 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. This position is set out in the published 'Waverley Responses to Inspector's Issues and Matters' document dated 12 May 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.

The provision of 8 new market and 2 affordable homes would assist in addressing the Council's housing land supply requirements. This is a material consideration to be weighed in favour of the development against other considerations for this application.

#### Housing Mix and Density

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

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

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

The density element of Policy H4 of the Waverley Borough Local Plan 2002 is given limited weight following the guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

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 8.4 dwellings per hectare. Officers are of the view that a development at such a density would not make the best use of available land.

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%    |

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

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

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

Source: Housing Market Model

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

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

Source: Housing Market Model

It is noted that the 2015 addendum provides a more up to date evidence base than the West Surrey SHMA 2015, but is considered to be the most appropriate and up to date evidence in terms of identifying local need.

Whilst the application makes it clear that two of the ten units would be affordable (20%) and that these would be a 1 bed and a 2 bed bungalow at the front of the site, there is no indication as to the mix of accommodation for the market dwellings, although from the size and detached nature of the dwellings shown on the proposed layout it would appear that they are likely to be 4 / 5 bedroom units. The submitted Transport Assessment has assumed that the proposed dwellings would be four bed units.

The proposed mix of 8 four bed dwellings would therefore not accord with Policy H4 or the SHMA Addendum 2015. More specifically, officers note that the need for 4+ dwellings is lower than the need for 3 and 2 bedroom dwellings, based on the 'rest of the Borough' category for market homes. The proposal would result in the provision of 8 x 4+ bedroom dwellings, which in a scheme of 10 units would represent 80%.

Officers therefore consider that the proposal would not meet identified local housing needs and would not create a sufficiently inclusive and mixed community as required by paragraph 50 of the Framework. One of the core planning principles embraced by the Framework is to objectively identify and then meet the housing needs of an area. The proposed development therefore does not provide a good mix of housing to meet the identified need and is in conflict with the NPPF, Local Plan Policy and the SHMA 2015. This matter attracts substantial adverse weight in the planning balance.

### 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. Farnham is the town with the highest level of estimated housing need in the Borough, with a need for an additional 111 affordable homes 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. Whilst Alfold is not an area of high local need for affordable housing, with housing need in Alfold itself being low, given that the site is not a rural exception site, any affordable housing provided on the site would need to meet a borough-wide need.

The SHMA (2015) provides the following information with regard to the indicative requirements for different dwelling size affordable units, set against that proposed under this scheme:

| Unit Type | SHMA | Proposed mix   |
|-----------|------|----------------|
| 1 bedroom | 40%  | 1 (50%)        |
| 2 bedroom | 30%  | 1 (50%)        |
| 3 bedroom | 25%  | 0              |
| 4 bedroom | 5%   | 0              |
| Total     | 100% | 2 units (100%) |

It is noted that only 20% affordable housing is proposed on this site. Whilst the Council does not currently have an adopted Local Plan Policy which captures the amount of affordable housing requirements for a site, given that the site is outside of any defined settlement, it is noted that the emerging Local Plan Policy would require 30% and furthermore other permitted schemes have sought to maximise the affordable provision and often provided 40%. The applicant has not demonstrated through a viability assessment or otherwise, that 20% is the maximum level of affordable housing that could be provided on the site. Therefore the weight attached to the benefit of providing affordable homes (20%) attracts less weight than would be the case if the provision was greater.

Whilst it is noted that the proposal only provides 20% affordable housing with one x 1-bed and one x 2-bed units, the proposal would provide smaller dwellings and is acceptable subject to the eligibility being borough wide as opposed to a local connection scheme.

The SHMA (2015) recommends that 30% of affordable homes be intermediate tenures and 70 rent. This application proposes a 1x1 bed bungalow for rent and 1 x 2 bed bungalow for shared ownership. In this instance the Council's Enabling Officer considers that the tenure split and bed size mix is acceptable to meet the demonstrated housing need.

In view of the above, whilst noting the proposal seeks to provide 20% affordable, officers are not satisfied that this is the maximum level of affordable housing that could be provided on the site and therefore the weight to be attached to the benefit of providing affordable homes attracts less weight when viewed against other planning considerations.

Whilst the applicant has agreed to secure the provision of affordable housing as part of the s106 agreement and this process is underway, the agreement

has not been completed and therefore there is an objection raised in this regard.

### Impact on Countryside beyond the Green Belt and visual amenities

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.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Paragraph 17 of the NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised.

Policy C2 of the Local Plan 2002 states that building in the countryside, away from existing settlements will be strictly controlled. 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.

Policy RE1 of the Draft Local Plan Part 1: Strategic Policies and Sites (2016) states that the intrinsic character and beauty of the Countryside will be recognised and safeguarded.

In this instance, the site is acknowledged to be previously developed land and contains large areas of hardstanding together with large, albeit single storey, retail buildings, covered outdoor storage areas and poly tunnels, primarily in the south eastern corner of the site. These buildings are clearly visible from the road. The redevelopment of the site for residential purposes would inevitably alter the immediate character of the area. The proposal would remove large areas of hardstanding and parking provision, and would introduce new areas of open green space, in terms of gardens and the play area provision. However, the resultant development would nevertheless represent a more suburban form of development, with a spread of built form across the whole site, not just within one area. Furthermore, the existing use and nature of the existing buildings and associated canopies have a lesser impact on the wider character of the countryside, given that they are the type of structures which are commonly found within rural areas and in particular at the edge of settlement areas. Consequently the buildings which currently exist at the site are considered not to be visually intrusive in this countryside location. The proposed residential development, however, would be more

intrusive and have a greater impact on the wider landscape character. It is noted that the proposed development would be set back into the site, behind the existing building line of the adjacent petrol station and Medland House.

Notwithstanding the above however, whilst noting that the proposed accommodation mix is a reserved matter, it is clear from the submitted layout, and the detached nature of the proposed dwellings that the proposed units are commensurate with 4 / 5 bed units, each benefitting from a detached double garage. Concern is therefore expressed that the proposed buildings are of considerable size, and do not make the best or most efficient use of the site.

The site is relatively well screened to the south by an existing tree belt, although given the nature and height of the cypress screen, which are approximately 15m + on the northern boundary line, 6-8m high on the southern boundary and 10-12m on the garage boundary, all three hedges would be of an inappropriate height for retention in close proximity to new residential development. It would be preferable for the hedge to be replaced with a native indigenous species hedgerow along principle boundaries to fields and countryside beyond. This is a matter that could be addressed within a reserved matters application.

In view of the above, therefore, it is considered that the proposed development would adversely affect the character and appearance of the countryside, contrary to Policy C2, D1 (b) and D4 (b and e), which seeks to ensure that the new development integrates well with a site and its surroundings and protects the visual character and distinctiveness of a locality. This weighs against the scheme.

#### Highways and parking considerations

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.

Paragraph 32 of the NPPF 2012 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 limits 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”.

Local Plan Policy M4 states that the Council will seek to improve conditions for pedestrians by providing or securing safe and attractive pedestrian routes and facilities in both urban and rural areas. Developments should include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, to public open space, to local facilities and amenities, or to public transport.

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

The application is accompanied by a Transport Statement prepared by Markides Associates, dated October 2015 which highlights that the site has a retail floor area of 5,900 sq m with 12 full time employees and also accommodates a car wash service operating within its car park. The garden centre is open to customers 09.00 – 18.00 Mondays to Saturdays and 10.30 – 16.30 on Sundays. The car park provides approximately 60 car parking spaces.

The submitted Transport Statement indicates that the accommodation mix is a reserved matter but has assumed 8 x 4 bed, 1 x 2 bed and 1 x 1 bed units. The Transport Statement includes the results of a trip generation assessment, based on the industry standard TRICS database. It is estimated that the existing land use has the potential to generate approximately 8 two way trips in the AM peak and 15 in the PM peak with a total of 247 overall in a day. It is estimated that the proposed use would generate approximately 7 two way trips in the AM Peak and 8 in the PM peak with 61 across the day.

Therefore, the proposals would result in a reduction in movements across both peak periods and a significant reduction across the day, thereby reducing the impact on the local highway network.

The County Highway Authority has been consulted on the application and has raised no objection to the proposal. A number of conditions and informatives have been recommended by the County Highway Authority should outline permission be granted.

Accordingly, there are no highway safety or capacity reasons to object to the proposal and officers are satisfied that the development could be provided in accordance with the NPPF and Development Plan Policies.

The NPPF supports the adoption of local parking standards for both residential and non-residential development.

The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The Council's adopted Parking Guidelines (2013) set out the following guidelines for new residential development:

| Dwelling size | Number of parking spaces |
|---------------|--------------------------|
| 1 bedroom     | 1 space                  |
| 2 bedroom     | 2 spaces                 |
| 3+ bedroom    | 2.5 spaces               |

Whilst the application is in outline form only, the proposed layout is to be considered at this stage. The proposed layout indicates the provision of double garages with at least 2 further parking spaces in front of all of the proposed detached dwellings. Two parking spaces are provided for the proposed bungalows, understood to be a one bed and a two bed affordable unit. The proposed development is therefore considered to conform to the Council's Parking Guidelines.

#### Impact on residential amenity

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

Existing residential dwellings are located to the north of the site, physically separated from the site by an existing retained paddock / field area. Immediately adjacent to the access to the north east of the site lies Medland House, a two storey detached property. The submitted layout indicates the provision of a detached house with associated driveway and detached garage located behind the property Medland House. However, the proposed building would be positioned at least 28m from the rear elevation of the existing property and would not be located immediately behind, such that the orientation of the proposed property would be angled to avoid any direct overlooking of the existing property or garden.

Whilst acknowledging that the neighbour would have a small cul-de-sac of dwellings to the rear, which would generate a level of traffic and associated noise and residential activity, it is material that the site is currently a garden centre potentially attracting significantly greater numbers of vehicles and deliveries, and there is also a commercial car wash being operated on the site.

In view of the above, officers are of the opinion that whilst the development would change the immediate context of the area, the proposal would not have an overbearing impact, result in loss of light, overshadowing or overlooking to existing occupiers such that permission could be refused on neighbouring amenity grounds.

In conclusion, Officers are satisfied that the proposed layout would not harm the amenities of existing properties and would accord with Policies D1 and D4 of the Local Plan 2002 in relation to the impact on residential amenity.

#### 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.

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

The Council's Tree and Landscape Officer has been consulted on this application. It is noted that no significant trees are proposed for removal, furthermore the principal trees on the road frontage are retained.

The cypress tree screens which exist at the site area of an inappropriate height for retention in close proximity to new residential development. It would be preferable for a native indigenous species to be introduced to form boundaries between the proposed gardens and adjacent countryside. This would be a matter for consideration at reserved matters stage.

#### Provision of amenity and play space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.

Paragraph 17 of the NPPF 2012 states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 70 of the NPPF 2012 supports this by stating that planning policies and decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required. For developments of flats or maisonettes, Policy H10 sets out that outdoor space may be for communal use rather than as private gardens.

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, the provision of private, communal and public amenity space and on site playspace provision (for all ages).

The Council uses the standard recommended by Fields in Trust (FIT) 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standard' (2016) for assessing the provision of outdoor playing space.

The layout plan shows that all of the dwellings would be all be provided with private amenity space.

The layout plan also includes a Local Area of Play (LAP) approximately 100 sq m in size which would meet the size requirements of a LAP within the Fields in Trust Guidance. Whilst it is noted that the private driveway of one of the detached dwellings would wrap around the LAP, given that this is the driveway and not the private amenity area, and subject to satisfactory landscaping around the play area, it is considered that a 5m buffer zone would not be required in this instance.

As such Officers are satisfied that an appropriate play area would be provided for future occupiers, as well as existing nearby residents.

### Land Contamination

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

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances.

The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

The Council's Environmental Health Officer has assessed the application and has advised that given the planning history of the site and the historic use of the site as part of a wider plant nursery and fruit farm, there is a potential for contaminative herbicides, pesticides and fungicide contaminant including arsenic based compounds to be present at the site. It is therefore recommended that a contaminated land condition be attached to any planning consent.

In light of the above, officers consider that the proposal would accord with Policy D1 of the Local Plan 2002 and the NPPF in this regard.

## Air Quality

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution. In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular, development which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution will not be permitted.

The site is not within a designated AQMA and nor is it adjacent to one. However, the impact on air quality remains an important material consideration. The proposed development would introduce new residents into an area that has an established road network and therefore may expose future occupants to air pollution associated with road traffic. The new development would also potentially increase road usage in the area by potential future occupiers, although this would be more than offset by the reduction in traffic associated with the existing occupier.

In light of the above, mitigation measures are recommended to be secured via condition should permission be granted. These include a Site Management Plan, hours of construction and no burning of materials on site.

Subject to the imposition of suitable mitigation measures, particularly throughout the construction stage, it is concluded that the impact on air quality would be acceptable.

## Noise Impacts

Noise needs to be considered when developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.

Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

The principal considerations are:

- Whether or not a significant adverse effect is occurring or likely to occur;
- Whether or not an adverse effect is occurring or likely to occur;
- Whether or not a good standard of amenity can be achieved.

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 noise pollution. To prevent unacceptable risks from pollution, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

The proposal would utilise an existing access which runs adjacent to the property Medland House. Officers acknowledge that the proposal would generate additional noise on the access road, particularly through the construction process. However given the limited number of units proposed it is considered that the longer term impacts of traffic noise would be reduced compared to the existing garden centre use. In the event that permission were

to be granted, it would be appropriate to mitigate against any impact of increased noise levels during the development process and this could be secured by condition requiring the submission of a Construction Environmental Management Plan which could also detail hours and days for the construction period.

### Archaeological considerations

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Policy HE15 of the Local Plan states that where proposals are made for large developments (over 0.4 hectares), not in an area already defined as of High Archaeological Potential, the Council will require that an archaeological assessment is provided as part of the planning application and the same provisions as in Policy HE14 will apply.

The need to safeguard and manage Waverley's rich and diverse heritage, including all archaeological sites, is set out in Policy HA1 of the Draft Local Plan Part 1.

A desk-based archaeological report has been submitted, undertaken by Oxford Archaeology, dated April 2017. The report states that no known or non-designated heritage assets have been recorded within the site. The site does however, have the potential to contain previously unidentified archaeological remains dating to the prehistoric and Roman period. It also has an underlying potential to contain medieval and post medieval agricultural remains.

Given the uncertain archaeological potential of the site, it is possible that further archaeological works would be required, which may include archaeological trial trenching which would be used to investigate and define



the nature and extent of any archaeological deposits present. The results of the trial trenching would be used to develop an appropriate mitigation strategy intended to reduce or remove any adverse impacts to the archaeological resource.

The County Archaeologist has been consulted on this application and has advised that the desk based assessment has used appropriate professional expertise and produced a thorough overview of the archaeological potential of the site and the surrounding area. The County Archaeologist agrees with the recommendations of the assessment and considers that the results of the evaluation will enable suitable mitigation measures to be developed for the site. Given that the site will have been disturbed to some extent by existing construction, it would be reasonable and proportionate to secure the evaluation and any further works by condition.

Given the comments made by the County Archaeologist, Officers consider that it would be reasonable to impose the recommended condition, were outline permission to be granted. Subject to that condition, Officers consider that the proposal would accord with Policy HE15 and the requirements of the NPPF.

#### Flooding and drainage

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development 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.

Policy CC4 of the Draft Local Plan Part 1 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed.

In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate floor risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

In a Written Ministerial Statement on the 18<sup>th</sup> December 2014, the Secretary of State for Communities and Local Government set out the Government's expectation that SuDS will be provided in new developments, wherever this is appropriate. 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 proposed development would be solely for residential dwellings, which is classified as 'More Vulnerable', and as such, the use is consistent with the appropriate uses for Flood Zone 1, as outlined in Table 2 of the NPPF - Technical Guidance Document. It is not therefore necessary to consider the sequential or exception tests in this instance.

However, the application relates to a major development and the site area exceeds 1 ha. Therefore, a site specific Flood Risk Assessment (FRA) is required and one has been submitted with the application.

The accompanying FRA has been undertaken dated October 2015 which concludes that details of a SuDS compliant surface water disposal scheme and on site foul drainage should be considered as part of the detailed design.

The Lead Local Flood Authority has been consulted on this application, and has advised that they are satisfied that a viable method of dealing with surface water can be achieved which would not increase flood risk. Therefore no objection is raised to the application subject to the submission of an appropriate SuDs design at detail design stage. If minded to grant permission a suitable worded condition should be applied to ensure that the SuDs scheme is properly implemented and maintained throughout the lifetime of the development.

Thames Water has been formally consulted on the proposal and has advised that they would have no objection to the application of water infrastructure capacity grounds

Having regard to the above, it is considered that the proposals would not lead to increased flood risk, either on site or elsewhere, and would accord with Policy CC4 of the Draft Local Plan Part 1 and the NPPF 2012 in this respect.

#### Infrastructure contributions

Policy D13 of the Local Plan states that "development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements".

Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

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

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

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

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

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

Policy ICS1 of the Draft Local Plan Part 1 states that infrastructure considered necessary to support new development must be provided either on- or off-site or by the payment of contributions through planning obligations and/or the Community Infrastructure Levy. The Council will resist the loss of key services and facilities unless an appropriate alternative is provided or evidence is presented which demonstrate that the facility is no longer required. New services and facilities where required will be supported. Land for infrastructure, as identified through the Infrastructure Delivery Plan, will be safeguarded.

In the light of the above change, the infrastructure providers have been requested to confirm that the identified contributions contained within the PIC calculator meet the tests of CIL Regulations 122 and 123. The final obligations to be included within the Section 106 agreement will need to satisfy the tests of the Regulations.

Infrastructure providers responsible for the provision of infrastructure within Waverley have been consulted and, as a result, the following contributions are sought and justified:

|                                   |         |
|-----------------------------------|---------|
| Early years contribution          | £6,731  |
| Primary contribution              | £29,378 |
| Secondary contribution            | £0      |
| Provision of affordable housing   | 20%     |
| Provision of recycling containers | £300    |
| Total                             | £36,409 |

The providers have confirmed that the proposed contributions would not result in the pooling of more than 5 contributions towards one specific piece of infrastructure. The infrastructure improvements required would therefore comply with CIL Regulations 122 and 123.

The applicant has indicated a willingness to enter into a suitable legal agreement to secure relevant contributions. As of yet, a signed and completed legal agreement has not been received. However, it is understood that in the event permission was to be granted an agreement would be entered into and would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF in respect of infrastructure provision.

However given that this agreement has not yet been completed, the failure to secure the contributions at this time and therefore the failure to comply with Policies D13 and D14 of the Local Plan would be a further reason for refusal in the event that permission is refused.

### 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.

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 £14,500) 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, (total of £700.00 per annum).

#### 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.'

Policy NE1 of the Draft Local Plan Part 1 states that the Council will seek to conserve and enhance biodiversity within Waverley. Development should retain, protect and enhance features of biodiversity and geological interest and ensure appropriate management of those features. Adverse impacts should be avoided or, if unavoidable, appropriately mitigated.

The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland, whilst there is a pond on the opposite side of the road, given the existing tarmacked nature of the site and the fact that the site is separated from the body of water by the A281 road, it is not considered that this is material in this instance.

The application is accompanied by an Ecological Assessment undertaken by Richard Tofts Ecology in September 2015 which acknowledges that the site is not subject to any ecological designations and that the habitats within the site are considered to be of value only in the context of the immediate locality. None of the buildings show evidence of bat or other protected species potential.

Whilst no protected fauna was found during the survey, it was noted that the adjacent neglected paddock supports a Pennyroyal, a noteworthy plant species, the woody habitat within the site is also likely to be used by nesting birds during the breeding season.

The assessment considers that given that the development focuses on those parts of the site that have been previously developed and which are of negligible biodiversity value, the proposals are considered to have a negligible ecological impact. However given the presence of a moderate range of habitats elsewhere within the site does provide an opportunity for ecological enhancements through management and habitat creation within the retained areas.

The Surrey Wildlife Trust has been consulted on this application and has advised that bats would not appear a constraint to development. In relation to reptiles, the development should only proceed in a precautionary manner. Furthermore, in relation to breeding birds, works should be undertaken in accordance with recommendations and mitigation set out in section 4.10 of the submitted Ecological Assessment Report. It is also recommended that conditions be imposed requiring the submission of a Landscape and Ecological Management Plan together with a Sensitive Lighting Management Plan.

As such, Officers consider it would be reasonable and necessary to impose a condition on any permission granted requiring the development to be implemented in accordance with Section 4.10 and 4.11 of the Ecological Assessment Report. It would also be appropriate to condition the submission of a Landscape and Ecological Management Plan.

Overall, the proposed development would accord with Policy D5 of the Local Plan, Policy NE1 of the Draft Local Plan Part 1, and the NPPF.

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

There are no implications for this application.

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

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.

#### Response to Third Party comments

A number of concerns have been highlighted by third party representations. These comments have been carefully considered by officers.

The majority of the concerns relate to the implications for the busy A281 and high safety concerns, the loss of the existing garden centre and local employment, concern at further housing proposals in the village and the wider character of Alfold , flooding implications and the impact on wildlife.

Most of these issues have been addressed in the body of the report. In particular the Highway Authority has raised no objection to the proposed development and therefore a refusal on technical grounds of impact on highway safety could not be justified. Furthermore, whilst officers understand the concerns relating to the loss of a valued garden centre, there is no means of protecting the existing commercial use of the site.

The Flood Risk Assessment has been carefully considered and reviewed by the Lead Local Flood Authority which has raised no objections subject to conditions.

Whilst noting concerns in relation to the number of applications being proposed for Alfold, each site has to be considered on its merits, particularly given the nature of this previously developed site.

#### Cumulative Effects/in-combination effects

It is important that the cumulative effect of the proposed development and any other committed developments (i.e. schemes with planning permission, (taking into consideration impacts at both the construction and operational phases), or those identified in local planning policy documents) in the area are considered.

Cumulative effects comprise the combined effects of reasonably foreseeable changes arising from the development and other development within a specific geographical area and over a certain period of time. The significance of cumulative impacts needs to be assessed in the context of characteristics of the existing environment. This is to ensure that all of the developments:

- Are mutually compatible; and
- Remain within the environmental capacity of the area and its environs.

Officers have considered the surrounding areas for any developments which require consideration. It is noted that the scheme for development proposed at Dunsfold Park and Springbok are currently at appeal. It is also noted that there is a scheme for 39 units currently being considered at Brockhust Farm. However, given that this site lies directly onto the A281 and given the modest scale of the development at 10 units it is considered that the proposal would



not have any significant environmental effects, whether in combination with other development or on its own. As such, the proposed development would not cause cumulative harm to the character and amenity of the area or highway safety.

#### Pre Commencement Conditions

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

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

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

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

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

Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

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

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

#### Conclusion/ planning judgement

The application is for outline planning permission with access and layout to be considered at this stage, with other details, including appearance, scale and landscaping being reserved.

In forming a conclusion, the NPPF requires that the benefits of the scheme must be balanced against any negative aspects of the scheme.

The site is located in the Countryside Beyond the Green Belt, and as such the development would encroach into the countryside, however, the site is also considered to be previously developed land, being a garden centre falling within an A1 use class and the associated level of hardstanding across the site. Whilst the site currently contains a number of buildings, these are single storey buildings, which are of a form, scale and design which are commonly found within rural area. The proposed residential development would result in the suburbanisation of the area to the detriment of the countryside and wider character of the area.

Whilst the site is located with limited access to services and facilities, the scale of development is not such that would result in a significant level of vehicular movements nor is the site subject to any protected landscape designation. As such, the level of development proposed is proportionate to the scale of the village and in line with the projected growth in the emerging Local Plan.

The County Highway Authority has assessed the application and has raised no objection on highway safety or capacity grounds.

In terms of flood risk, the site is located within Flood Zone 1 and is not therefore at risk of flooding from rivers. No objection has been raised by the relevant statutory bodies on flooding or drainage grounds and the detailed arrangements could be adequately secured by condition.

The scheme would deliver both market and affordable housing, which would contribute towards housing in the Borough. Furthermore, the proposal would provide for onsite affordable housing, although given that this provision would only be 20% the weight that this would have in favour of the scheme, is less than would be the case with a higher proportion. Whilst the applicant has agreed to enter into a Section 106 agreement to secure the affordable provision this has not to date been secured via Section 106 agreement.

Officers consider the proposal would not provide an appropriate mix of dwellings to help meet identified housing need. The proposal appears to indicate that 8 out of 10 dwellings would be 4+ bedroom dwellings. Whilst the application form provides no details as to the proposed mix it is clear from the proposed layout, which is a detailed matter to consider, that the units are all proposed to be large detached buildings. Furthermore, the applicants own transport consultants have assumed the provision of 8 four bed units.

Officers consider that this number of dwellings of this size fails to provide a good mix of dwellings, in line with the SHMA 2015, Local Plan policy and Paragraph 50 of the NPPF. The proposals also fails to result in an efficient use of the site. As such, officers raise objection to the proposed development for these reasons.

Due to the very modest scale of the development, which inevitably limits the extent of benefits that may accrue, the adverse impact of granting planning permission for a development which would result in a suburbanisation of the countryside, adversely affecting the existing rural character of the area, would not meet the locally identified housing needs for smaller homes, and which would not create sufficiently mixed communities as required by the Framework, would significantly and demonstrably outweigh the benefits described, particularly given that the Council can currently demonstrate a five year housing supply.

It is concluded that the adverse impact of the development, namely the impact on the character and appearance of the countryside, the lack of an appropriate mix of dwelling sizes, and the minimal affordable housing provision would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the Local Plan and NPPF when taken as a whole.

#### Recommendation

That permission be REFUSED for the following reasons:

1. Reason  
The proposal fails to provide an appropriate mix of dwellings and fails to make efficient use of previously developed land such to provide sustainable, inclusive and mixed communities in accordance with paragraph 50 of the NPPF. The development does not adequately respond to the evidenced market demand and would not meet local housing requirements as set out within the West Surrey Strategic Housing Market Assessment (SHMA) 2015. As such the proposal is contrary to paragraph 50 of the NPPF and Policy H4 of the Waverley Borough Local Plan 2002.
2. Reason  
The proposal would fail to provide a level of affordable housing provision within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need. The proposal is therefore contrary to paragraph 50 of the NPPF as the development does not provide a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

3. Reason

The applicant has failed to enter into an appropriate legal agreement in respect of required and necessary infrastructure contributions to seek to mitigate the effects of the proposal upon infrastructure. The proposal therefore conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and paragraph 203 of the NPPF 2012.

Informatives:

1. This decision relates the following plans:  
PL 100 Rev A; PL 101 Rev A; 10122a
- 2 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.