

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 30 MARCH 2015

SUBMITTED TO THE COUNCIL MEETING – 14 APRIL 2015

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

Present

Cllr Brian Ellis (Chairman)	Cllr Bryn Morgan
Cllr Maurice Byham (Vice Chairman)	Cllr Stephen Mulliner
Cllr Brian Adams	Cllr Stephen O'Grady
Cllr Elizabeth Cable	Cllr Chris Storey
Cllr Richard Gates	Cllr Jane Thomson
Cllr Christiaan Hesse	Cllr Nick Williams
Cllr Stephen Hill	Cllr Carole Cockburn
Cllr Simon Inchbald	Cllr Elliot Nichols
Cllr Peter Isherwood	

Apologies

Cllr Mary Forszewski, Cllr Michael Goodridge, Cllr Diane James, Cllr Julia Potts, Cllr Stefan Reynolds and Cllr Stewart Stennett

Also Present

Cllr Stella Andersen-Payne

65. MINUTES (Agenda item 1.)

The minutes of the meeting held on 18 February were confirmed and signed.

66. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 2.)

Apologies for absence were received from Councillors Michael Goodridge, Stewart Stennett, Mary Forszewski, Julia Potts, Diane James and Stefan Reynolds. Councillor Carole Cockburn and Elliot Nichols attended as substitutes.

67. DECLARATIONS OF INTERESTS (Agenda item 3.)

Cllr Storey declared a non-pecuniary interest as knew the external affairs manager at the Amaddyah Islam Assn Islamabad.

PART I – RECOMMENDATIONS TO THE COUNCIL

There were no matters raised under this heading.

Background Papers

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

PART II – Brief summaries of other matters dealt with

68. APPLICATION FOR PLANNING PERMISSION - WA/2015/0075 (Agenda item 5.)

Proposed development

Erection of educational and office buildings, ancillary residential accommodation and mosque following demolition of existing buildings; provision of improved landscaping and drainage system (as amended by plans received 05/03/2015 and amplified by plans and emails received 26/02/2015, 05/02/2015 and 18/03/2015) at **Islamabad, Sheephatch Lane, Tilford GU10 2AQ**

The Chairman introduced the Officers present and referred Members to the proposed order of business for the meeting.

With reference to the report circulated with the agenda, officers presented a summary of the planning history of the site, and the current plans and proposals. Officers showed pictures of the site and plans for the application.

Officers outlined the matters of principle/technical judgement and those matters of judgement and advised members of information received following the agenda being published and detailed in the update sheet. This included an update to Members advising them that the proposal constituted inappropriate development in the Green Belt and would, therefore, if Members were minded to grant permission, the application would need to be referred to the Secretary of State. The update sheet also referred to additional comments from the applicant, a response from the Highways Authority and 2 additional letters of object and 1 of support but these did not raise any new material considerations.

Officers advised the Committee that the application would represent the redevelopment of an existing site where the existing buildings had come to the end of their useful life and did not adequately serve the needs of the community living on the site. Although the proposals were materially larger than the existing buildings, it was considered that there were very special circumstances in this instance to justify setting aside the policies of restraint, namely the benefits which would arise from the improved facilities for the regional religious centre. Officers concluded that the harm to the Green Belt by way of inappropriate development would be demonstrably and significantly outweighed by the benefits of the scheme and that permission should be granted.

Following the officers presentation and before the Committee debated the application, in accordance with the guidance for public participation at meetings, each party was given the opportunity to speak for up to 5 minutes. The following people spoke to the application:

Miss Dadak - Objector
Cllr Refl – Tilford Parish Council
Mr Tickle - Applicant/Agent

Cllr Stella Anderson-Payne also spoke to the Committee as Ward Councillor and had up to 4mins.

Having heard the officers' presentation as well as the representations from the objectors, the Parish Council and the agent, Members were invited to ask any further questions or to seek clarification on areas of concern from the officers.

The Committee considered the points raised by the Parish Council and noted concerns about the public address system, lighting on the site and the noise of wind turbines. Therefore, it was agreed, that if the proposal was past then conditions should be strengthened or added to so that these issues were addressed. The Agent concurred in support of these additions when speaking to the Committee.

The Committee recognised the real need for the site to be redeveloped as the buildings were no longer fit for purpose, they were also replacing what was already there. However, there was some concern expressed for the need of the number of units and whether or not they still constituted being ancillary residential units to the site. It was agreed that the Mosque did need replacing but there was some concern to the size of the proposed replacement, as well as concern about the need for an assembly hall. However, they were informed that this would also be used by the nearby school so it needed to be the height it was to accommodate games. Members also noted that the site was well screened and there was a landscaping condition on the proposal to protect this. There was also some concern expressed about the additional transport on the local roads but County Highways had reviewed the supplementary Transport Assessment and was satisfied with the proposal and raised no objection.

Decision

RESOLVED that permission be GRANTED, subject to

- (a) the completion of a S106 agreement within 3 months of the date of the meeting to
 - i. Limit the number of permanent residential units and number of visitors to the site (to include an event management strategy);
 - ii. Secure the community use of the assembly hall; and
 - iii. Limit occupation of the residential accommodation to ancillary and to prevent it being sold off separately;
- (b) consideration of the views of outstanding consultees and any further representations received;
- (c) referral to the Secretary of State;
- (d) The addition of conditions 23-24 and informative 4 noted in the update sheet;
- (e) The amendment to conditions 13 and 14 and additional condition 25 agreed at the meeting; and
- (f) the informatives and conditions which were in the agenda report as amended above.

Conditions

1. The plan numbers to which this permission relates are 3854/PL01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 28, tf994,TS,100, D2254L.110, 111, 112 and 200 received 12/01/2015, PL23A, PL27A and PL29 received 05/03/2015 and PL24A and PL30 received 26/02/2015. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take

place unless otherwise first agreed in writing with the Local Planning Authority.

2. No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed finished floor levels of the buildings hereby permitted. The development shall be carried out in strict accordance with the approved details.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until samples of the materials to be used in the construction of the hard surface areas of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
6. Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to the approved details shall be first agreed with the Local Planning Authority in writing prior to the carrying out of the development.
7. Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:
 1. Parking of vehicles of site personnel, operatives and visitors.
 2. Loading and unloading plant and materials.
 3. Storage of plant and materials including demolition arisings.
 4. Cement mixing.

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

8. No development shall take place until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing.

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

9. No development shall commence, including any groundwork preparation, until a detailed, scaled Tree Protection Plan 'TPP' and related Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Area of trees shown to scale on the TPP including installation of service routings. All works shall be carried out in strict accordance with the approved details.
10. No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures has been submitted to and approved in writing by the Local Planning Authority. The supervision and monitoring shall be undertaken in strict accordance with the approved details. The scheme shall include details of a) a pre-commencement meeting between the retained arboricultural consultant, Local Planning Authority Tree Officer and personnel responsible for the implementation of the approved development and b) timings, frequency & methods of site visiting and an agreed reporting process to the Local Planning Authority.
11. Prior to the commencement of development, details shall be submitted to and approved in writing of the proposed green roof for the assembly hall as shown on Plan Number 3854 PL29A. Details shall include specification of the species/type of greenery to be used and a scheme for the future management and maintenance of the roof. The approved details for the roof shall be carried out and thereafter maintained for the lifetime of the development in accordance with the agreed details, unless otherwise first agreed in writing by the Local Planning Authority.
12. The development shall be carried out in strict accordance with the recommendations contained within Section 5 of the Ecological Assessment by Derek Finnie Associates and the recommendations contained within Surrey Wildlife Trust's letter dated 12/03/2015. No variation from the approved details shall take place without the prior written approval of the Local Planning Authority.
13. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority of any external lighting to the site. Such lighting should be of a low luminance level and downward facing. The lighting shall be carried out in strict accordance with the approved details and no other floodlights or other forms of external lighting shall be installed on the site, without the prior permission, in writing, of the Local Planning Authority.

14. No externally mounted amplified systems of public address shall be erected or used at the site without the prior written consent of the Local Planning Authority.
15. Prior to the commencement of development on site, details of a surface water drainage (SuDS) scheme for the site shall first be submitted to and agreed in writing by the Local Planning Authority. No infiltration of surface water into the ground shall be permitted. The development shall be carried out in strict accordance with the approved details and plans and thereafter retained and maintained for the lifetime of the development.
16. Prior to the commencement of development, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site including asbestos contamination, whether or not it originates within the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments
- (iii) an appraisal of remedial options, and proposal of the preferred option(s)

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11"

17. Prior to the commencement of development, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation

criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

18. The approved remediation scheme shall be carried out in accordance with its terms prior to commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 18.

20. Where necessary to ensure the long-term effectiveness of the proposed remediation a monitoring and maintenance scheme to include adequate monitoring and the provision of reports on the same, must be prepared and submitted in writing to the Local Planning Authority. The scheme and monitoring reports shall be subject to approval in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted in writing to the Local Planning Authority. The reports shall be approved in writing by the Local planning Authority

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11"

21. Notwithstanding the submitted details and, prior to the commencement of development, a detailed phasing plan showing the time frames for the erection of new buildings and subsequent demolition of existing buildings on site shall be submitted to an approved in writing by the Local Planning Authority. No variation shall take place from the agreed detailed without the prior written consent of the Local Planning Authority.

22. Prior to the commencement of development, full details any on and off-site drainage works shall be submitted to and approved in writing by the Local Planning Authority. The details shall include provision for foul and surface water drainage and protection of the Principal Aquifer to prevent any contamination of groundwater. The development shall be implemented in strict accordance with the approved details unless otherwise first agreed in writing by the Local Planning Authority.
23. The development hereby approved shall not be occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.
24. No development shall commence until a Construction Transport Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) on-site turning for construction vehicleshas been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.
25. The permission hereby granted does not permit the installation of wind turbines at the site. No wind turbines shall be erected on the site without the prior written consent of the Local Planning Authority

Informatives

1. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A

Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

3. The 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.
4. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

Recommendation B

RESOLVED that, In the event that the requirements of the above are not met, permission be REFUSED for the following reason:

1. The proposal, without appropriate restrictions on the number of residences and visitor movements, could result in an undesirable level of vehicular movements and associated noise and disturbance which could cause harm to the rural character of the area and amenities of neighbouring residential properties contrary to Policies C1, C3, D1 and D4 of the Waverley Borough Local Plan 2002.

The meeting commenced at 7pm and concluded at 8.35pm

Chairman