

SCHEDULE "B" TO THE AGENDA FOR THE
CENTRAL PLANNING COMMITTEE
14 OCTOBER 2009

Applications not subject to public speaking.

Background Papers (DoP&D)

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

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

B1	WA/2009/1083 G Pawsey and M Glass 27/07/2009	<u>Erection of storage building (B8 use) with associated ancillary office space, parking and external works including alterations to vehicular access, following demolition of existing industrial buildings at former Ingram and Glass Site, Catteshall Lane, Godalming, GU7 1LB (as amplified by letters dated 24/09/09 and 29/09/09)</u>
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Grid Reference:	E: 497812 N: 143946
Town:	Godalming
Ward:	Godalming Central and Ockford
Case Officer:	Mr P Hardwick

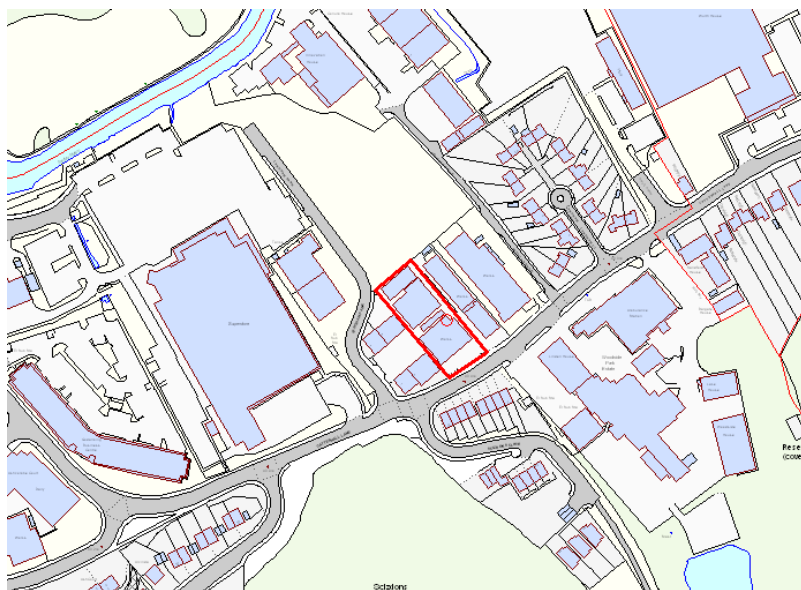
8 Week Expiry Date	26/10/2009
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Neighbour Notification Expiry Date	04/09/2009
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Neighbour Notification	
Amended/Additional Expiry Date	

RECOMMENDATION	That permission be GRANTED
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Location Plan



Site Description

The application site is located on the north-western side of Catteshall Lane and comprises the former Ingram and Glass site. The site was vacated in September 2007.

The site is occupied by a mixture of two-storey and single-storey industrial buildings. These are stated to have a total floor area of some 1,596 sq m and are currently in varying state of disrepair. The main frontage of the site to Catteshall Lane is formed by a two-storey brick office block.

The existing site has two vehicular accesses. The main one being from Catteshall Lane which serves the front entrance and existing off-street parking. To the rear of the site there is an existing service access, over which the applicants state they have a right of way across the adjacent office car park.

There is approximately a 1.8 m level difference across the site, with Catteshall Lane being the highest point. The parking area in the front of the site falls from the back of the pavement to the existing building line. There is also a slight fall in levels to the north-east towards Hillside Works.

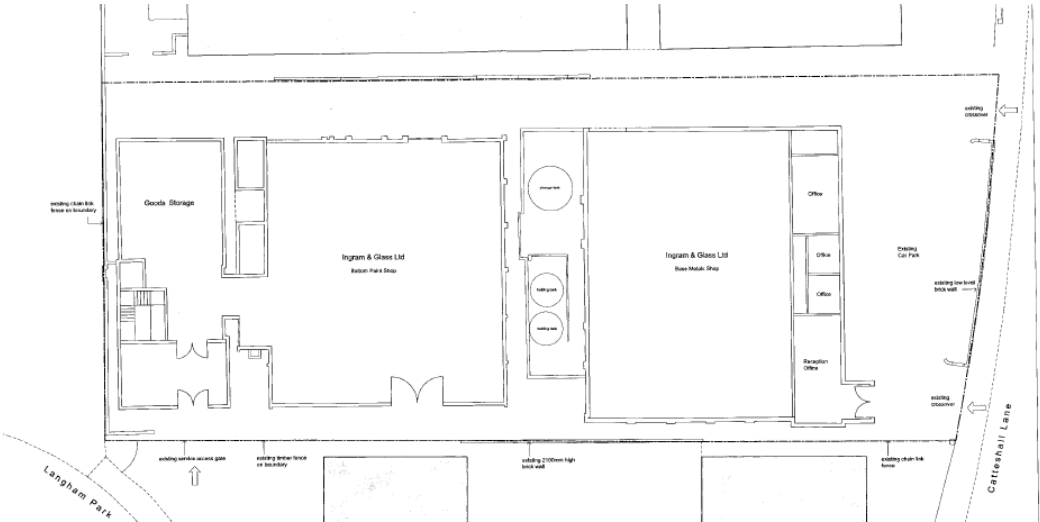
The current boundaries, particularly to the north-east, are poorly defined. There is a low brick wall to the site frontage.

The area is of mixed use character. There are residential properties in Scizdons Climb opposite and at Langham Close further to the north-east. There are offices to the south-west, other industrial buildings to the north-east, vacant land to the rear and the Woodside Park industrial estate and ambulance station to the east. There is Sainsbury's supermarket further to the west.

View of Site Frontage



Existing Site Layout Plan



Existing Front South-East and Side North- East Elevations



Proposal

The application is for the demolition of the existing buildings and replacement with a building for purposes of Class B8 (storage), with a total area of 2,715 sq m including ancillary office space and associated car parking.

The proposal consists of two data halls, which house computer server systems with ancillary support equipment; an ancillary office at the front; an energy centre on two floors at the rear and a plant area located upon the rear roof area.

The front vehicular entrance would be relocated to a more central position and six parking spaces, including one disabled space, would be provided on the site frontage. Cycle facilities would be provided on site. There would be two planter boxes close to the site frontage.

There would be a 3 m high fence and gate around the two sides and rear of the site. The fencing would be of an open mesh type fence supported by steel poles.

Use would be made of a variety of external materials. A significant part of the building would be constructed in light and dark grey metal cladding and powder-coated aluminium. Use would also be made of terracotta panels, aluminium louvres and extensive glazing on the front two-storey office element. The corner entrance of the building is recessed.

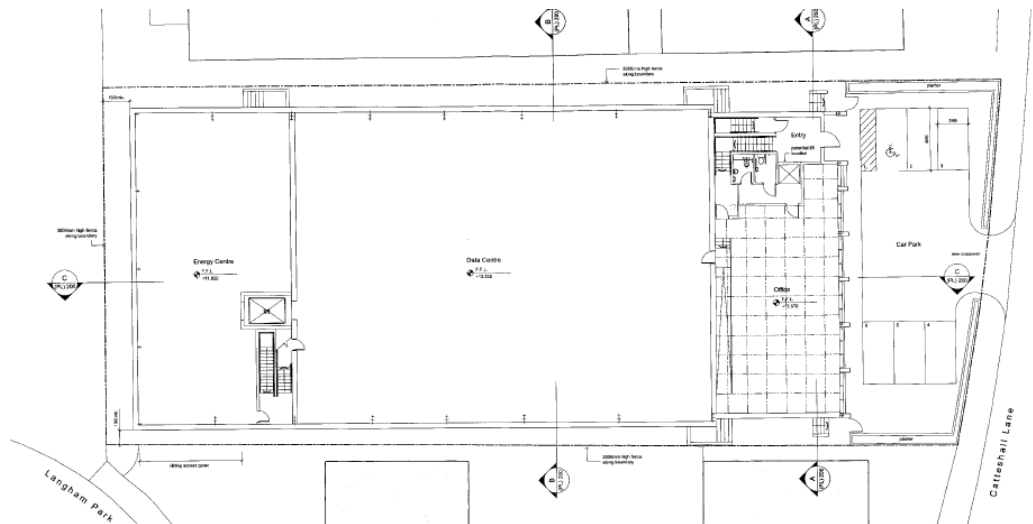
As the data centre uses power continuously, it is proposed to install a bio-diesel Combined Heat and Power (CHP) generator. This would be run for a minimum of eight hours a day to fulfil the 10% renewable energy targets. The engine of this unit would be housed within the building.

Cooling of the building would be provided by the installation of chiller units on the rear roof of the building. These would be run day and night. In order to mitigate potential noise, the roof of the energy centre is screened from Catteshall Lane by the main gable roof of the building and louvre screens to the open sides to a height of 2 m.

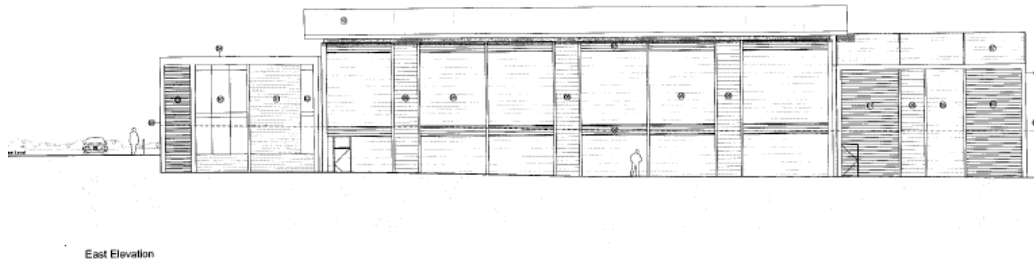
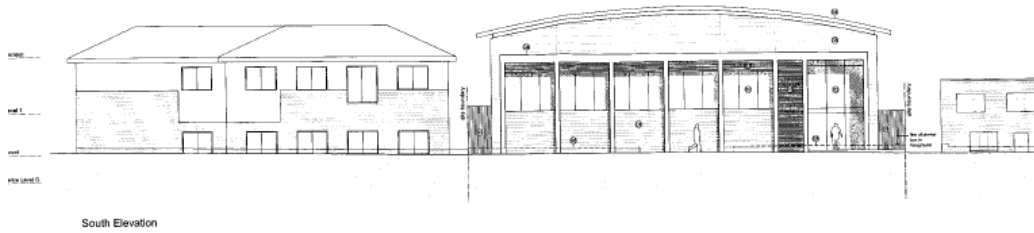
When fully operational, the Centre would have between 15 and 18 employees. As the operations must run uninterrupted seven days a week, the staff would be organised on a three 8 hour rota.

The applicant has submitted a draft Unilateral Undertaking with the application in respect of the Infrastructure tariff. The Undertaking provides a contribution of £15,918 which is appropriate for the development.

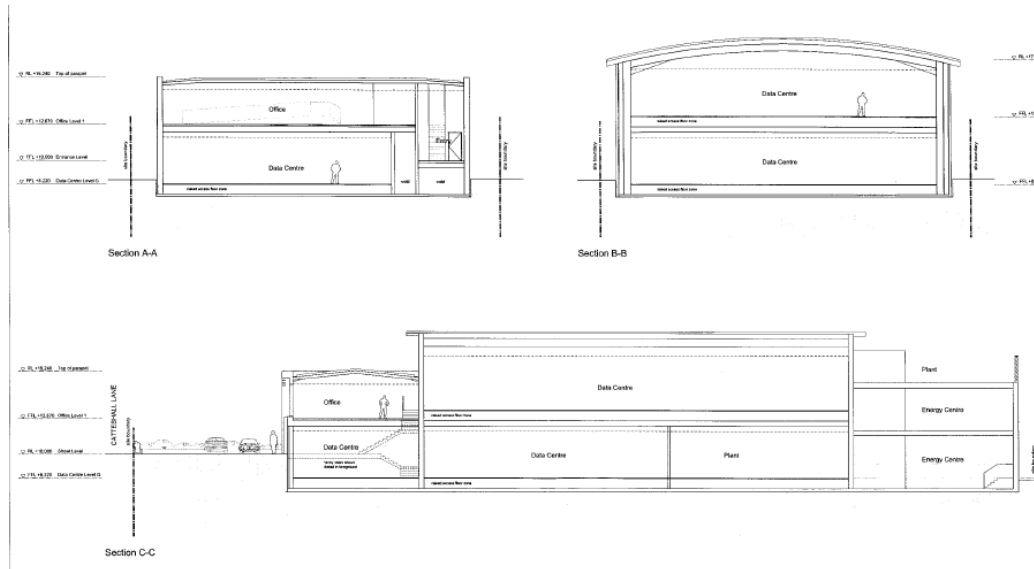
Proposed Site Layout Plan



Proposed Front South-East and Side North-East Elevations



Proposed Sections



Submissions in Support

It is stated that the proposal is to provide a computer data storage centre. An increased reliance on computers and software across a range of business and governmental departments has resulted in rules that require businesses to ensure accessibility and security of data. Accordingly, companies are turning to data centre providers to deliver secure buildings for the storage of computing equipment and data.

Since the original submission, the applicant's have submitted additional letters in order to clarify access rights to the rear of the site and have also responded to the objections raised by the occupiers of the adjacent Hillside Works located to the north-east of the site.

The main points have been made:

1. the scheme proposes the development of a new high quality B8 storage unit on site;
2. the replacement of existing, dilapidated industrial buildings;
3. provide local employment opportunities;
4. local regeneration;
5. the proposed development will be integrated within the surrounding context through the careful proportioning of scale, a contextually appropriate design and a land use that minimises the impacts on the local road networks;
6. the scheme incorporates high quality materials expressed in a simple, functional yet dynamic design;
7. the proposal exemplifies modern sustainable building methods and materials and incorporates renewable energy and energy efficient technologies which allow for excess heat to be made available to adjacent properties;
8. the scheme has been the subject of pre-application discussions with Council officers;
9. it is not considered that the proposal would result in an unacceptable loss of light to the adjacent premises;
10. only part of Hillside Works would be potentially affected;
11. Hillside Works has the benefit of a number of windows on other elevations and a number of large skylights;
12. the development is to be located in an area designated for industry and Hillside Works is not a residential property.

Relevant Planning History

WA/1998/0765

Erection of a detached two-storey building to house new process line

Permitted 19/06/1998

WA/1978/1427

Alterations and erection of front porch and internal alterations to existing lobby
Permitted 20/09/1978

GOD4263 and GOD4263(A)

Outline application for permission to develop land for the erection of a factory for
work of electro-chemical engineering
Permitted 26/03/1952

There have also been various applications submitted in the 1950s and 1960s for
extensions and alterations to the industrial buildings on the site.

Planning Policy Constraints

Developed area of Godalming
Suitably located industrial and commercial land
Potential contaminated land
Wealden Heaths I SPA 5km

Development Plan Policies and Proposals

Policies D1, D4, D13, D14, IC1, IC2, IC4, M2, M5 and M14 of the Waverley Borough
Local Plan 2002
Policies SP3, CC1, CC4, CC6, T4, NRM5, NRM10, NRM11 and NRM12 of the South
East Plan 2009.

Consultations and Town Council Comments

Drainage Authority – No requirements.

Highway Authority – Requested additional information in relation to car parking,
turning and traffic; cycle parking provision and access arrangements. Since the
original submission, the applicants have provided additional information and clarified
issues to the satisfaction of the Authority. Recommends conditions and informatives.

Borough Environmental Health Officer – recommends conditions in relation to noise,
contamination and construction issues.

Town Council – No objection

Representations

Two letters of support, including one from Godalming Chamber of Commerce,
stating this to be a good project / development for the business community.

Two letters of objection, including one from the occupiers of Hillside Works adjacent, on the following grounds:

1. scale, bulk, size and height of building;
2. out of keeping with the area;
3. car parking and deliveries;
4. loss of light to and outlook from working environment;
5. overshadowing;
6. overly dominant and oppressive, being three times higher than adjacent building;
7. height and appearance of security fence;
8. large metal structure out of keeping with the area;
9. noise and disturbance from plant and equipment;
10. roof overhang add to impact;
11. little room for landscaping.

One letter raising issues in relation to rear access and contamination dust during construction work.

One letter from resident in South Hill since withdrawing their objection to the proposal.

Determining Issues

The site is located within the developed area of Godalming where new development is acceptable subject to scale, visual impact, residential amenity and other environmental considerations.

The site lies within an established industrial and commercial zone of the Local Plan. The adjacent properties are in commercial use. Policies give general support for the redevelopment and extension of such sites subject to meeting various environmental considerations.

The main issues are therefore as follows:

- The principle of development.
- Impact on the character and appearance of the area.

- Impact on amenity in terms of outlook, light, noise and disturbance.
- Access, parking and traffic.
- Sustainable construction and renewable energy.
- Infrastructure tariff.
- Contamination.
- SPA.
- Conditions

Planning Considerations

The principle of development

The site is located within the developed area of Godalming and a short distance to the town centre and facilities.

Policy IC2 of the Local Plan states that the loss of suitably located industrial and commercial land will be resisted. The site is clearly suitably located in that it complies with all four criteria set out under the policy. The site is within an identified industrial zone and has an existing B2 use. As such, the redevelopment of the site from B2 to B8 complies with the policy of protecting existing industrial and commercial sites.

Policy IC4 states that the Council will support proposals for the development/ redevelopment of existing industrial and commercial premises where they do not conflict with other policies in the Plan, particularly D1 and IC1. The proposal is considered to comply with this policy for the following reasons:

- (a) the proposal would not detract from the amenities or privacy of nearby residents;
- (b) the proposal is specifically designed for B8 storage purposes, from an existing B2 use, and which is considered to be appropriate for this location;
- (c) new starter units / workshops for small firms are proposed (not relevant).

The policy also states that where sites are located in or close to environmentally sensitive or residential areas, conditions may be attached to any planning permission restricting external storage, hours of use, external lighting, vehicle movements etc. As there are residential properties close to the site, it will be considered necessary to impose certain conditions and these are considered later in the report.

Character and appearance of the area

The existing buildings on site are of little or no architectural merit and are dilapidated. Indeed, it could be argued they detract from the appearance of the area.

The overall amount of development would be increased from 1,596 sq m to 2,715 sq m and the footprint of buildings would be increased by some 8%. The Proposed Site Plan shows the change in footprint across the site. The difference in footprint is the result of losing the loading area which runs along the north-eastern side of the old buildings.

The proposed building would be significantly larger than the existing building, in terms of overall floor area, height, bulk and scale. The existing buildings have roof heights ranging from 6.4 m at the front, 5.6 m in the centre and 8 m at the rear above site ground level. The front office building has a built frontage width of 23.2 m and an overall height above street level of 5.3 m.

The proposed building would have a length of 55.5 m, a maximum width of 24.8 m, a main central roof height of 12 m and an eaves height of 9.8 m. The front and rear flat roofed sections would have overall heights of 9 m and 8.2 m respectively. However, it is proposed to set the building into the ground and alter the levels of the front parking area. With these changes, the proposed building would have a main roof height when viewed from Catteshall Lane of 9.2 m and the front office element would have a height of 6.2 m with the building being set in below street level by 2.8 m.

The proposed building would not extend beyond the front building line of the existing and has been set into the ground in order to reduce its visual impact. The higher data hall area has also been set back and further away from the street following pre-application discussions with officers.

The applicant has explained that the height of the building is the result of the mechanical and engineering requirements of the cooling and wiring systems within the data halls with a floor to ceiling height of some 5 m. This means that they are higher than the average office building.

The proposed is functional in its design and 'box – like' in its appearance. However, the applicants have sought to ensure a high quality development that compliments and enhances the local townscape and the elevation treatment has been designed to 'break-up' the apparent scale and bulk of the building. For example, various materials have been used in the construction of the development.

The proposed building would have a greater height and bulk than the adjacent commercial buildings and many of the buildings in the locality. However, this, in itself, would not make the proposed building unacceptable. It is noted that there are other similar type buildings in the area, including the Post Sorting Office and the former Dairy building in Woolsack Way. In addition, the Council has granted permission for various buildings on the vacant site to the rear and had resolved to grant permission for the redevelopment of the Ambulance Station – some of these buildings had heights of over 9.5 m.

Therefore, although the proposed building would be significant in size and scale, it is considered that it would not appear overly dominant or appear out of keeping in its context.

Amenity

In view of the increased size and scale of the proposed building, there would be additional impact upon those residential occupiers in the town houses opposite the site, the occupiers of the office buildings to the south-west and the occupiers of the industrial buildings (Hillside Works) to the north-east of the site.

The officers consider, however, the proposal would have an acceptable relationship with nearby buildings and would not result in an adverse impact in terms of amenity.

The officers have noted, in particular, the objections raised by the owner and occupier of Hillside Works to the north-east. Hillside Works is a two-storey office building on the site frontage with a number of workshops and storage areas in single-storey buildings to the rear. Two of the units are accessed from the Catteshall Lane end of the site, the remaining three units and the yard are accessed from its south-west elevation. There are a total of four entrances and eight windows along the south-west elevation and there is, currently, no boundary fence between the Hillside Works and the application site – this area historically being used as a shared access. The occupier of Hillside Works has expressed concern over the scale, height and proximity of the new building and its likely impact on the outlook and light to these units and to the resultant working environment. It is noted that the three rearmost units are currently vacant. It is also noted that there are some small office rooms which have been formed in the upper sections of the building.

The buildings that currently occupy the application site are of similar nature to those at Hillside Works with a two-storey office block on the front of the site with predominantly single-storey towards the rear (although there is a more modern two-storey element on the rear of the application site). The distance of the existing buildings to the boundary is some 4 m; the main central part of the proposed building would be 1.5 m away with a roof overhang of some 1 m. The height of the main central building would be 9 m to eaves and 11 m to the roof. The eaves height of those units at Hillside Works are 3 m to eaves with a central roof height of 5.8 m and are set 2.2 m from the boundary.

The officers acknowledge that there would be an impact on the occupiers of these units at Hillside Works. Although the front and rear sections of the proposed building would be similar to the existing buildings, the main area of concern relates to the impact of the main central section. It is not considered that the front office element and storage areas of Hillside Works would not be materially affected by the proposal.

In view of the orientation of the buildings, there would be a loss of outlook from and light to some of the windows on the south-west elevation of the ground floor of Hillside Works. However, these units also have the benefit of other windows in the rear elevation and other north-east side elevation of the building and that there are a number large skylights along both sides of the roof which provide additional light.

The impact of proposals on the working environment can be a material planning consideration. However, the impact is not considered to be so material as to warrant a reason for refusal.

Access, car parking and traffic

The access arrangements to the site would be altered. The existing two front entrances would be replaced by a single and more centrally positioned access point.

The parking area levels would be altered and six parking spaces set out on the site frontage, including one disabled bay. A total of four bicycle parking spaces would also be provided as required by the Highway Authority.

There is an existing secondary service access to the rear off Langham Park. Although this crosses part of the office parking area adjacent, the applicant has clarified that they have a 'claimed right of access' over this land.

The applicant has stated that, because of the very nature of the operation of the development, there should be minimal impact on the amount of traffic generated by the site. In addition, the applicant, as part of their sustainability measures, and to decrease traffic generation further, is intending to implement a Green Travel Plan. Full details are set out in the application.

The application indicates that there would be between 15 and 18 employees and that these would work on a shift pattern.

The Highway Authority has reported that the change in use of the site, to the particular use proposed, would result in a minimal change in traffic generation and that they are satisfied that the change to a data centre does not prejudice the sustainability of the site and the aims of PPG13. The level of parking is considered to be acceptable for the type of use proposed.

There would be no lorries associated with the proposed use. However, an unrestricted B8 use, which could include a wide variety of warehousing, storage and distribution uses, could result in a number of lorry movements which could not be accommodated on site. The set down nature of the building would restrict general B8 use. However, in view of the lack of lorry parking provision, and highway safety implications, it is considered appropriate and necessary to restrict the particular use of the building to a data storage centre as set out in the application.

The site is located in a sustainable location close to the town centre and transport facilities. It would therefore be unreasonable to insist on any further parking provision on site.

Sustainable construction and renewable energy

A number of sustainable design features are to be incorporated into the proposal. These include the use of recycled and reusable materials, including those arising from demolition wherever practicable; to exploit opportunities for prefabrication and off-site manufacture; the use of passive solar gain through the orientation of the building; to reduce waste; and the use of low emission materials.

Policies encourage the integration of CHP in all developments and district heating infrastructure and the use of biomass fuel. The proposal would incorporate a biomass diesel generator and all power from the engine will be used by the Data Centre. It is stated that some 10% of energy requirements would be generated if run for eight hours and some 20% if run for 20 hours a day.

Infrastructure tariff

The applicant has submitted a draft Unilateral Undertaking with the application. The appropriate amount is stated and it is anticipated that a completed Undertaking will be completed prior to the date of the meeting.

Contamination

The site has been used for industrial processes associated with metal finishing since the site was built in the 1950s.

The application submission states that there has been an extensive clean up of the disused manufacturing and storage areas and that although some additional sampling will be required prior to future redevelopment, along with remedial decontamination, there is nothing to impede this application.

A contamination report has been submitted with the application. This report indicates that, in view of its historical use, there is evidence of ground contamination and that due to the age of the buildings, asbestos may also be present on site.

As the site investigations are ongoing, the Borough Environmental Health Officer has recommended a number of conditions to address this issue.

SPA

The site is located within the Wealden Heaths SPA Buffer Zone. Development should not result in an effect upon the integrity of the SPA.

In view of the nature of the proposal, it is not likely to result in a material increase in the number of people and therefore would not have an impact upon the integrity of the SPA.

Conclusion

The proposal relates to the redevelopment of an established industrial site within an area of mixed use and character.

The proposed scheme is considered to be acceptable and appropriate to its location in terms of scale, height, appearance and impact on the local area. Although the proposed building would be larger than the existing, it would represent a significant visual improvement to the site, involving a high quality development, and would satisfactorily integrate within its surroundings.

The third party objections to the scheme are noted. However, it is considered that any redevelopment of the site is likely to involve a larger building and the proposal would have an impact on the working environment of the occupiers of the adjacent commercial premises and the outlook from those residential properties opposite the site. However, the impact is not considered to be so material as to warrant a reason for refusal.

The proposal would bring welcome employment to the town and is considered to represent an effective redevelopment of an appropriately located industrial site.

The proposal would therefore be compliant with the employment, environmental and transportation policies of the development plan.

Recommendation A

That permission be **GRANTED** subject to the following conditions:

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

Reason

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

2. Condition

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

Reason

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

3. Condition

The development shall be carried out in strict accordance with the finished ground and building floor levels as set out on the approved application drawings. There shall be no variation to the approved levels without the prior written permission of the Local Planning Authority.

Reason

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

4. Condition

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.

Reason

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

5. Condition

No development shall take place until details of all proposed screen walls or fences, or other means of enclosure, have been submitted to and approved by the Local Planning Authority in writing and such walls or fences or means of enclosure as may be approved by the Local Planning Authority shall be erected within a period of one month from the date of completion of the approved development, and thereafter be maintained.

Reason

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

6. Condition

The premises shall be used as a data storage centre and for no other purpose (including any other purpose within Class B8 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) , or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order with or without modification.

Reason

Having regard to normal lorry parking requirements related to a Class B8 use and in the interests of highway safety and the amenities of the area and to accord with Policy(ies) D1, D4, M2 and M14 of the Waverley Borough Local Plan 2002.

7. Condition

Upon completion and occupation of the development, the Travel Plan submitted as part of the approved application shall be fully implemented in accordance with the approved details and thereafter maintained to the satisfaction of the Local Planning Authority.

Reason

The above condition is required in recognition of the aims and objectives of Planning Policy Guidance Note 13 - Transport (March 2001) and the Government White Paper (July 1998) and in order to reduce reliance on the car and to encourage more sustainable means of transport. This would be in accordance with Policy M2 of the Waverley Borough Local Plan 2002.

8. Condition

The proposed renewable energy installation, in the form of Combined Heat and Power (CHP) and as detailed in the application, shall be installed and become operational upon the first occupation of the development and thereafter be retained and maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason

To maintain and enhance the quality of the environment and to comply with Policy D3 of the Waverley Borough Local Plan 2002 and Policies NRM11 and NRM12 of the South East Plan 2009.

9. Condition

No floodlights or other forms of external lighting shall be installed on the premises, other than that approved as part of this development, without the prior permission, in writing, of the Local Planning Authority. Any submitted details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, which is so installed, shall not thereafter be altered without the prior written consent of the Local Planning Authority.

Reason

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

10. Condition

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, whether or not it originates on 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'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

11. Condition

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.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

12. Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the 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 verification report (referred to in PPS23 as 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.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

13. Condition

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 10, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements on condition 11, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 12.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

14. Condition

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 5 years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of 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 to 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'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

15. Condition

Prior to the commencement of development, details of any external plant and machinery, including roof chiller units, shall be submitted in writing for the approval of the Local Planning Authority. The details shall be installed in strict accordance with the approved details.

Reason

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

16. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification) the premises hereby permitted shall not be extended or altered in any way, including the provision of a mezzanine floor, without the permission of the Local Planning Authority.

Reason

Having regard to the limited parking on site and the likely need for additional parking and to accord with Policies D1, D4 and M14 of the Waverley Borough Local Plan 2002 and Policy T4 of the South East Plan 2009.

17. Condition

Noise resulting from the use of any plant, machinery or equipment shall not exceed a level of 5dB(A) below the existing background level (or 10dB(A) below if there is a particular tonal quality) when measured according to British Standard BS4142, at a point 1 metre to the nearest noise sensitive premises.

Reason

In the interests of protecting local residents from unreasonable noise levels which would be detrimental to the residential amenities of the area, in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and Policy NRM10 of the South East Plan 2009.

18. Condition

There shall be no construction work outside the hours of 08:00 to 18:00 Mondays to Fridays, and 08:00 to 13:00 on Saturdays, and there shall be no construction work on Sundays, and Bank and Statutory Holidays.

Reason

In the interests of the amenities of nearby residential occupiers and to accord with Policy(ies) D1 and D4 of the Waverley Borough Local Plan 2002.

19. Condition

Prior to the commencement of development, a programme for the suppression of dust during the demolition of existing buildings and construction of the development, shall be submitted to and for the approval of the Local Planning Authority. The measures approved shall be employed throughout the period of construction unless any variation is agreed in writing by the Local Planning Authority.

Reason

In the interests of the amenities of nearby residential occupiers and to accord with Policy(ies) D1 and D4 of the Waverley Borough Local Plan 2002.

20. Condition

The plan numbers to which this permission relates are:
Proposed Site and Location Plans - Drawing No. PL001 Rev. 01
Existing Site/Ground Floor Plan - Drawing No. PL010
Existing South and East Elevations - Drawing No. PL030
Existing North and West Elevations - Drawing No. PL031
Proposed Ground Floor Plan - Drawing No. PL100
Proposed First Floor Plan - Drawing No. PL101
Proposed Second Floor Plan - Drawing No. PL102
Proposed South and East Elevations - Drawing No. PL300
Proposed North and West Elevations - Drawing No. PL301
Proposed Sections - Drawing No. PL100

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

21. Condition

Before any other operations are commenced, the proposed vehicular access to Catteshall Lane shall be designed/constructed in accordance with the approved plan, all to be permanently maintained to a specification to be agreed in writing with the Local Planning Authority and the visibility zones shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason

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

22. Condition

No new development shall be occupied until space has been laid out within the site in accordance with the approved plans, for 6 cars and a minimum of 4 bicycles to be parked, and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning area shall be used and retained exclusively for that purpose.

Reason

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

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against the following Development Plan policies: Policy(ies) D1, D4, D13, D14, IC1, IC2, IC4, M2, M5 and M14 of the Waverley Borough Local Plan 2002, Policy(ies) CC1, CC4, CC6, CC7, T4, T5, NRM5, NRM10, NRM11 and NRM12 of South East Plan 2009 and material considerations, including third party representations. It has been concluded that the development would not result in any harm that would justify refusal in the public interest.

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. On 6 April 2008 a new fee was introduced by the Town and Country Planning (Fees of Applications and Deemed Applications) (Amendment) (England) Regulations 2008. This fee relates to requests to discharge a condition on a planning consent. The fee payable is £85.00 or a reduced rate of £25.00 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.
3. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
4. The Local Planning Authority shall be informed (for the attention of the Planning Obligations Officer), in writing, of the proposed commencement date of development a minimum of 14 days prior to that commencement date, in accordance with Section 4.1.2 of the Unilateral Undertaking.
5. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and disturbance on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Protection Team of the Borough Council.
6. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.
7. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
8. A pedestrian inter-visibility splay of 2 metres by 2 metres shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6 metres and 2 metres in height above ground level shall be erected within the area of such splays.

9.

The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

RECOMMENDATION B

In the event that the requirements of Recommendation A are not met, the Head of Planning be authorised to refuse permission on the following ground:

1. In the absence of a completed legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), the application had failed to comply with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and the Council's Planning Infrastructure Contributions SPD (April 2008) in relation to infrastructure provision.

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