

SCHEDULE

(1) <u>Application No. and Property Concerned</u>	(2) <u>Proposed Development</u>	(3) <u>Decision</u>
WA/2009/0428 (Item SO1) Land rear of 86 Boundstone Road, Rowledge	Erection of a detached dwelling and garage	Resolved that the application be GRANTED subject to first entering into a legal agreement, at the applicants expense, within 6 months of this committee meeting (20/01/10) to secure:- a) The extinguishment of the turf commercial use granted a Certificate of Lawfulness. The extinguishment to cover the whole area specified by the Certificate. b) The use of the rear part of the site shown as paddock on the submitted plan to be used only as a grass paddock or agricultural grazing land. c) A specification to set out how the paddock land to the rear will be restored to grass paddock or agricultural grazing land to be agreed before development commences. The land to be retained in grass paddock use only.

And, subject to the following conditions:-

1 No development shall take place until samples of the materials to be used in the construction of external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning authority. Development shall be carried out in accordance with the approved details Reason. In the interests of the amenity and character of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

2 Before any other development commences the buildings shown for demolition on the approved deposited plan shall be so demolished and all demolition material removed from the site. Reason. To ensure the development of the site in accordance with the approved plans and in the interests of the character and amenity of the area in accordance with Policy C2 and D1 of the Waverley Borough Local Plan 2002.

3 No development shall take place until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall show hard and soft landscaping proposed and be carried out strictly in accordance with the agreed details. It shall be carried out in the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The Landscaping shall be

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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 the same species and size as those originally planted.

Reason. In the interests of the character and amenity of the area and in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002.

4 Before development commences details of the proposed bund, proposed planting for the bund and maintenance management plan shall be submitted to and approved in writing by the Local planning Authority. The development shall be carried out in accordance with the agreed details. The bund shall be provided in accordance with the agreed details before the dwelling hereby permitted is occupied and thereafter retained.

Reason. In the interests of the character of the area and neighbours amenity and in accordance with Policy D1 of the Waverley Borough Local Plan.

5 No development shall take place until details have been submitted to and agreed in writing by the Local Planning Authority showing existing and proposed ground levels of the site and proposed ground levels of the dwelling hereby permitted. The development shall only be carried out in accordance with the agreed details.

Reason. In the interests of the character and amenity of the area in accordance with Policies C2, D1 and D4 of the Waverley Bough Local Plan 2002.

6 No development shall take place until details have been submitted to and agreed in writing by the Local Planning Authority of how the rear portion of the site which is shown to be returned to grass paddock is to be so returned. The details shall include a specification for the works. The agreed scheme shall be implemented before the dwelling hereby permitted is occupied and the land thereafter retained as paddock area suitable for grazing animals or an agricultural use.

Reason. In accordance with the terms of the application and to protect the rural character of the area in accordance with Policies D1 and C2 of the Waverley Borough Local Plan 2002.

7 Notwithstanding the provisions of the Town and Country Planning (General

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permitted development) Order 1995 (or any other Order revoking or re-enacting that Order with or without modification) no enlargement to the dwelling hereby permitted shall be made and no building or enclosure erected as defined within Part 1 of Schedule 2, Classes A,B,C,D,E without the written permission of the Local Planning Authority.

Reason. In order to protect the character and amenity of the area in accordance with Policies D1 and C2 of the Waverley Borough Local plan 2002.

8 The garaging hereby permitted shall only be used for the garaging of vehicles and domestic storage and at no time shall the garaging be used for habitable accommodation or commercial purposes.

Reason. To ensure proper garaging accommodation and to protect the character and amenity of the area in accordance with policies D1 and C2 of the Waverley Borough local plan 2002.

9 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), no new windows or other openings shall be formed in the dwelling hereby permitted.

Reason. To protect neighbours amenity and the character of the area in accordance with Policies D1 , D4 and C2 of the Waverley Borough Local Plan 2002.

10 The first floor windows in the south east side elevation shall be glazed with obscure glazing and shall be so retained thereafter to the satisfaction of the Local Planning Authority.

Reason. To protect neighbours amenity in accordance with Policies D1 and D4 of the Waverley Borough Local plan 2002.

11 The proposed air source heat pump shall be installed and become operational in accordance with the approved details upon the first occupation of the development and be thereafter retained and maintained.

Reason. To maintain and enhance the quality of the environment and to comply with Policy D3 of the Waverley Borough Local plan 2002.

12 No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to turn so that they may enter and leave the site in a forward gear. The parking/turning area shall be

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used and retained exclusively for its designated purpose.

Reason. In order that the development should not prejudice highway safety not cause inconvenience to other highway users and to accord with policy M2 of the Waverley Borough Local plan 2002.

13 The plan numbers to which this permission relates are 0902'01, 0902'02, 04/09'01, 04/09'11 Dec'09, 04/09'12 and location plan. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason. In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with policies C2, D1, D2, D3, D4, D7, H4, H10, IC2, M2 and M14 of the Waverley Borough Local Plan 2002, Policies CC4, CC6, C4 and H5 of the South East Plan 2009.

Summary of reasons for granting

The development hereby granted has been assessed against the Development Plan policies: Policies C2, D1, D2, D3, D4, D7, H4, H10, IC2, M2 and M14 of the Waverley Borough Local Plan 2002, Policies CC4, CC6, C4, H5 of the South East Plan 2009 and material considerations including third party representations. It has been concluded that the development is in conflict with the countryside beyond the Green Belt Policy C2 but that the extinguishment of the commercial use granted a Certificate of Lawfulness represents a special circumstance and justifies overriding Policy C2 in the interests of neighbours amenity. It is not considered that the development would otherwise result in material harm that would justify refusal in the public interest.

And, also subject to the addition of the following informatives:

1 On the 6th 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 householder 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.

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WA/2009/1272
(Item SO2)
Daneshill, The Reeds
Road, Frensham

Erection of two detached houses
and garages following the
demolition of existing dwelling

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.

2 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.

[In accordance with the guidance for public participation at meetings, the following representations were made in respect of application WA/2009/0428 and were duly considered:-

Kirstie Johnson – Support]

Resolved that the application be REFUSED for the follow reasons:

1. By virtue of its scale, form and design, the proposed development represents a poor design and an over-intensive use of the site that would materially detract from the character/appearance/environmental qualities of the area and Millbridge settlement and would result in an overdevelopment of the site and result in a loss of amenities to surrounding properties in conflict with PPs1, PPs3, Policy CC6 of the South East Plan 2009, Policies D1, D4 and RD1 of the Waverley Borough Local Plan 2002 and the Frensham Village Design Statement.
2. The development would detrimentally detract from the urban/rural transition on this edge of settlement site due to its scale, form and design and would thereby materially detract from the Surrey Hills Area of Outstanding Natural Beauty within which the area's distinctive landscape character and natural beauty is to be conserved and enhanced. The proposal is inconsistent with this aim and conflicts with national, strategic and local policy guidance and advice set out in Policy C3 of the South East Plan 2009 and Policy C3 of the Waverley Borough Local Plan 2002.
3. The development would detrimentally detract from the urban/rural transition on this edge of the settlement site due to its scale, form and design and would thereby materially detract from the Area of Great

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WA/2009/1566 (Item B1) The Old Forge, Old Kiln Lane, Churt	Erection of extensions and pool house	<p>Landscape Value within which the landscape character is to be conserved and enhanced. The proposal is inconsistent with this aim and conflicts with national, strategic and local Policies set out in Policy C3 of the Waverley Borough Local Plan 2002.</p> <p>[In accordance with the guidance for public participation at meetings, the following representations were made in respect of application WA/2009/1272 and were duly considered:-</p> <p>Gary Plant - Objector Len Davies - Parish Council Amanda Sutton – Supporter]</p> <p>Recommendation to GRANT accepted subject to the following additional condition:</p> <p><u>Condition</u> The proposed swimming pool is only to be emptied overnight and in dry periods. The discharge rate shall be controlled so that it does not exceed a flow rate of 5 litres per second into the public sewer network.</p> <p>Reason: To prevent the risk of flooding or surcharging and to comply with Policy NRM4 of the South East Plan 2009.</p>
WA/2009/1567 (Item B2) the Old Forge, Old Kiln Lane, Churt	Listed Building Consent for the erection of extensions	Recommendation to GRANT accepted.
WA/2009/1683 (Item B3) Land at Pride of the Valley, Jumps Road, Churt	Continued use of land as a sculpture park, arboretum and water gardens, use of building as reception/studio gallery and reinstatement of public footpath 40a along the definitive route	<p>Recommendation to GRANT accepted subject to the applicant first entering into a Section 106 Legal Agreement, all costs, including the Council's, to be borne by the applicant, by 12th February 2010, to secure:</p> <ol style="list-style-type: none"> <li data-bbox="968 1354 1965 1445">1. The payment of an appropriate contribution towards the reinstatement of definitive public footpath 40A. (Land is owned by the National Trust and will probably be managed by Waverley who manage the rest of the NT's

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land in this area).

2. Unless otherwise agreed between the parties, Within six months of the reopening of the definitive route for footpath 40a, the permanent closure of the unauthorised footpath.
3. The removal from the site of the close boarded fences on either side of the footpath and the removal from the site of the limestone scalplings from the footpath.
4. A scheme to mitigate impacts on that part of the adjacent road verge, which is designated as Site of Nature Conservation Importance.
5. Parking and toilet facilities shall be made available at the adjacent Pride of the Valley Hotel, Jumps Road.

And, subject to any additional recommendations recommended by the Environment Agency and also the amendment to conditions 2 and 13 as follows:

2. Within one month of the date of this permission there shall be submitted to the Local Planning Authority for approval a plan indicating alternative boundary treatment for **those parts of the boundaries with Jumps Road and Tilford Road where there is currently a close boarded fence. The development shall be carried out in strict accordance with the approved plans, once agreed.** Occupation and use of the site for the purposes hereby permitted shall cease on the day three months from the date of the approval of the details unless by that date the site has been enclosed in accordance with the said plan approved by the Local Planning Authority.
13. **A full survey of protected species and the extent to which they may be effected by the proposed development** a woodland/landscape/ecological management plan and timetable, including medium/long term management/maintenance responsibilities for the site and any planting proposals, shall be submitted and agreed, in writing, by the Local Planning Authority, within 3 months of the date of this permission. The management plan shall make particular provision for (1) the eradication/control of Indian Balsam and a transitional 10 metre buffer

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zone adjacent to the SSSI which shall be kept free of non-native/invasive species (including rhododendron) and (2) a 10 metre buffer landscaped zone within the perimeter of the site boundaries. (3) A scheme to increase biodiversity on the site. Public access to the site shall cease 28 days from the date of the last day in the agreed programme if the agreed work has not been completed by that last day.

Reason:

To safeguard the rural character and ecological importance of the area and to accord with Policies D1, D4, D5, C1 and C3 of the Waverley Borough Local Plan 2002.

And also the addition of the following condition:

Condition:

Unless within 3 months of the date of this decision the first metal fence panel at the south western corner of the car park has been removed to the satisfaction of the Local Planning Authority, public access to the site shall cease the use of the site as a sculpture park shall cease until such time as the fence panel has been removed.

Reason:

In the interest of public safety and in accordance with policy M2 of the Waverley Borough Local Plan 2002.