

## 28 SEPTEMBER 2021 PLANNING COMMITTEE

6i

COND/2021/0088

WARD: C

**LOCATION:** Sheerwater Estate, Albert Drive, Sheerwater, Woking

**PROPOSAL:** Partial approval of details pursuant to Condition 28 (Contamination parts (a)-(e)) for Phase 1c (Copper) only of planning permission PLAN/2018/0374 for the Sheerwater Regeneration.

**APPLICANT:** Life Build Solutions Limited

**OFFICER:** Brooke Bounague

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### **REASON FOR REFERRAL TO COMMITTEE**

Although the applicant is the contractor for phase Copper of the Sheerwater Regeneration, legal advice is that this conditions application falls outside the Scheme of Delegation and thus such applications are required to be determined by the Planning Committee.

### **SUMMARY OF PROPOSED DEVELOPMENT**

This conditions application seeks partial approval of details pursuant to Condition 28 (Contamination parts (a)-(e)) for Phase 1c (Copper) only of planning permission PLAN/2018/0374 for the Sheerwater Regeneration.

### **PLANNING STATUS**

- Urban Area
- Thames Basin Heaths SPA Zone B (400m-5km)
- Priority Place
- Flood Zone 1 and 2 (some areas)
- Basingstoke Canal Conservation Area & SSSI
- Urban Open Space
- Local Centre

### **RECOMMENDATION**

**APPROVE** details submitted.

### **SITE DESCRIPTION**

This conditions application relates to the third phase of the residential development for the Sheerwater Regeneration. This phase is located mostly on the site of the former athletics track which has been replaced at Hoe Valley School, Mayford and also includes some of the area to the west of the track and a small section of the car park serving the existing community facilities. The phase abuts the Basingstoke Canal to the north and the Bishop David Brown school sports pitches to the east. Vehicular access into the phase would be by Spencer Close.

### **PLANNING HISTORY**

The most relevant planning history for this application is as follows:

**PLAN/2018/0374** - Section 73 application to remove Condition 26 (bund), to vary Condition 4 (approved plans insofar as they relate to the Leisure Centre and sports pitches), Condition 23 (phase

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1b playing fields timeline), to submit details to satisfy Condition 21 (on/off-site drainage works), Condition 27 (drainage details for phase 1a(i)), Condition 28 (drainage details for phase 1a(ii)), Condition 29 (drainage details for phase 1a(iii)), Condition 30 (drainage details for phase 1b), Condition 52 (external materials for Leisure Centre), Condition 53 (details of finished floor levels for Leisure Centre), Condition 54 (sustainability - substitution of combined heat and power plant with a ground source heat pump) and amendments to wording of Condition 36 (phase 1c details of front boundary enclosures), Condition 38 (phase 1c biodiversity enhancement measures), Condition 43 (phase 1c external materials), Condition 45 (phase 1c details of bin storage areas), Condition 46 (phase 1c details of photovoltaic panels), Condition 47 (phase 1c sustainability measures), Condition 49 (protection of residential properties from noise), Condition 51 (phase 1c details of play area/trim trail delivery) to alter the timing for the submission of details for approval, of planning permission PLAN/2015/1260 for the redevelopment of the Sheerwater Estate. Permitted 18.04.2019 subject to a S106 Legal Agreement and Executive Obligations.

### **PROPOSED DEVELOPMENT**

This conditions application seeks partial approval of details pursuant to Condition 28 (Contamination parts (a)-(e)) for Phase 1c (Copper) only of planning permission PLAN/2018/0374 for the Sheerwater Regeneration.

A Phase 1 Desk Study, Phase II Factual and Interpretative Geotechnical and Geo Environmental and Gas Membrane Verification and Strategy Plan have been submitted with the application.

### **CONSULTATIONS**

**WBC Contaminated Land Officer response:** Condition 28 parts (a) to (e) can be discharged for Copper Phase.

### **REPRESENTATIONS**

As this application seeks approval of details pursuant to a condition on a planning permission, there is no statutory requirement for neighbour notification and no neighbour representations have been received.

### **RELEVANT PLANNING POLICIES**

#### Woking Core Strategy 2012

CS9 - Flooding and water management

CS21 - Design

#### Development Management Policies DPD 2016

DM5 - Environment Pollution

DM8 - Land Contamination and Hazards

### **PLANNING ISSUES**

1. The only issue to consider is whether the submitted details are considered acceptable to comply with the requirements of Condition 28 (Contamination parts (a)-(e)).
2. The Phase II Factual and Interpretative Geotechnical and Geo Environmental Report recommends that a watching brief should be undertaken during the construction phase and sets out the process which would be followed in the event that any unexpected contamination is found at the site during construction works. The report considers that no remedial measures are required at this site with regards to the underlying in-situ soils.

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3. A Gas Membrane Verification and Strategy Plan has been submitted which provides details of the remediation, gas membranes and verification process. The Council's Contaminated Land Officer has reviewed the details submitted and has advised that the details are acceptable to comply with the requirements of parts (a) – (e) of Condition 28.

### **CONCLUSION**

4. The details submitted are considered acceptable and would meet the requirements of Condition 28 parts (a) to (e). The submitted details would also comply with Policies CS9 and CS21 of the Woking Core Strategy 2012 and Policies DM5 and DM8 of the DM Policies DPD 2016. The details submitted are therefore recommended for approval as noted in the recommendation below.

### **BACKGROUND PAPERS**

File - COND/2021/0088

### **RECOMMENDATION**

Details approved:

- Phase I Desk Study Report No: 21-03-12 Issue 2 dated May 2021 received on 28.05.2021.
- Phase II Factual and Interpretative Geotechnical and Geo Environmental Report No: 21-03-13 Issue 2 dated July 2021 2021 received on 17.08.2021
- Gas Membrane Verification and Strategy Plan Report No: 21-08-03 Issue 1 dated August 2021 received on 17.08.2021

**Notes to applicant:** The applicant is advised that the approved details relate to phase 1c (Copper) only and details pursuant to this condition require LPA approval for all other phases of the development in accordance with the requirements of the condition.

The applicant is advised that the development is required to be implemented in accordance with the approved details.