

ANNEXE 9

Representations that are not directly relevant to the appropriation or disposal of land at East Street, but which relate to the planning permission or other related matters.

Objections		Comment
1	Castle Street Residents' Association (Max Lyons)	
1.1	The Planning Permission for the mixed use scheme is not an appropriate design solution for the regeneration of this part of Farnham, and it does not retain the open space in its current form.	Objections such as this were made to the planning application at the time, and were considered by the planning committee in reaching their decision to grant consent. It is not within the remit of the Council to reconsider a planning decision once issued.
1.2	Riverside - The relocation of the tennis club will preclude opportunities for the enhancement of this important Riverside location.	These issues were considered at the time of the planning consent for Riverside. The approved (and part implemented scheme) will provide, in the long-term, an enhanced riverside setting together with a new tennis club. The car parking is temporary and will be replaced with landscaping in the longer term.
2	David Wylde	
2.1	Public money should not be spent on re-routing the electricity cables until the viability of the main East Street scheme has been established.	Agreed. It is the Council's intention not to release the funds for this work until after the viability test in the East Street development agreement has been satisfied.
2.2	The polluted land at the Riverside site is potentially valuable wetland and should be allowed to subside naturally. The areas should not be disturbed.	Discharge of the planning conditions pertaining to the Riverside site included the submission of a specialist contamination report, which analyses the site and sets out appropriate remediation measures that will be undertaken as part of the works to construct the tennis courts, pavilion and car parking area. This report has been approved by specialist environmental health officers.
3	Martin Angel	
3.1	Is the new bridge access to be a permanent feature and what will be the fate of Borelli Walk?	The planning permission includes a permanent footbridge between Borelli Walk and the town centre. Borelli Walk will remain as open space.

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5	Richard Sandars	
5.1	At present, WBC does not have an unambiguous assessment of the development's commercial viability.	Reports to Council in November 2011 referred to the recent viability tests by Crest Nicholson which demonstrated improvement in trading conditions, whereby they forecast a positive return on the scheme in both residential and commercial markets. This assessment has been backed-up by market specialists DTZ.
5.2	On-line purchasing has critical issues which will have long-term social implications.	Both Crest Nicholson and DTZ have reported to Council that interest from commercial tenants for both the retail and the restaurant space is now strong. Farnham is an attractive location for high-end retailers, and there are a number of well-known names interested in letting space at East Street.
6	Celia Sandars	
6.1	The tennis club will be removed to an unsuitable site on the flood prone and contaminated site.	The suitability of Riverside for a tennis club was carefully considered at the time of the planning permission. This included assessment of flood plain and contamination issues.
6.2	It is not fair that the wishes of the people of Farnham should be overridden by Councillors from disparate towns, villages and hamlets across WBC. Farnham residents should decide the use of public open space within the boundaries of the Town Council.	Farnham has, since 1974, been part of Waverley (the successor body to Farnham UDC). It is Waverley that holds the statutory responsibility for providing services to Farnham residents, such as parks and open spaces and countryside management.
6.3	The development on Riverside is totally inappropriate. Consultant reports suggest that the best solution would be the removal of hot spot contamination resulting in informal marshes and wetlands. Instead the site is to be concreted over with implications as a natural drainage resource.	As set out in 2.2 above, the necessary remediation of the site has been specified as part of the planning process. Planning conditions also included for a drainage plan for the site, which includes a required specification for the construction which accounts for and mitigates against flood risk.
6.4	Clarification is required on the plans / maps of the present and future uses of the East Street site.	The buildings and the use of space within the East Street development are all set out clearly in the planning application

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	No indication is given for the public of existing and future uses.	documents, which are available to the public on Waverley's website.
6.5	The planning proposals are now very much out of date.	The planning merits of the scheme are not a valid consideration in relation to the appropriation of land by the Council.
7	Iain Lynch, Town Clerk on behalf of Farnham Town Council	
7.1	Farnham Town Council wishes to acquire areas of land from Waverley bought by Farnham residents and the former UDC including Borelli Walk and Gostrey Meadow to safeguard the public rights of access in perpetuity.	Noted.
8	David Beaman, Farnham Town Councillor (personal capacity)	
8.1	Farnham Town Council was not consulted directly by WBC regarding the notice process for the appropriation of land.	The plans and accompanying documents were made available at the Farnham Locality office.
8.2	Farnham Town Council wishes to acquire areas of land from Waverley bought by Farnham residents and the former UDC including Borelli Walk and Gostrey Meadow to safeguard the public rights of access in perpetuity.	Noted.
8.3	WBC needs to be completely sure that the East Street development is viable before proceeding with the appropriation.	Appropriation is a technical matter entailing no risk to the Council or the tax payer. Waverley has clauses within the development agreement that protect its interests by requiring a viability and funding test to be satisfied before disposal of the land will take place.
8.4	Any continuation with the appropriation and leasing there should now be a final consultation with the residents of Farnham on the proceeding of this particular development.	The town councillor's view is noted.
9	David and Anne Cooper	
9.1	Sports facilities (The Bowling Club) should be reinstated.	The loss of the Bowling Club was considered as part of the planning

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		considerations relating to the East Street development, and it was considered that there were suitable alternative bowling clubs in Farnham to cater for the public's requirements.
9.2	The burying of the overhead cables at Riverside will disturb the contaminated land and endanger the River Wey.	The specialist contamination report prepared for the discharge of planning conditions on Riverside identified specific areas of contamination. These will be accounted for in any construction works on site. All contractors working on the site will be required to take necessary precautions for the proper control of any contamination identified.
19	Nigel Morley	
19.1	The East Street redevelopment plan is in need of wholesale revision. Since the original plans there has been a massive shift in the financial position of national and local government and a complete change in the nature of demand for both housing and retail provision.	The current layout and mix of commercial and residential units gained planning approval in 2008. Since that date periodic assessment has been carried out by property consultants, DTZ who were happy with the mix of provision.
19.2	The original plan was completely out of scale and character with Farnham and completely out of touch with the wishes of residents.	The planning merits of the scheme are not a valid consideration in relation to the appropriation of land by the Council.
21	Noel Moss	
21.1	I believe the East Street development has been overtaken by events, e.g the rapidly changing shopping habits of the nation.	As noted above, market specialists DTZ do not share this view.
21.2	The three rights of way through the area are for local utility and recreation use. They also form an extension to the North Downs and Greensand Ways. These paths are sacrosanct.	The diversion of footpaths crossing the development has received the approval of the Secretary of State following the making of the necessary Diversion Orders.
21.3	The landscape of the river corridor will be devastated by the currently approved high blocks of flats within feet of the river and loss of tree	This is a comment on the planning application, not the appropriation.

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	screening along the A31. The construction work and associated human activity will greatly disturb the wildlife.	
26	Jerry Hyman	
26.1	The planning consent for Riverside is temporary until 7 May 2013. The September 2011 WBC Car Parking Review states that the Riverside 2 car park extension is not required.	The planning consent for Riverside has been implemented. Condition 5 of the planning consent imposes a time limit on the parking spaces. If the parking is needed after that date, then it is open to the Council to submit an application to extend the time limit.
26.2	Objection to land identified for CPO and lease, currently the bus stop, because the development revolves around traffic plans that when corrected will require the bus stop to remain present.	The land where the bus stop is currently situated is identified for compulsory purchase as it is needed for the development. This is not, however, envisaged that this will affect the position of the bus stop post-construction.
26.3	The East Street development at Brightwells, Riverside and Borelli Walk sites is subject to review as the EIA planning process is technically uncompleted and further planning applications are due for submission and the Riverside enabling works have only a temporary consent (at best).	This statement is incorrect. The schemes have valid planning consents.
26.4	Documents confirming the development proposals to be unlawful are being suppressed and / or denied by the Council.	This is not the case. The development proposals are lawful.
26.5	The FOI Commissioner has previously found the Council to be 'wrong' to refuse to release East Street financial information to the public.	The FOI Commissioner made a number of recommendations several years ago, which WBC complied with in full.
26.6	Relevant request for information under the FOI Act and the Environmental Information Regulations have been denied. Relevant Formal Public Questions to the Council have either been refused on spurious grounds or remain unanswered.	This point is not accepted. The respondent has recently submitted an FOI request, which has been answered, and has on many occasions taken advantage of Waverley's public question processes, only being refused questions when they have been considered to be defamatory or have been asked before.

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26.7	<p>Since the area of Riverside was included in the Farnham Park Mini Plan, permission (planning) has been granted for use as a tennis club and car park.</p> <p>The Mini Plan concludes 'it is evident from the assessment of other sites that the number of alternatives to Farnham Park is very limited'. It would appear perverse that the Council's approach to satisfying the highest level of planning law which requires more open space in the town is at variance to the appropriation of access rights and disposal for the East Street development which seeks to unnecessarily extinguish public access over valuable open space.</p>	<p>The adopted Avoidance Strategy, which superseded the Miniplan does not include Riverside.</p> <p>Riverside is not required by Waverley as SANG. Waverley's SANG requirements for Farnham are currently being satisfied through the long-term improvement of Farnham Park.</p>
28	Michael Thurston	
28.1	The development contract reached the stop date on 31 December and no extension was requested or granted.	This is correct; however, it is not correct to assume that the long-stop date brings an automatic end to the contract.
28.2	Riverside is an enabling development for East Street. Therefore, the EIA is incomplete and casts doubt over the validity of the 2008 Planning Permission.	The Riverside permission is valid and has, in any case, been implemented.
31	Stephen Cochran	
31.1	Sports facilities are being removed from the town centre (currently a form of self-policing).	The Tennis Club facilities are being transferred only 500 metres or so from their present position.
31.2	Riverside is in the flood plain and is contaminated land but still a green lung for the town. Water levels will be aggravated by large expanses of concrete and run-offs.	Flooding issues were carefully considered at the time and conditions imposed on the planning permission.