

April 2012

THE WAVERLEY BOROUGH COUNCIL

(EAST STREET, FARNHAM)

COMPULSORY PURCHASE ORDER 2011

TOWN & COUNTRY PLANNING ACT 1990

ACQUISITION OF LAND ACT 1981

AND

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

STATEMENT OF REASONS

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1. Introduction: Purpose of this statement

- 1.1 On XX May 2012 Waverley Borough Council (the "Council") made the Waverley Borough Council (East Street, Farnham) Compulsory Purchase Order 2012 (the "Order") The Order was made pursuant to the Council's resolution of XX May 2012. (dates to be completed following Council resolution)

2. Background

- 2.1 The order lands or part of a larger area of land extending to 3.95ha and contains a variety of buildings and land uses. Many of the buildings are vacant and boarded up and some have been demolished. The following describes the principal elements of the site and surrounding streets:

- 1 The former Regal Cinema off East Street was a very substantial brick building constructed in the 1930's. It was demolished a number of years ago and is now used as a temporary car park.
- 2 The Redgrave Theatre – built in the early 1970s as a modern addition to the Listed Brightwell House it has been disused for ten years and is boarded up.
- 3 Dogflud Car Park provides 215 spaces for public use on a 'pay and display' basis. It is a car park for both the Town Centre and Leisure Centre users.
- 4 Brightwell House is a two-storey grade II listed building to which was added the modern theatre. Many of its historic features were destroyed or removed and it is unused and has been boarded up.
- 5 Brightwell Gardens and the former bowling green were originally part of the historic curtilage of Brightwell House. Parts of the old brick garden wall still remain within what is regarded as the curtilage of the listed building.
- 6 Four Tennis courts and a clubroom.
- 7 Farnham Bowling Green and Bowls Club, like the tennis courts is an unusual space in the heart of a town. The clubhouse is a single storey prefabricated flat roofed building. The Bowls club has closed and the bowling green is now disused. It is regarded as being within the curtilage of the listed building.
- 8 Brightwell Cottage is a single storey dwelling built of random coursed chalkstone with brick quoins under concrete plain tiled roof. It is in a poor state of repair, demonstrated by a collapsed chimney and is boarded up. It is in an isolated position surrounded by car park, public space and the site of the former bowls club. It is regarded as being within the curtilage of the listed building.
- 9 The informal treed green space close to the River Wey is dominated by the large 4m high embankment that hides the presence of the river from the site. It nevertheless provides a green backcloth to this part of the town.
- 10 The Marlborough Head Public House.

3. The Power of Compulsory Purchase

- 3.1 The Council is empowered to acquire land compulsorily for planning purposes under section 226 of the Town and Country Planning Act 1990.

4. Outline of WBC's purpose in seeking CP of the order lands - the East Street Scheme

- 4.1 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (See Paragraph 17 of circular 06/04 (document 46) which justifies the overriding of private rights in the land sought to be acquired. It is considered that a compelling case exists here.
- 4.2 The Council is seeking to assemble in its ownership the land included in the Order to allow implementation of the East Street Farnham regeneration ("the scheme").
- 4.3 The scheme comprises a mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping and a replacement facility for the existing 'Gostrey Centre'
- 4.4 Planning consent for the Scheme was approved at Waverley's Joint Planning Committee on 1 October 2008 and following completion of the Section 106 agreement the decision was issued on 6th August 2009.
- 4.5 The sites forms part of the Farnham East Street Area of opportunity identified in the Waverley Local Plan 2002 where opportunities exist for beneficial development. The proposed development is derived from the Council's Planning Brief approved in February 2000. The Planning Brief followed the identification of the East Street Area of Opportunity in the Waverley Borough Local Plan and set the following objectives for the area:
- 1 Ensure the proposals are of an appropriate scale and of the highest quality of design, so that they will positively contribute to the local townscape.
 2. Secure a balanced mixed use of appropriate Town Centre uses, to inject life and vibrancy into the area.
 3. Ensure that a significant area of landscaped public open space is retained, running through the core of the site.
 4. Improved pedestrian linkages between the site and the central area.
 5. Ensure that revitalisation can take place within a reasonable time scale and in a co-ordinated manner.

6. Enable improved public transport facilities and access to be provided to serve the East Street area, as well as the central area.
- 4.6 The Council already owns the freehold of the majority of the application site. The parcels of land which it does not own are set out on the Plan attached at Appendix 1 marked as Plots 1, 2, 3 and 5. The Council and the Developer have been in discussions with the owners of Plot 2 and 5 with the aim of acquiring the interests in these site by agreement. It is clear however that acquisition by agreement is unrealistic without CPO. If implementation of the Scheme is to be achieved within a realistic timescale compulsory acquisition of those interests will be necessary.
- 4.7 The Council has consequently made the Order to secure the outstanding interests required to enable implementation of the Scheme necessary to achieve the Council's adopted policy objectives and meet the identified need. Discussions will however continue with owners of relevant interests who are willing to sell by agreement at the market value, in accordance with the compensation code, with a view to limiting the number of interests which need to be acquired compulsorily. The approach adopted by the Council is in accord with the advice contained within Circular 06/04.
- 4.8 On confirmation of the Order, the Council intends to either serve a Notice (or Notices) to Treat or execute one or more General Vesting Declarations, in order to secure unencumbered title of the Order Land.
- 4.9 In order to secure implementation of the Scheme, the Council has agreed to work in partnership with Crest Nicholson Regeneration Ltd ("the Developer") and Sainsbury's Supermarkets Ltd, with whom the Council has entered into a development agreement

5. The Council's justification for Compulsory Purchase

- 5.1 The Borough Council has a longstanding aspiration to secure the Regeneration of the East Street area of Farnham. Farnham is Waverley's largest town but is tightly constrained by its historic centre and road network. This site provides a unique opportunity to realise the development necessary to meet the town's economic and social needs. The use of the compulsory purchase power in section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire land which is suitable for and required to secure the carrying out of development, redevelopment or improvement is appropriate in the circumstances, having regard to these long term aspirations as manifested in the development plan and the planning history of this site.
- 5.2 The Council is satisfied that the development which will be carried out pursuant to the Order will contribute to the achievement of the promotion and improvement of the economic, social and environmental well-being of Farnham as envisaged by Section 226 (1)(a) of the 1990 Act.

6.0 The Purpose of the Order

- 6.1 The purpose of the Order is to enable the comprehensive implementation of the Scheme which, in the opinion of the council, would meet its planning and regeneration objectives within a realistic timescale.
- 6.2 The Scheme is needed to bring vacant sites and buildings back into use, to improve and re-use buildings of historic interest (Brightwells House); to provide attractive linkages across the Town Centre and enhance the vitality and viability of an extensive area of the Town Centre.
- 6.3 General economic benefits will arise from the proposed retail development and leisure facilities (including a cinema) bringing vibrancy to this part of Farnham and helping to maintain the viability of the town centre in the face of increased competition from other town centres in the area.
- 6.4 The residential development will provide much needed affordable housing in an accessible location while avoiding unnecessary development on greenfield sites.
- 6.5 The development will provide a town square and public gardens which will enhance the character of the area together with the restoration and provision of a new use for the listed Brightwells House. In addition the development delivers enhanced cycle and pedestrian links across the town centre with a comprehensive package of traffic measures to improve accessibility in and around the town centre.
- 6.6 Other benefits include a replacement community centre as part of Building D20, and a package of sustainability measures including Combined Heat and Power.
- 6.7 Compulsory purchase is essential to enable the Scheme to take place and the Council to achieve its policy objectives. Whilst the Council is freeholder of most of the site, it is not in a position to ensure that it can obtain vacant possession of all the land required without the power of compulsion.
- 6.8 Compulsory purchase will enable redevelopment to take place in a timely fashion in order to derive the wider public benefits the Scheme will secure and the realisation of the Council's objectives. In principle compulsion is, therefore, considered to be not only necessary but justified in the public interest.
- 6.9 If Compulsory purchase is not achieved then a fundamental redesign of the proposal would be required to reflect the smaller area in the Council's ownership. This would have two consequences, firstly it would delay significantly the much needed redevelopment of the area and secondly result in much reduced scheme, which would not achieve a comprehensive redevelopment and result in considerably less benefit to the town. A new frontage to East Street would not be possible resulting in the loss of one of the main benefits of the scheme, which would be to introduce a new vibrancy to East Street with enhanced pedestrian links from it to the core of the site. It would not resolve the future of the site of the former Regal Cinema which is unsightly and, together with The Woolmead, detracts significantly from the appearance of this part of the town centre.

7. The Order Lands

- 7.1 The Council has given very careful consideration to the reasons as to why it is necessary to include each parcel of land shown on the Order Plan. The freehold owners, affected by the proposed compulsory purchase orders have been invited to enter into discussions with the Council and/or the Developer with a view to agreeing appropriate terms for payment. It is envisaged that the decision to make the compulsory purchase order will encourage affected parties to become more engaged and actively seek to agree terms for compensation.
- 7.2 The Council is satisfied that there is a compelling reason for acquiring the Order Land in the public interest which outweighs the effect of acquisition on individual rights. It is considered that the case meets the requirements of Paragraph 17 of Circular 04/06 (document 46), domestic legal requirements and the requirements of the European Convention on Human Rights (ECHR)
- 7.3 Plot 1 comprises an area of open land of 69 square metres adjacent to The Woolmead . The site accommodates the north western end of Block (D6) which comprises retail and residential uses on three floors and a mezzanine. The land is needed to complete assembly and allow for implementation of the development.
- 7.4 Plot 2 comprises an area of land of 2088 square metres at the north western end of the site. The site accommodates the majority of Block D6 and D11 which comprises retail and residential uses on three floors and a mezzanine, the pedestrian link from Woolmead to the New Town Square and the central core of the scheme. The site is currently in use as a temporary car park and is the site of the formal Regal Cinema. The land is needed to complete assembly and allow for implementation of the development.
- 7.5 Plot 3 comprises an area of open land of 60 square metres directly to the north west of Brightwells House. It is needed to facilitate the development of Block D6 – see para 7.3. The land is needed to complete assembly and allow for implementation of the development.
- 7.6 Plot 4 comprises an area of open land of 123 square metres hectares at the southern end of Cambridge Place. The site is proposed to accommodate the south western end of Block 21 which comprises retail uses on two floors. The land is needed to complete assembly and allow for implementation of the development.
- 7.7 Plot 5 comprises an area of land of 779 square metres adjacent to the Woolmead, It is currently occupied by the Marlborough Head Public House. The site is proposed to accommodate Block D14, which comprises two storey retail uses.
- 7.8 All the plots are necessary to achieve implementation of the permitted scheme. Plots 2 and 5 are required to accommodate key parts of the development which are crucial to its successful integration into the town centre by providing frontage development to Woolmead and a pedestrian access from Woolmead into the scheme. Without these key elements the current scheme would be unimplementable and would require a radical redesign which would reduce both the retail and residential provision and not help deliver the regeneration of the

Woolmead. Plots 1, 3 and 4 are smaller in size but the scheme could be not be delivered in its current form without those parcels of land being included.

8.0 Description of the Scheme

8.1 The proposal provides for a mixed-use redevelopment of the site and includes:

9,814 sq.m. of new retail, cafes, restaurants and bar floorspace;

239 new residential properties, comprising:
167 for private sale (70%);
36 affordable shared ownership (15%); and
36 affordable rental (15%).

A modern multi-screen cinema complex (approx. 900 seat);

New public open space areas including a new town square;

Landscaped garden areas;

Provision for a new Gostrey/Community Centre;

New surface, basement parking facilities and a multi-storey car park with the provision of 426 car parking spaces including 3 spaces for use by a Car Club.

8.2 The development, has the following elements:

- The provision of new retail units of a size and layout to complement the existing Town Centre stores.
- Creation of a circular route for shopping pedestrians, which starts at The Borough, travels along East Street, down through the scheme to the New Town Square and then on back to South Street and up to The Borough.
- Residential accommodation within the town centre to respond to sustainable development principles and reduce the reliance on the car.
- Improving the visual environment and first impressions of Farnham Town Centre when approached from the east via Dogflud Way.
- The creation of a 'green finger' through landscaped gardens from the river up into the heart of the new development to the 'Town Square' and town centre
- The provision of a bridge over the River Wey to link the new green space at the heart of the scheme to Borelli Walk on the south side of the river.
- The creation of a more attractive connection between the town centre and the Leisure Centre.
- The creation of a pedestrianised quarter by placing all cars below ground and in a new multi-level car park.
- The provision of larger retail, cafe / bar units, which cannot easily be accommodated within historic buildings within the existing Town Centre
- Creation of a high quality public realm for use during a wider period of the day and by a wider age group.
- Contributing to making East Street predominantly pedestrianised

- 8.3 The design of the proposed development takes the form of groups of buildings with individual characteristics rather than a common rhythm or design. The approach has been to meld traditional building forms to be found in Farnham and create a pattern of new car free 'streets' and spaces that create an addition to the townscape that reflects Farnham's historic qualities. The layout is not a copy of the historic "grain" of the town. The design is not pastiche but is a modern interpretation of building tradition that embraces 21st century planning philosophy in creating a sense of place as a complement to the historic market town. The architectural form and style is thus very different to earlier proposals that had a contemporary feel and more uniformity in mass
- 8.4 The developers have based the layout on their analysis of Farnham's street and yard pattern. The proposed scale and mass of buildings and the relationship with the space for roads and pathways creates an urban "grain" similar in size to other blocks in the core area of the Town. The scheme includes a mix of uses and a variety of block sizes, which range between small size double-aspect residential blocks with street servicing, to larger blocks of retail and leisure activities with residential units above. The development would have pedestrian links to East Street, Cambridge Place, Sainsburys, Brightwell Road, the River Wey, Borelli Walk, the leisure centre and 40 Degreez.
- 8.5 The architecture draws on traditional building materials found in the locality and reflects the variety of the built environment in terms of its character, height and mass and the public facades within the development would use traditional materials and detailing, whilst the private and more secluded areas of the development are designed in a more contemporary way.
- 8.6 The main vehicular access would be from Dogflud Way. This would provide access to the public and residents parking area. Vehicular access for servicing would be provided by widening Brightwells Road. 426 car parking spaces are to be provided on the basis of 183 public parking spaces and 240 spaces for the residential units and 3 spaces for the car club. Secure cycle storage is provided throughout the development for both residents and users in accordance with the relevant County Standards in 'The Parking Strategy for Surrey'.
- 8.7 The 'town square' and new Brightwell Gardens are key features along with the rejuvenated north bank of the River Wey. The 100 trees on the site have been assessed and a tree condition survey and arboricultural impact statement produced. The majority of the trees being lost have been assessed as being of low quality and little value and having a short period of life. The proposed development includes a comprehensive landscaping masterplan including hard and soft landscaping and new tree planting. The plan indicates the planting of at least 102 trees.

9.0 Securing Implementation of the Scheme

- 9.1 On 22 April 2003 the Council entered into a development agreement with Crest Nicholson Regeneration Ltd (“the Developer”) and Sainsbury’s Supermarkets Ltd to secure implementation of the Scheme. There is an associated CPO Costs Indemnity Agreement with Crest Nicholson underwriting the costs to be incurred by the Council in acquiring the Order Land.
- 9.2 Crest Nicholson Regeneration Ltd is a wholly owned subsidiary of Crest Nicholson PLC, one of the UK’s leading residential and mixed use development companies.
- 9.3 Crest Nicholson Sainsbury’s wishes to proceed with the Scheme as soon as possible. The Council, having taken professional advice, is satisfied that the Scheme is viable, the Developer has the financial resources to deliver it, and that upon completion of site assembly there will be no other impediments to implementation of the Scheme.

10. The Planning position

- 10.1 A number of planning applications have been submitted for the redevelopment of the site. The approved scheme was submitted under reference WA/2008/0279 and was approved at Waverley’s Joint Planning Committee on 1 October 2008 with the detailed conditions and Heads of Terms of the Section 106 agreement agreed at the meeting of the Joint Planning Committee on 29 October 2008. Following completion of the Section 106 agreement the decision was issued on 6th August 2009.
- 10.2 Listed Building Consent (reference 2008/0280) for alterations and demolition was approved at the meeting of the Joint Planning Committee on 1 October 2008 with the decision issued on 9th October 2008. This expired on 9 October 2011. However a fresh application for listed building consent was approved on 13 September 2011 (WA/2011/1215).
- 10.3 The Development Plans are the Waverley Local Plan 2002 and the South East Plan 2009.
- 10.4 Between the consideration of the planning application by the Council’s Planning Committee of the scheme in October 2008 and the issuing of the decision notice in August 2009 the Development Plan framework changed. The Surrey Structure Plan was deleted and the South East Plan adopted. At the time the planning application was considered by the Joint Planning Committee the South East Plan was at an advanced stage and the draft Plan was treated as a material planning application in the assessment of the proposal. The relevant Development Plan policies are listed in the appendices.
- 10.5 The regeneration of the East Street area first emerged as a potential project in the late 1990s when the informal East Street Group, which involved elected members and others, considered opportunities for improving the eastern sector of Farnham. This prompted the Council to adopt a planning-led approach. The principal stages have been:

- Council decision to investigate
- Action Planning workshop and exhibitions facilitated by Nick Wates (assisted by John Thompson Architects): to tease out community aspirations in November 1997.
- Appointed PRP Architects to prepare a concept masterplan to provide form to those aspirations. A further public consultation followed in March 1999.
- The masterplan was then distilled down to its underlying principles to form the basis of a Planning Brief for the area.

10.6 In February 2000, a Planning Brief for the site was adopted by WBC as a framework to guide the co-coordinated redevelopment of the area. It constituted supplementary planning guidance (SPG). Paragraph 1.2 of the Planning Brief explained that the Area of Opportunity

“extends to approximately 5.4 hectares but the area with potential for development is significantly smaller due to site and planning constraints”.

Paragraph 4.2 stated that:

“the more immediate development opportunities relate to the vacant Iceland site fronting East Street and, to the rear, the interior of the brief area.”

- 10.7 The Planning Brief was not included as a supplementary planning document (SPD) in the Council’s Local Development Scheme of December 2007 as there was no relevant policy that could be saved.
- 10.8 The WBLP was adopted in April 2002 and formally identified the area as the ‘East Street Area of Opportunity’. Attached as Annex IV are the relevant extracts of WBLP. In the same month, the Council issued a Development Brief for the site, which drew on the earlier Planning Brief, and began the tendering process to find a development partner. The Development Brief itself is not (and never was) supplementary planning guidance but rather a basis for considering proposals from prospective developers. It includes some relevant planning principles but carries no statutory weight in the consideration of the application.
- 10.9 Local community involvement through workshops, the Urban Design Forum, public exhibitions and extensive consultation ensured that local people were able to contribute ideas for the future of the area from the earliest stage. Following the selection of Crest Nicholson Developments Limited and Sainsbury’s Supermarket Limited (CNS) as the preferred development partners, further rounds of consultation continued with the public and key stakeholders, including the South East Regional Design Panel and Waverley Borough Council Consultative Forums.

- 10.10 The applicants formulated a Masterplan for the area and have sought to maintain the key principles of the original Brief - in particular, to form an integrated extension to the town of a design and quality appropriate to this important historic town.
- 10.11 The current scheme does not extend across the full extent of the Area of Opportunity identified in the Local Plan. The difficulties in achieving a development across the full extent of the Area of Opportunity was acknowledged in the Planning Brief adopted in February 2000 (see para 4.2). This noted that in the short term the priority should be refurbishing Woolmead while in the longer term there may be opportunities to redevelop this visually prominent island site with a development of improved quality. The fact that the redevelopment of Woolmead does not form part of the current application does not undermine the long term aspiration of the Council to see its redevelopment. The site is separate and discrete from the current scheme with public highway between it and the East Street Regeneration development site.
- 10.12 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and took immediate effect. The NPPF is highly material to any assessment of the planning merits of the scheme. Planning law still requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material consideration in decision-making on planning applications.
- 10.13 The East Street regeneration is consistent with the Government's ambition for the planning system as follows:
- the planning system should do everything it can to support and encourage economic growth (19).
 - The NPPF gives very significant emphasis to promoting competitive town centre environments (23). It expects Councils to recognise town centres as the heart of their communities and pursue policies to support their vitality and viability. Town Centres should provide customer choice and a diverse retail offer reflecting the individuality of town centres. Sites are expected to be allocated to meet the scale and type of retail, leisure, commercial, tourism, community and residential needed for town centres (23)
 - The East Street regeneration delivers on the Government's expectations for good design (56) for reasons set out elsewhere in this statement. It also reflects the expectation that Councils should plan positively for high quality and inclusive design on all development including individual buildings, public and private spaces
 - Overall the Council's desire to secure the comprehensive redevelopment of an under used town centre site meets the Government's express intent to deliver sustainable development in a timely way which meets social, economic and environmental objectives.

11. Special Considerations – Listed Buildings

- 11.1 The only listed building within the site is Brightwell House and the attached former theatre. Some of the former garden walls remain in situ but are not statutorily listed and the separate Brightwell Cottage is a locally listed building.

None of the application site is within Farnham's Conservation Area but elements of the site are in close proximity.

- 11.2 The proposed development retains the original Brightwell House and involves the demolition of the former theatre, old garden walls, Brightwell Cottage, bowls clubhouse and public toilets.
- 11.3 The approach to the restoration and conversion of Brightwell House is to remove the former theatre built in the early 1970s and then restore the remaining historic part of the building, reinstating historic features where appropriate. The building will be extended to form restaurant space to the north and west, in a contemporary style. This serves to give definition to the original building particular, as it is a focal point of the development on both the town square and park. The extension will also mask the break in the building caused by the removal of the original service wing. The new use for Brightwell House is aimed at providing a long-term economic future for the building and its role as a centrepiece for the redevelopment of East Street will be an incentive to keep the building well maintained.
- 11.4 Brightwell House was statutorily listed in 1972 and a revised description issued in 2002. The former theatre is not given any prominence in the description. The house itself is a locally important example of a substantial 19th century house and garden built in a semi rural location. It gives historic context to the development of the eastern side of Farnham but the historic qualities of the house and garden have been compromised by the construction of the theatre and surrounding development. Many important external features have been lost, including the hipped roofs over the bay windows to the south elevation and all the chimneys. Internally, many historic details have been lost as a result of the addition of the theatre. The internal layout has lost many of the original fireplaces and part of the existing staircase. The extent of the original garden is reflected by what remain of the brick boundary walls. However, the majority of the original garden layout was lost to the bowls club.
- 11.5 The former Redgrave Theatre is a large red brick flat roof building in an uncompromising 1970's modernist style. The position of the building corresponds to the location of the original Brightwell House service wing and small northwest garden. By virtue of its use as a theatre there is very little fenestration with the result that external elevations are mainly an unrelieved mass of brickwork completely obscuring the west and north elevations of Brightwell House. On the other elevations the contrast between the former theatre and Brightwell House does little to respect the original historic building. The loss of the former theatre would have no adverse consequences for the architectural or historic integrity of the original building. On the contrary the removal of the former theatre and its replacement by a lightweight subservient structure would serve to give emphasis to Brightwell House in its new role as a focal point or centrepiece to the development.
- 11.6 English Heritage did not object to the demolition works or the refurbishment and extension proposals and left the applications for local determination.

11.7 Apart from the gardens and the two mature trees that frame the south elevation, there is nothing particularly attractive or worth preserving in the current setting of Brightwell House. The new use for Brightwell House fits well with the overall development proposals that create a new setting.

11.8 None of the development falls within the Farnham Conservation Area but buildings D1 and D14 lie close to its boundary. The widening of Brightwells Road also lies close to the boundary of the Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on the planning authority that:

“special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”

11.9 PPS5¹ advises that this general duty also applies to development proposals outside a conservation area but would affect its setting or views into or out of the area. In terms of “special attention” it is considered that neither the temporary car park nor the outbuildings enhance the existing character or appearance of the Conservation Area and there is nothing about those elements that is worth preserving. It should be noted that the duty is written in the alternative “preserving or enhancing”

11.10 The material planning issue is whether the proposals for 2 and 3 storey buildings on the site of the former cinema and outbuildings at the rear of the Marlborough Head preserve or enhance the adjacent Conservation Area. It is considered that the first duty – preserving – has been discharged. In terms of the second duty PPG15 advises that:

“Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but they should be designed with respect for their context, as part of a larger whole which has a well-designed character and appearance of its own.

11.11 The widening of Brightwells Road lies close to the boundary of the Conservation Area and involves the loss of 3 street trees that also lie outside the Conservation Area. The loss of these trees is an essential element of the scheme and the overall enhancement through the development is considered to outweigh the loss of those trees.

¹ The National Planning Policy Framework (NPPF) replaced PPG 15. The principles for assessing the impact on Conservation Areas has not changed in the NPPF and the above analysis remains valid

12.0 Other Considerations

Thames Basin Heaths SPA

- 12.1 East Street, is located approximately 2.5km south of the Thames Basin Heaths Special Protection Area (TBH SPA) and Sites of Special Scientific Interest. The impact of the proposed development upon the SPA - in particular the interests of the protected species: Woodlarks, Nightjars and Dartford Warbler as well as other ecology issues was fully assessed as part of the EIA process. In February 2007, WBC adopted a Mini Mitigation Plan pursuant to its legal obligations under the Natural Habitats Regulations. The Miniplan is a material consideration in the determination of planning applications. The Council replaced this with an Interim Avoidance Strategy in December 2009. Both the Mini Plan and the Avoidance Strategy proposed the use Farnham Park as Suitable Alternative Natural Greenspace to avoid adverse impact on the TBHSPA.
- 12.2 The Miniplan had the support of Natural England who produced their own Draft Delivery Plan (May 2006) aimed at safeguarding the SPA through developing and establishing a strategic, sub regional approach to mitigate the impact of housing across all 15 local planning authority areas affected by the SPA, consistent with the law and planning policies. This was reflected in the South East Plan adopted in May 2009 which set out the policy framework for Local Planning Authorities.
- 12.3. Under the Habitats Regs, Waverley Borough Council is the 'competent authority' to consider applications for development which are 'likely to have a significant effect upon a European Site', of which the TBH SPA is one. On completing a Habitats Directive Assessment (which incorporates an appropriate assessment) of such a development proposal, the Council shall agree to a plan or project (such as an application for residential development) only after having ascertained that it will not adversely affect the integrity of the European Site. In this respect the developer followed the recommendations and mechanisms contained in the Waverley Mini-mitigation Plan and a financial contribution was secured via the S106 agreement towards the improvement of access and facilities at Farnham Park, located to the north of the East Street site.
- 12.4. Natural England did not oppose the application on the understanding that the proposals are meeting the requirement of the Miniplan, and that there is sufficient capacity of SANG to absorb the additional dwellings.

Former Redgrave Theatre

- 12.5 The former theatre is to be removed. It was closed in 1998, as there was not, in the opinion of the Council, sufficient justification for continued public subsidy for a facility that had become financially unviable. Alternative cultural facilities are now available in Farnham, most notably at The Maltings.

- 12.6 The WBC Cultural Strategy (2003- 2008) did not press for the retention and/or re-opening of the former theatre. The report “What do Theatre Makers Need in Waverley” (March 2007) concluded on page 17 that the only effective solution for professional theatre in Waverley was to focus on the existing facilities at the Maltings, Cranleigh Arts Centre or Haslemere Hall. The Cultural Strategy highlighted that the most valued improvement in Waverley was the development of cinema and theatre provision in Farnham. There was also a desire to see more “Arts in the Parks” during the school holidays and evenings. As a direct response to this requirement, the East Street scheme contains a commercial cinema and has large open areas (such as the new square, the remodelled Brightwell Gardens or the informal performance area by the river) suitable for hosting such outdoor arts events.
- 12.7 A stage facility will be incorporated into the second largest auditorium with appropriate sound and audio visual equipment for, inter alia, lectures, presentations, readings, live music (small combo/string quartet). This will add to the socio-economic and environmental benefits which will arise from the regeneration of the area a leisure facility will be provided that will have wider appeal to the community. the ‘Farnham Healthcheck’ identified the provision of a cinema as the number one priority action for leisure in the town.

13 Other requisite orders

Traffic Regulation Orders

- 13.1. A number of Traffic Regulation Orders (TROs) will be required to deliver the access and servicing strategies required for the Scheme. The Council has examined the overall pattern of TROs which apply to the East Street Regeneration area and is satisfied that, in principle, the changes to orders which would be required would not give rise to any unacceptable consequences. The times of day when entry would be permitted (to improve the pedestrian environment); to change the direction of flow where this suited the overall resultant road network, and to restrict the class of vehicles permitted in certain areas. All of the amendments required will be subject to statutory procedures which include the opportunities for objections to be considered and the Council is satisfied that the changes can be accomplished satisfactorily without detriment to Highway considerations.

Other traffic management matters

- 13.2 The primary vehicular access will be from Dogflud Way, so that the majority of cars using the new public car park would not need to go through the town centre, thus helping to limit congestion. This would also provide access for service vehicles. An additional vehicular access will be provided from Brightwells Road and to/from South Street. It is planned to pedestrianise the whole development. 426 car parking spaces will be provided and pedestrian and cycle access throughout the scheme will be maximized.
- 13.3 The site is located within the town centre and is well served by bus services that stop in East Street, South Street and Woolmead Road. Farnham railway station lies approximately 0.6 miles to the south.

- 13.4 The proposals for the East Street regeneration in terms of land use and transport include revisions to traffic management arising from the East Street pedestrianisation scheme adopted as part of the proposals. Travel Plans are to be introduced to promote use and awareness of more sustainable options for travel and management of parking on and off-site is also suggested.
- 13.5 The implications of the application proposals for the future operation of the town centre transport network have been assessed with modelling work showing that subject to the implementation of a number of junction and other transport infrastructure improvements the network will operate in a satisfactory manner, with an appropriate balance being achieved for pedestrians, cyclists and users of public transport, and drivers, encouragement being given to the users of alternative modes of transport to the private car. The junction of The Borough with East Street, Bear Lane and South Street is expected to operate more efficiently owing to the reduction in turning movements and conflict at the junction. It will retain a reasonable level of service even including the pedestrian stage necessary for continuity of pedestrian movements through the town centre.
- 13.6 The site accesses have been shown to operate satisfactorily and the alterations to the junction between Woolmead Road, East Street and Dogflud Way to introduce traffic signal control have more than sufficient capacity. Traffic signalisation of the Union Road/Firgrove Hill junction is also proposed.
- 13.7 A shared cycle/footway will be provided on East Street between its junction with South Street and Dogflud Way with the section of East Street between South Street and Brightwells Road being one-way eastbound for buses and service vehicles during controlled hours. Cycle parking will be provided for each of the residential units as well as at other locations around the boundaries of the development.
- 13.8 An assessment of the parking situation after the completion of the East Street scheme has been carried out based on the observations of parking in July 2007. The Transport Assessment states that it is likely that the capacity of the car park provided as part of these regeneration proposals will be exceeded and lead to demand for parking on car parks elsewhere in Farnham. The maximum occupancy of all the car parks in Farnham on completion of the East Street proposals in this assessment is consistent with the normal objectives for efficient car park stock management, being in the order of 90% occupancy during the busiest period of a weekday. Approximately twice as much spare capacity will be available on a Saturday. It is therefore considered there will be no adverse impact on the parking situation in Farnham. Implementation of a "Park and Stride" scheme such as has been adopted by Waverley Borough Council and reinforced by the Farnham Town Council Sustainable Town Initiative Study will make more efficient use of these existing car parks, all of which lie within a reasonable walking distance of the town centre. In addition, this likely use of a range of car parks within the town will also promote and use shops, services and facilities throughout the town centre, thereby assisting the integration of the scheme with the retail offer of the town centre as a whole.

- 13.9 Surrey County Council who are the highway authority accept that the Transport Assessment shows that the traffic effects of the development can be accommodated within the existing and proposed improved highway infrastructure making allowance for the traffic management proposals adopted as part of the scheme. The key issues identified by Surrey CC are set out in the Appendices

14. Human Rights Considerations

- 14.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights. There are various Convention rights which may be at issue in the course of the making and leading up to the confirmation or non-confirmation of the Order and in particular Articles 6 and 8 and Article 1 of the First Protocol appear to be relevant.
- 14.2 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations. It is considered that the statutory procedures, which give the right to object and provide for judicial review, are sufficient to satisfy the requirements of this Article.
- 14.3 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. It is considered that any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the East Street Regeneration Scheme.
- 14.4 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and as provided by law. It is considered that the Order will strike a fair balance between the private loss of property and the public interest in securing the implementation of the East Street Regeneration Scheme.
- 14.5 It is not considered that the Scheme and the Order will infringe rights under the ECHR.

15. Views of Government Departments

- 15.1 **Government Office for the South East** – Were formally notified of the application as it is accompanied by an Environmental Statement but made no comment.
- 15.2 **South East England Regional Assembly** - No substantive comments on the basis that the principle of the development has been established through identification in the Local Plan and on the Proposals Map and Supplementary Planning Guidance and The East Street Area of Opportunity Planning Brief. Advice given on avoiding prejudice to or material conflict with the RSS.

- 15.3 **South East England Development Agency** - supports the application, which is in general well aligned to the Regional Economic Strategy.
- 15.4 **English Heritage** - No comment
- 15.5 **Natural England** – No comments to make on the planning application with regard to the SPA on the understanding that the proposals are meeting the requirement of the Interim Avoidance Plan. They welcome the biodiversity enhancement measures and suggest three conditions be applied to any planning permission granted.

Appendix I - the order land

This will be added at the time of publication of the Compulsory Purchase Order.

Appendix II – Copies of planning permissions and listed building consent

This will be added at the time of publication of the Compulsory Purchase Order.

Appendix III

Surrey County Council key issues raised:

- “1) Farnham does experience traffic congestion and suffers from the adverse impact of existing traffic trying to access current parking facilities, perhaps from inappropriate routes, as well as an element of through traffic which is better placed on the strategic network to the east and south of the town. Even a development of this scale, should not be expected to rectify all transport related problems, and should only be required to provide an equivalent mitigation to any net impact it may impose.*
- 2) The development is in the right place in terms of national and local planning policy. All the land uses are those that one would expect to see in a town and community of the size and nature of Farnham. In the wider transport- planning context, this can serve to contribute to the reduction in trip lengths that might currently be taking place to similar facilities further a-field. Although this might not be to the direct benefit of Farnham town centre, it most certainly assists in the wider Local Transport Plan objective of tackling area wide road traffic. It also assists in providing a mixed-use development within a comparatively accessible location, as well as other objectives within the plan.*
- 3) The safety of all highway users is of paramount importance when considering any application, and audits are undertaken at varying stages in the process to ensure that the interests particularly of vulnerable road users are not overlooked.*
- 4) The main transportation element of the proposals provide for the “downgrading” of the western end of East Street (between its junction with Woolmead Road/Dogflud Way, and Bear Lane/South Street) to provide for east bound bus only access along much of its length, together with greatly enhanced pedestrian and cycle facilities. This has allowed for a more pedestrian friendly design of the main junction in the heart of the town where The Borough meets South and East Streets, and potentially paves the way for further initiatives that might reduce the impact of traffic within the historic core. None of the current proposals will prejudice this possibility in the event that there is political and technical support for improving the environment in this way in the future.*
- 5) Linked to this main change in the network has been the need to introduce alterations and improvements to certain key junctions, and these are set out in the recommended “heads of terms for the Section 106 Agreement”. In all cases, junctions will be upgraded to better cater for pedestrians and cyclists and signals will be provided with intelligent bus priority. There will also be a dedicated cycle route into the town centre from the East, along East Street, as well as a route through the site, which provides for cyclists travelling from the eastern side of town towards the station, South Street, and the west.*
- 6) Car parking has been carefully controlled in terms of both numbers and management to ensure that there is not over provision within the congested town centre, and to allow the maximisation of usage of the existing parking stock on the edge of the central area. The development will be expected to meet a significant proportion of the costs of implementing the desired Park and*

Stride Scheme, which was a recommendation of the Town Council's Urban Safety Management study by TRL, and the more recently undertaken Scott Wilson Study for Surrey County Council. The implementation of the scheme will also have the effect of taking traffic out of the town centre, which is currently accessing inappropriate car parks, or searching for spaces.

- 7) The main traffic impacts of the scheme have been modelled by the developer using the "Paramics" software. Paramics simulates a network by modelling actually flowing traffic, and can provide a "live" illustration of how the town might operate over a particular time period, such as one of the peak hours.*
- 8) Three main models were built; a 2012 base model representing the present network, a 2012 base model plus network changes to East Street/ Woolmead Way plus development traffic, and finally, a 2012 base model plus network changes to East Street/ Woolmead Way WITHOUT development traffic. This combination of options was tested to separate out the impact of the development from the network changes, on the understanding that the network changes are potentially a desirable outcome with or without the development.*

The modelling produces the following "headlines"

- The average network speed could be reduced following implementation of the development and network changes by approximately 14% in the am peak and 3% in the pm peak when compared to the current situation. In reality, however, traffic re-assigns to other, less congested routes, and therefore this modelled delay might not be as significant as this. Furthermore, if the development facilitates the implementation of the Park and Stride Scheme, this could further reduce the amount of delays on the network within Farnham.*
- The "with development and network changes model" shows there to be potentially an increase in average journey time travelling, including for buses, south along Castle Hill/ Street and travelling westbound between the junction of Hale Road and East Street to South Street of approximately 170 to 185 seconds per vehicle in the am peak. An increase of approximately three minutes per vehicle on these routes in the am peak needs to be carefully considered, although as stated above, the reality of this may well not be as significant as modelled. In the case of buses, any journey increases should be off set by the intelligent bus priority implemented at traffic signals, and by the significant length of bus priority for eastbound buses in East Street. Journey times along The Borough from Castle Street to South Street, along South Street between East Street and Hickley's Corner and westbound along Hale Road between the Six Bells Roundabout and its junction with East Street, in the am peak, however, remain similar. It is also relevant to realise that in the am peak, increases in journey times are mostly as a result of the network changes, rather than caused by the development itself. The implication of this has to be judged against the specific benefits that the development provides through its junction improvements, the wider package of improvements and contributions made by the development, and the facilitation of possible further traffic reduction in the town centre in the future. The pm journey delays are predicted to reduce, principally due to network improvements being offered and amount to reductions per vehicle of approximately 70 seconds in Castle Hill/Street and 5*

seconds on Hale Road, East Street and South Street.

- *In general terms, the development trips have a greater impact in the pm peak with the alterations to the highway network not causing too much difference to traffic flow compared with the base model. In the am peak, however, the additional significant delay is greatly attributed to the highway changes rather than the trips generated by the development.*
- *These issues and potentially negative impacts have to be carefully considered against the following summary of the transportation benefits and opportunities flowing from the development:*
 - *The improvement of safety and conditions for pedestrians and cyclists at specific junctions,*
 - *the improvement of conditions in East Street, and at the historic core,*
 - *the provision and improvement of routes for cyclists,*
 - *the improvement of facilities for passenger transport users,*
 - *the implementation of a Park and Stride scheme for the town,*
 - *the investigation of further traffic reduction possibilities within the town centre,*
 - *the implementation of bus priority measures at traffic signals*
- *It is the County's view that these direct and indirect benefits sufficiently mitigate the adverse impacts outlined above, although it is accepted that even with these arrangements there will be an increase in delays for some journeys."*

Appendix IV Waverley Borough Local Plan 2002 – relevant extracts:

- 9.61 *The East Street area of Farnham has been identified as one where opportunities exist for beneficial development. There are question marks over the future of prominent sites such as the old cinema site, health centre and Redgrave Theatre. The Area of Opportunity currently under consideration is identified on the Inset Map.*
- 9.62 *The area extends to some 5.4 hectares (13.4 acres) and is within a number of different ownerships. The area available for development would be significantly smaller because there are a number of planning constraints including some attractive buildings (two of which are Listed, including Brightwell House and seven of which are Locally Listed); Brightwell Garden which provides a tranquil open space in the built-up area; and a network of footpaths.*
- 9.65 *Opportunity exists for development in this area to create a high quality townscape to complement that of the adjoining Conservation Area. Farnham is characterised by a mix of building periods and styles. Any development should enrich this distinctive character blending with the existing fabric of the town and providing a varied townscape. New buildings should be appropriate to their setting in terms of scale, massing, design and materials. Elements of public art will be sought as part of any development scheme.*
- 9.66 *It may be possible to relocate some of the open space uses from the site, but it is essential that a significant element of public open space is retained.*
- 9.67 *Urban design concepts which emerged from the Action Planning events with strong support were: -*
- *creation of a “town square” or other form of open space where people can gather;*
 - *creation of a landscaped link to the river and improvements to the riverside path to The Maltings;*
 - *pedestrian priority in part of East Street to improve the shopping environment; and*
 - *redevelopment or refurbishment of the Woolmead development.*

Access

- 9.68 *The movement of people and vehicles around and within the East Street area must be considered as an integral part of the overall movement strategy for the town centre. A Transport Assessment will be required as part of any planning application for substantial development.*
- 9.69 *Proposals should contribute toward achieving the objectives of the Farnham Movement Package. Most important for the East Street Area are the proposals to pedestrianise the western end of East Street by making Woolmead Road two-way and to improve the riverside footpath. The pedestrianisation of East Street would bring substantial environmental benefits for pedestrians and is supported by the Town Council.*
- 9.70 *Development proposals for the East Street area should be compatible with the pedestrianisation of part of East Street. Where appropriate, the developer will be required to contribute towards measures required to achieve the objectives*

of the Farnham Movement Package. The feasibility of incorporating a bus interchange off Dogflud Way should be investigated

Preferred uses

9.71 The Council will support a mix of uses on the site and within individual buildings. These uses should complement those in the historic core of the town, adding quality and variety to the range of services and facilities on offer. The Council will resist uses, which would directly compete with existing town centre uses to the extent that the balance of activity and investment would shift to the detriment of the historic core.

9.72 Strong support emerged from the Action Planning event for a vision of East Street as the cultural/entertainment quarter of Farnham. Leisure uses such as a theatre, cinema, nightclub or arts complex could be the focus whilst restaurants, an hotel and small shops with flats above could provide additional activity. It is likely that additional commercial or residential uses will need to be added to this mix in order for it to be economically viable.

9.73 The network of paths and informal spaces, including the river frontage, within this area and the potential for a high quality townscape will provide a basis on which a successful mix of uses can be built.

9.74 The preferred uses are therefore a mix of: -

- leisure and arts;*
- food and drink;*
- shops;*
- residential;*
- offices;*
- open space;*
- hotel; and*
- public transport interchange.*

Appendix V South East Plan relevant policies

- CC1 Sustainable development, CC2 Climate change and CC3 Resource use - promote sustainable development and mitigation of the forecast effects of climate change through resource efficiency and reduction of carbon emissions across the region.
- CC4 Sustainable Design and Construction - promotes sustainable construction standards and techniques.
- CC8 Green Infrastructure – Local authorities should work together to provide and manage accessible multi-functional green spaces.
- CC6 Sustainable Communities and Character of the Environment - prescribes that actions and decisions associated with development and the use of land should actively encourage the conservation, and where appropriate the enhancement of the character, distinctiveness, and sense of place of settlements and landscapes throughout the region.
- H1 Regional Housing Provision 2006 – 2026 proposes that there should be 250 net additional new dwellings per annum in Waverley.
- H3 Affordable Housing –sets out that LDFs will set targets for the delivery of affordable housing
- H4 Type and Size of New Housing – Councils should encourage a mix of housing types and sizes
- H5 Housing Design and Density- sets out the importance of high quality design, in order to make good use of available land and encourage more sustainable patterns of development and services, higher housing densities are to be encouraged, with an overall regional target of 40 dwellings per hectare.
- T1 Manage and Invest, T2 Mobility Management and T3 Parking T5 Travel Plan and Advice deal with issues of transport at the regional level. The general thrust reflects guidance contained in PPS3 and PPG13,
- NRM1 Sustainable Water Resources and , Groundwater quality - requires that water supply, ground water and river water quality be maintained and enhanced through avoiding adverse effects of development upon the water environment
- NRM3 Sustainable Flood Risk Management - outlines that the sequential approach to flood risk areas set out in PPS25 is to be followed. Inappropriate development will not be permitted in flood zones 2 or 3 areas at risk of surface water flooding or in areas with a history of groundwater flooding, or where it would increase the likelihood of flooding elsewhere, unless there is overriding need and absence of suitable alternatives. Development should incorporate Sustainable Drainage Systems (SUDS), other water retention and flood storage measures to minimise direct surface run-off.
- NRM6 Thames Basin Heaths SPA – new residential development to demonstrate adequate measures to avoid and mitigate any potential adverse effects.

NRM9 Air Quality - outlines ways in which development control can help to achieve improvements in local air quality.

NRM11 Development Design for Energy Efficiency and Renewable Energy - energy efficient materials and technologies to be used to provide at least 10% of the development's energy demand from renewable sources for housing schemes of over ten dwellings and commercial schemes of over 1,000m² and the attainment of high energy efficiency ratings..

NRM12 Combined Heat and Power - promotes the use of combined heat and power, including mini and micro CHP in all developments and district-heating infrastructure in large-scale developments.

W2 Sustainable Design, Construction and Demolition - local authorities should promote the re-use of construction and demolition materials and promote layouts and designs that provide adequate space to facilitate storage, re-use, recycling and composting

BE1 Management for an Urban Renaissance - promotes an urban renaissance and outlines the criteria local authorities should follow in producing their local development framework policies.

TC2 New Development and Redevelopment in Town Centres - Encourages new development and redevelopment in town centres.

Appendix VI Relevant Waverley Borough Local Plan policies

- D1 Environmental Implications – promotes and encourages enhancement of the environment. Development will not be permitted if it results in the loss of or damage to environmental assets, harms visual character and distinctiveness, loss of amenity, levels of traffic incompatible with the local highway network and potential pollution. Development should resolve or limit environmental impacts
- D2 Compatibility of Uses – development will not be permitted if it has a material impact on sensitive uses. Redevelopment will be encouraged where an existing use is causing material detriment to the character and amenities of the area.
- D3 Resources – encourages environmentally innovative schemes that conserve energy and water through location and design and minimises the use of non-renewable resources.
- D4 Design and Layout – high quality design sought that integrates well with the site and surroundings. Development should be appropriate in scale, height and appearance, be of a design and materials that respects local distinctiveness and makes a positive contribution to the appearance of the area, not significantly harm neighbouring properties, pay regard to existing features of the site, incorporate landscape design suitable to the site and character of the area, provide adequate amenity space and provide safe access for pedestrians and road users.
- D5 Nature Conservation – development should take account of nature conservation issues and retain any significant features of nature conservation value, not materially harm protected species or habitat and enhances existing and provides new wildlife habitats.
- D6 Tree Controls – significant trees and groups of trees to be protected and managed. Appropriate new planting to be required.
- D7 Trees, Hedgerows and Development – development should provide for the long-term retention of trees and hedgerows and include new planting.
- D8 Crime Prevention – development should contribute to safe and secure environments and reduce the incidence and fear of crime.
- D9 Accessibility – development involving buildings or spaces to which the public have access should provide or improve accessibility for everyone.
- D13 Essential Infrastructure – development will only be permitted where adequate infrastructure is available or where suitable arrangements have been made.
- D14 Planning Benefits – high quality development will be sought which delivers environmental and/or community benefits. The type of benefits include: affordable housing, improvements to public transport and measures for cyclists, walkers and pedestrians, social and educational facilities, enhancement of the rural environment, public and private recreational facilities, public art and any other facilities that comply with government advice.

- C12 Canals and River Corridors – development will not be permitted that has a detrimental effect on the visual quality, setting, amenity, ecological value, and heritage interest or water quality of the River Wey. Development should enhance river corridors.
- BE1 Important Green Spaces within Settlements – green spaces within settlements will be retained where they are important for their visual amenity, recreational or ecological value. The loss or reduction in size will not be permitted. The enhancement of such spaces will be encouraged.
- HE1 Protection of Listed Buildings – demolition of listed buildings will only be permitted in the most exceptional circumstances.
- HE3 Development affecting Listed Buildings or their settings – development affecting the setting of a listed building or its setting will be to a high standard. New development should be appropriate and compatible in terms of siting, style, scale, density, height, massing, colour, materials, archaeological features and detailing.
- HE4 Change of use of Listed or Locally Listed Buildings – changes of use will be permitted where it is demonstrated that the use would preserve or enhance the listed building.
- HE5 Alteration or Extension of Listed or Locally Listed Buildings – proposals should include high design standards in order to ensure that the special architectural or historic interest is preserved or enhanced. New development should be appropriate and compatible in terms of siting, style, scale, density, height, massing, colour, materials, archaeological features and detailing.
- HE8 Conservation Areas – the character of Conservation Areas will be preserved or enhanced through retention of buildings, other features, including trees that make a significant contribution to its character. New development within or adjoining conservation areas is to be of a high standard and of a design in harmony with the characteristic form of the area and surrounding buildings in terms of scale, height, layout, design, building style and materials
- HE10 Heritage Features – Heritage features will be protected and conserved by ensuring that new development is located and designed so as to preserve the features and if not possible to minimise damage and disturbance.
- HE14 Areas of High Archaeological Importance – development proposals in such areas should be accompanied by an assessment of the archaeological value.
- H4 Density and size of Dwellings – at least 50% of new dwellings should be of 2 bedrooms or less, not less than 80% of 3 bedrooms or less and no more than 20% of all dwellings shall exceed 165m². Densities below 30 dwellings per hectare will be avoided, densities of between 30 – 50 dph will be encouraged. Higher densities will be particularly encouraged at places with good public transport accessibility or around major transport nodes.

- H5 Affordable Housing within settlements – at least 30% provision for affordable dwellings is required within settlements. For development of a density in excess of 40dph the percentage of affordable housing is at least 25%.
- H10 Amenity and Play Space – residential development will incorporate amenity space adequate for the needs of residents. All dwellings should have access to a usable outdoor area and development incorporating family dwellings should make provision for children’s play.
- CF1 Retaining Existing Community Facilities – redevelopment of community facilities will not be permitted unless the facility is no longer needed or adequate alternative facilities are provided in readily accessible locations.
- CF2 Provision of New Community Facilities – new facilities will be permitted within settlements provided the location is readily accessible, it maximises accessibility to people with disabilities and, where buildings house significant community uses, they are of a high quality design and create a landmark for the community they serve.
- S1 Retail Development Sequential Test – major trip generating retail development should be located within the designated Town Centres.
- S6 Food and Drink Uses – proposals will be permitted where individually or cumulatively such uses would not result in a materially detrimental impact on the character and appearance of the area or residential amenity.
- S7 Shopfronts – a high standard of design is required where the shopfront relates well to the building, including its upper floors.
- TC1 Town Centre Uses – the role of the town centre will be maintained and enhanced as the focus for shopping, commercial and social life. This will be through the retention and encouragement of a mix of uses that contribute to the vitality and viability of the centre
- TC2 Existing Retail Uses – within the central shopping area the loss of retail uses at the ground floor will not be permitted unless certain criteria are met.
- TC3 Development within Town Centres – investment will be encouraged within the defined town centre and development that would improve the attraction of the town centre will be permitted provided it maintains or enhances the quality of the environment and is of an appropriate scale, having regard to the size and character of the town centre and nearby buildings; it does not adversely affect the vitality and viability of the defined central shopping area and improves accessibility for pedestrians, cyclists and people with disabilities and provides satisfactory servicing and parking.
- TC8 Urban Design in Town Centres – development should be of a high quality design contributing to the local distinctiveness of the centre and providing an attractive, safe and secure environment. The policy also sets out a number of criteria that new development will be judged against.

- TC9 Town Centre Enhancement – improvements to the character and setting of the town centre will be sought through enhancement schemes and encouragement of redeveloping buildings or features that detract from the character and appearance of the townscape.
- TC12 Town Centre Access – good and safe accessibility to the town centre by public transport, bicycle and on foot. Accessibility by car and commercial vehicles will be managed to support the vitality and viability of the town centre.
- TC13 Farnham Town Centre Traffic Management – the Borough and County Councils will seek to enhance the environment of the town centre by improving conditions for pedestrians and minimising the impact of vehicular traffic. Traffic management measures will be introduced to improve safety at key junctions. Within the town centre access by modes of travel other than the motorcar will be encouraged. The Council will have special regard to the impact of any significant development proposals.
- TC15 Rear Access and Servicing – the provision of rear access and servicing facilities to both new and existing buildings will be encouraged.
- TC16 Footways and Yards – the Council will seek the enhancement of existing footpaths and yards within town centres as part of redevelopment schemes.
- LT1 Retention of Leisure Facilities – the Council will retain leisure facilities where a clear need still exists for those facilities. Loss of recreational land will be resisted unless suitable alternative provision can be made.
- LT6 Leisure and Tourism development in settlements - permission will be granted for leisure development within settlements provided the scale, character and form are appropriate to the surrounding area and would not be detrimental to residential amenities and access and parking criteria.
- LT8 Sports Grounds and Playing Fields – the loss of sports grounds and playing fields to development will be resisted unless suitable alternative provision can be made.
- LT11 Walking, Cycling and Horse riding – designated rights of way will be safeguarded, protected and enhanced to encourage use by walkers and cyclists. The extension of public rights of way will be encouraged.
- M1 Location of Development – development is to be located to reduce the need to travel, especially by private car and encourage a higher proportion of travel by walking, cycling and public transport. Major trip generating development is to be located in the major settlements.
- M2 Movement Implications of Development – development should provide for safe access for pedestrians and road users, including cyclists.
- M4 Provision for Pedestrians – conditions for pedestrians should be improved by providing or securing safe and attractive pedestrian routes and facilities in urban areas. Development should include pedestrian routes linking to existing

pedestrian networks, open space and local facilities, amenities and public transport.

- M5 Provision for Cyclists - conditions for cyclists should be improved by requiring new development to provide cycle parking and safe, convenient and attractive cycle routes connecting to the Borough-wide cycle network.
- M9 Provision for People with Disabilities and Mobility Problems – the Council in conjunction with other organisations will seek to improve accessibility and movement for people with disabilities and mobility problems through promoting improved access and requiring new development to provide allocated car parking spaces for people with disabilities and young children.
- M10 Public Transport and Interchange Facilities – the Council in conjunction with SCC will seek to retain and enhance public transport and interchange facilities through ensuring that the layout and design of major new development allows for convenient access by bus, provides for the needs of waiting passengers and supporting the provision of improved set down facilities, taxi ranks, secure cycle parking.
- M14 Car Parking Standards – appropriate parking provision to be made having regard to the accessibility of the location to means of travel other than the private car.
- M15 Public Off-Street Parking – additional provision for public off-street parking will only be made where the demand is unlikely to be met by alternative measures and where such additional provision is not in conflict with other policies.
- M17 Servicing – development proposals will be required to make provision for loading, unloading and turning of service vehicles.