

WA/2010/0372
Crest Nicholson Regeneration Ltd &
Sainsbury's Supermarket Ltd
17/03/2010

Variation of Condition 37 of Planning Permission
WA/2008/0279 to omit the requirement for and
provision of a temporary construction access from
A31, but alternatively to require temporary
construction access details and provision from
alternative route prior to commencement of
development (accompanied by addendum to
Environmental Statement) as amplified by e-mail
received 16/04/2010 at Land At East Street,
Farnham

Grid Reference:

E: 484186 N: 146994

Town :

Farnham

Ward :

Farnham Moor Park

Case Officers:

Mr B Titmuss / Miss C Woodhatch

16 Week Expiry Date

06/07/2010

Neighbour Notification Expiry Date

16/04/2010

Neighbour Notification

30/04/2010

Amended/Additional Expiry Date

RECOMMENDATION

That subject to:-

1. compliance with the Section 106 legal agreement entered into in connection with WA/2008/0279
2. completion of appropriate highways agreements referred to in the Council's resolution dated 16.12.2008 to grant planning permission WA/2008/0279
3. the referral of the application to the Government Office for the South East under the Town and Country Planning (Consultation) (England) Direction 2009 and because the application is accompanied by an Environmental Statement and provided that no direction is received calling-in the application for determination by the Secretary of State for Communities and Local Government and
4. the making of Orders, as necessary, for the diversion and stopping up of footpaths under section 257 of the Town and Country Planning Act 1990 (as amended)

Planning permission be **GRANTED** subject to conditions and informatives.

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Appendices

1	Decision Notice WA/2008/0279
2	Summary of the County Highway Authority Response
3	Summary of AEA Review of Air Quality Impact Assessment for Proposed East Street Development, Farnham

Introduction/Background

Members will recall that at the Joint Planning Committee on 01/10/08 they resolved to grant planning permission WA/2008/0279, subject to final Committee approval of Conditions and Heads of Terms of the Section 106 Agreement, for a mixed-use development comprising 9,814sq.m. of retail, restaurant and café-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 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 works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre' and demolition and clearance of the site.

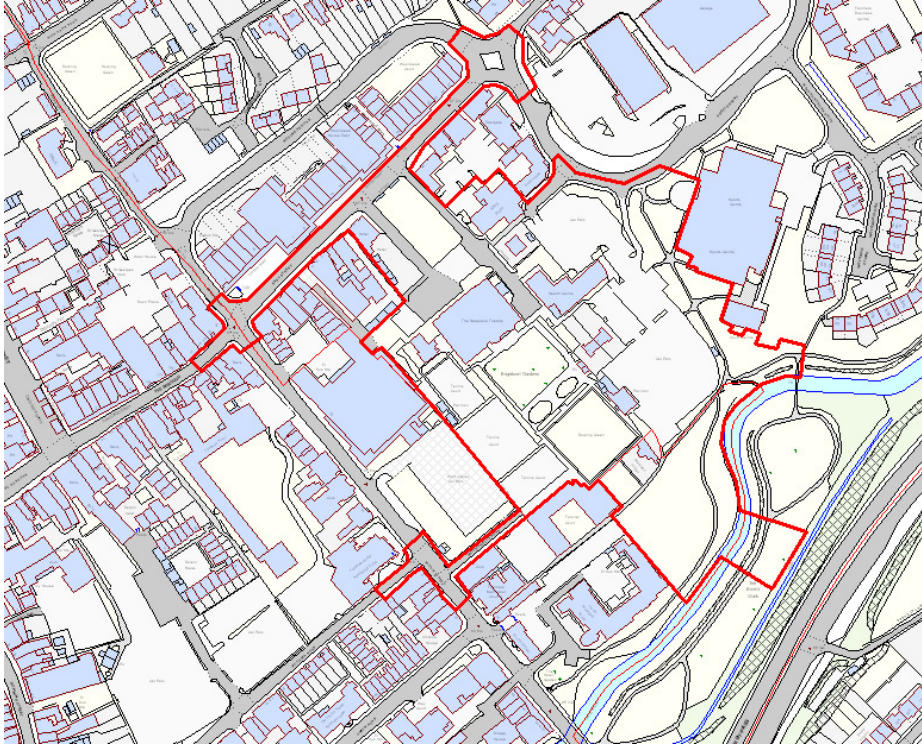
Members subsequently agreed a report on the Heads of Terms and conditions on 29/10/08.

Following the agreement of conditions and the completion of the Section 106 Agreement, the permission was issued on 06/08/09. A copy of the Decision Notice is attached at Appendix 1.

Since that time the applicants have been investigating the provision of a temporary construction access from the A31, in accordance with Condition 37 of WA/2008/0279. This condition is set out in full under "Proposal" section of the report. However, the applicants have come to the conclusion that such an access route is not feasible and therefore this application seeks to vary Condition 37 to provide access from an alternative route using the existing road network.

Whilst planning permission is not required to carry out the alterations to the existing highway or to use the proposed alternative routes, Members would need to be satisfied that, if permission is granted by variation of the condition to provide alternative access, such an access can be provided both in principle and in terms of planning impact sufficiently to warrant setting aside the existing requirement for the A31 access.

Location Plan



Site Description:

In relation to potential temporary construction access from A31 to the southeast of the site

The wooded course of the River Wey lies on the southeast boundary of the application site. The site provides a major green space containing Borelli Walk, a recreational thoroughfare, which runs from the east of the town centre towards South Street and beyond.

To the southeast of the flood plain an embankment, approx. 4m in height, rises up to meet the A31. The bank is treed and provides a visual, noise and pollution barrier to the A31. The bank/trees provide a green backcloth to this part of the town.

The River Wey (photographs illustrate key features)



In relation to Wider Site

The wider site (approx. 3.95ha) contains a variety of buildings and land uses. 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. Brightwell House is a two-storey grade II listed building to which was added the modern theatre. It is unused and has been 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	The two storey Brightwells Gostrey Centre is a functional 1960/70's building.
5	The former Health Centre was a modern flat roofed three storey building formerly offices with attached single storey medical facility. It has now been demolished.
6	Brightwells Gardens – fronting onto Brightwells House and the adjacent bowling green were historically part of the curtilage of Brightwells House. The bowling green is no longer used and has been re-landscaped to allow extended public access. Parts of the old brick garden wall still remain within what is regarded as the curtilage of the listed building.
7	4 Tennis courts and clubroom.
8	Farnham Bowling Clubhouse was a single storey prefabricated flat roof building situated to the eastern side of the green, backing onto Dogflud car park. It has been demolished.
9	Brightwells Lodge Cottage, regarded as being within the curtilage of the listed building, is a single storey dwelling built of random coursed chalkstone with brick quoins under a concrete plain tiled roof. It is situated in an isolated position surrounded by a car park, public open space and the former bowling green. It is disused and is boarded up.
10	A single storey bungalow with flat roofed extension, which was formerly used by the CAB, is situated to the north of the tennis club. It is disused and is boarded up.
11	Three other buildings on the site, a pair of semi detached dwellings called 1 & 2 Brightwells Cottages, and a detached bungalow known as 'Casa Mia', all of which were sited to the north of and adjacent to Dogflud car park have been demolished.

Officers consider that the following photographs and text portray and explain the key elements of the immediate setting of the East Street Site.

South Street (photographs illustrate buildings and features)



South Street is predominantly a one-way street and a principal route for traffic in the town centre. It has a variety of two and three storey buildings with the western side incorporating a number of older buildings all of which are in the Farnham Conservation Area. The Conservation Area includes nos. 2-8 on the east side of South Street and the Liberal Club and Methodist Church further down and alongside Brightwell Road. The spire of the United Reformed Church dominates the skyline of Farnham and is a key landmark. The junction between South Street and East Street has a number of small Listed Buildings. Sainsbury's is the largest single building and replaced buildings of a smaller stature.

At the south end of the Street is the Methodist Church, which also has a tower and is considered a landmark.

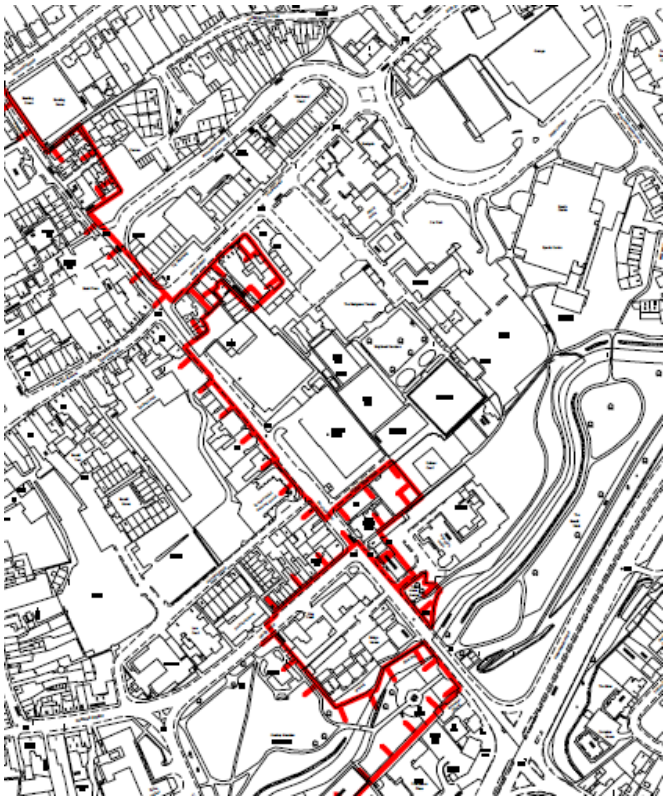


East Street (photographs illustrate buildings and features)



East Street is an historic route to and from the town centre. The south side comprises small-scale buildings of a variety of architectural styles and a number of buildings are either statutory listed or locally listed. The south side and western end is also within the Conservation Area but that stops just short of the Marlborough Head pub. Land east of the pub is the cleared site of the former cinema.

Conservation Area Boundary



The street as a whole is dominated by the Woolmead development on its northern side. This was constructed in the 1960s and is a two/three/four storey building containing retail uses at ground level with offices above.

East Street is a one-way street from east to west and has a number of mature trees at its eastern end.



Dogflud Way, Riverside and eastern boundary (photographs illustrate buildings)

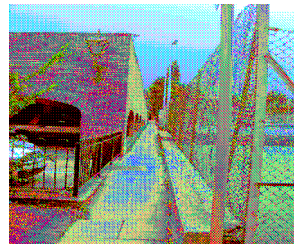


Dogflud Way provides a principal vehicular access into the town from the east. It is characterised by larger building blocks (Lidl supermarket, car showrooms and workshops) compared to the historic core of the town.

On the corner of East Street and Dogflud Way is a two/three storey courtyard development of offices and residential apartments. That development reinforces the lines of the street and keeps car parking internally within the courtyard.

To the east of the site there is a Leisure Centre with swimming pool and sports facilities. It is a brick and profiled metal sheet clad building with large chimney. To the east are other leisure facilities including the skateboard park and the '40 Degrez' Youth Project building, a metal clad two-storey building.

Brightwells Road & Falkner Court (photographs illustrate buildings and features)



Brightwells Road provides vehicular access to Sainsbury's car park as well as cycle and pedestrian access to the Tennis Club, the former bowls club and the site in general. Falkner Court and Homepark House on the southeast side provide accommodation for the elderly in two and three storey buildings, with brick and pitched roofs. Adjacent to Falkner Court is Victoria Garden, behind an arched brick wall by the architect Falkner.

The Farnham Council offices building by Lutyens, which is Farnham Town Council's office, is within the Conservation Area facing South Street.

In terms of land and building use there is a broad mix of uses found within the vicinity of East Street, including shops, pubs/restaurant/cafe, commercial, community, leisure and residential uses. The retail uses on East Street and South Street, with the exception of Sainsbury's, are generally of a secondary and tertiary nature although they lie within the central shopping area in the Local Plan.

East Street lies in an area of transition between the historic core of the town to the west and the more modern large building formats to the east. It does not have the same land uses and development as either areas and neither does it have the same grain. It could be said to lie within an area of transition where opportunity exists to provide complementary uses to the historic core using modern building formats.

Proposal

The proposal seeks a variation of Condition 37 of Planning Permission WA/2008/0279 to omit the requirement for and provision of a temporary construction access from the A31, but alternatively to require temporary construction access details and provision from an alternative route prior to commencement of development.

Condition 37 of WA/2008/0279 states that:-

No development shall start until a Method of Construction Statement, to include details of:-

- (a) temporary access from and to A31 Farnham Bypass (Eastbound only), subject to planning permission being obtained*
- (b) parking for vehicles of site personnel, operatives and visitors*
- (c) loading and unloading of plant and materials*
- (d) storage of plant and materials*
- (e) programme of works (including measures for traffic management and access/junction, Highways works scheduling)*
- (f) provision of boundary hoarding behind any visibility zones*

has been submitted to and approved in writing by the Local Planning Authority if thought fit. The approved details shall be adhered to throughout the construction period.

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

The proposal would result in the omission of sub-heading (a) from Condition 37. Sub-headings (b) – (f) would remain intact. Inclusion of further new detail within a revised condition would be necessary to capture planning control of alternative arrangements if permission is granted.

Submissions in Support of Application

The agent states in the submitted Design and Access Statement that the Transport Assessment, which accompanied the planning application for the main scheme (WA/2008/0279), identified that traffic resulting from the construction phase of the development would not have an onerous effect upon the road network of Farnham.

The applicant submits that the Transport Assessment was produced on the premise that all construction traffic would utilise the existing highway network, i.e. via Dogflud Way and Brightwells Road/South Street.

Nevertheless, during the application process, the Highway Authority, Surrey County Council, requested that the applicants, 'Crest Nicholson Regeneration Limited and Sainsbury's Supermarkets Limited' (CNS), use 'reasonable

endeavours' in seeking a construction access to the site from the A31 Farnham Bypass. This was subsequently included as a clause within the approved Section 106 Legal Agreement. WBC also imposed a condition (no. 37) on the permission.

Following the grant of planning permission, CNS has been progressing studies with a view to resolving the construction access.

The developer instructed a consultant team to investigate a temporary construction access from the development site to the A31. The most direct route from the development site to the A31 is south, across the River Wey and Borelli Walk onto the eastbound carriageway. However, there are a number of constraints associated with such an option:

- the River Wey: ecology and flood constraints;
- the pleasant character and appearance of Borelli Walk;
- maintain pedestrian access through Borelli Walk;
- significant variation in ground levels between the site and the A31;
- the need for a new access junction on the A31;
- the existence of a dense, mature tree belt between Borelli Walk and the A31.

Given these constraints, the CNS team considered whether there were any alternative options to gain access to the A31:

- Option 1) utilisation of a link from the site, westwards, along Borelli Walk to South Street/A31; and
- Option 2) utilisation of a link from the A31 at Hatch Mill via Mike Hawthorn Drive

however, these options were discounted because of the significant constraints they also attracted. The constraints are as follows:

- Option 1) highly damaging impact upon the character and amenity of Borelli Walk and South Street; difficulty in providing a satisfactory highway junction to South Street; impact upon the residential amenity of occupiers of nearby sheltered housing;
- Option 2) land ownership constraints; impact upon a mature tree; difficulty in providing a satisfactory highway access to the A31, across the River Wey; significant impact upon the amenity of residents of an elderly persons care home.

It was concluded that the only feasible means of gaining access to the A31 is utilising the most direct route as proposed.

The agent states that during the course of the application process for the main East Street redevelopment, discussions with the Environment Agency (EA) were held regarding the suitability of the proposed combined pedestrian footbridge across the River Wey. During these discussions, it emerged that

the EA would apply strict restrictions upon CNS in relation to the River Wey corridor.

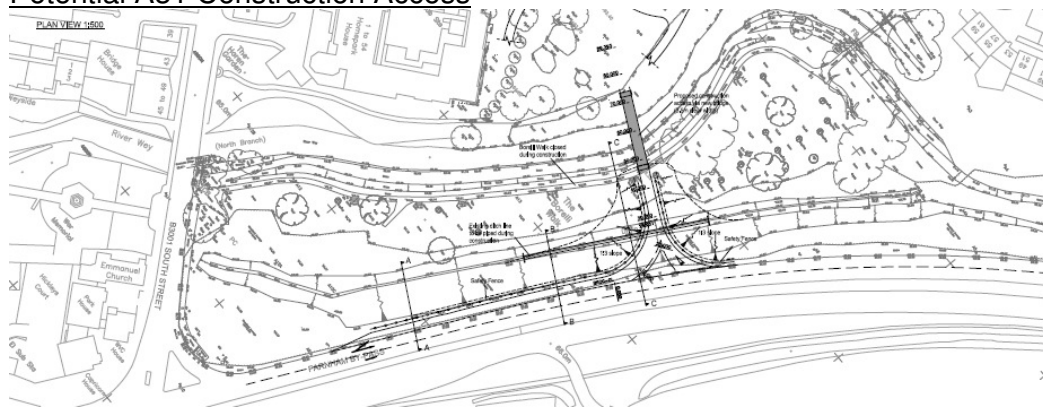
Specifically, the EA restricted the width of the bridge structure in order to limit potential for shadowing of the river below; disturbance to the banks of the river and the river bed; provision of a continuous corridor along the banks of the river for movement of river ecology, including an 8m buffer measured from the river's banks; and retention of flood plain storage capacity, based on a revised 100 year flood level of 64.0m.

The pedestrian footbridge across the River Wey is in a location similar to where a bridge facilitating vehicular access from the site to the A31 would have to be sited. Following review of a number of alternatives, the opportunity of combining the structures for both the foot and construction bridges were explored.

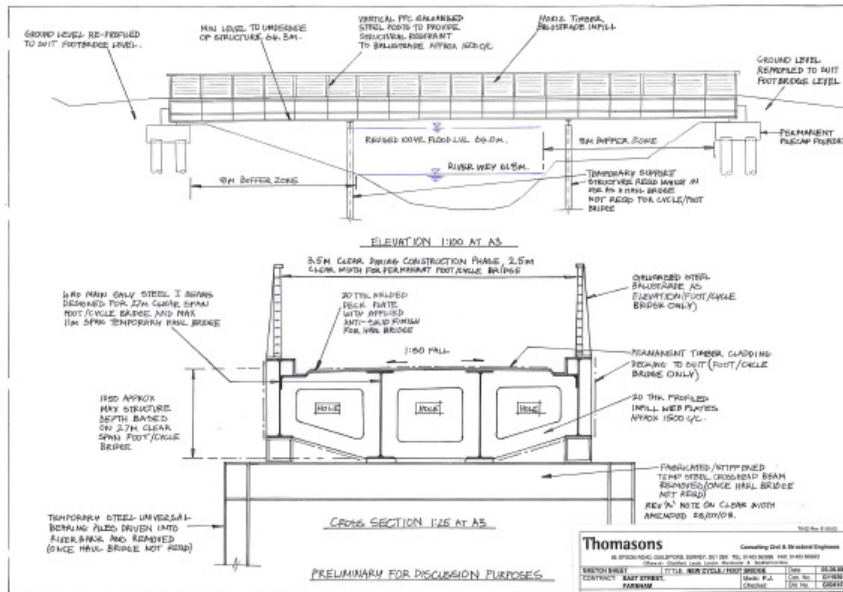
Initially, a 'bailey bridge' option was investigated, however this was found not to provide an acceptable solution, given the need to provide a clear 8m span either side of the River Wey Corridor, minimise any disturbance to the riverbed, accommodate the weight of laden construction traffic and account for the difference in levels between the application site, the river corridor and the A31.

The potential design solution is detailed upon drawings JNY4420-82 rev. C and G/SK10'A' below. This would enable CNS to construct a temporary access bridge in accordance with the EA technical requirements. The bridge could then be adapted, post construction period to provide the pedestrian/cycle bridge forming part of the permission for the main scheme.

Potential A31 Construction Access



Potential Haul/cycle/footbridge



In summary, the bridge would be located approx. 48m to the east of Homepark House and would be 3.5m wide by 27m in length. It would comprise steel beams/posts with horizontal timber balustrade infill, a welded deck plate with applied anti-skid finish for the haul bridge. The bridge would be capable of reduction in width to 2.5m wide with a timber clad deck, following the construction phase of the site, to provide the permanent foot/cycle bridge forming part of the permission for the main development scheme.

In order to link the bridge to the A31 the land to the southeast of the bridge would be raised approx. 3m, to meet the top of the embankment to the southeast of the site, to allow access to and from the eastbound carriageway of the A31. A deceleration lane 3m wide would be created to the north of the A31 to enable safe access into the site. Safety fencing would be located along the deceleration lane/access road to the A31 from the bridge. The existing ditch at the base of the embankment would be culverted and Borelli Walk would have to be closed during the construction period i.e. 24-36 months.

The bridge would be appropriate for one-way working of heavy goods vehicles. The control of the movements would be by a combination of traffic management measures and control of vehicles by site operatives. Priority would be given to accessing vehicles, with egressing vehicles waiting within the site, if necessary to ensure that no vehicles need to wait on the A31 before entering the site.

The agent states that the potential to include within the design solution a ramped access for pedestrians using Borelli Walk was investigated, as a means of maintaining a pedestrian access from east to west during the construction period. However, such a solution would create a conflict between pedestrians and construction vehicles.

The work undertaken by the consultant team identified that there would be significant impacts resulting from the implementation of an A31 construction access. In summary, these were:

- direct conflict with a number of key planning policies;
- loss of a large section of mature tree belt;
- temporary loss of flood storage capacity within the floodplain of the river;
- significant impacts on ecology, namely badgers and bats;
- disruption and resultant impact upon the highway network during the temporary access construction and reinstatement works period;
- harm to the residential amenity of residents at Homepark House.

The impacts associated with providing a temporary construction traffic access are severe and CNS consider there to be significant doubt as to whether any benefits associated with such an access will be outweighed by the considerable and long-lasting environmental effects arising from its implementation.

This is particularly the case when considered against the fact that there are viable alternatives available, which utilise the existing highway network, which would have minimal impacts on interests of acknowledged importance when compared to the A31 option.

The agent states that the permitted East Street scheme includes proposals to improve the local highway network. In particular:

- improvements and changes to East Street, including a more pedestrian friendly environment and making East Street a bus-only west-east vehicular route;
- provision of two-way traffic along Woolmead Road as a link between Dogflud Way and South Street/The Borough;
- a new signalised junction at South Street/The Borough, which will result in improved vehicle flows.

The agent states that the construction period would break down into the following phases:

Site enabling, demolitions, utility diversions and advance highway works	4-6 months
Basement excavations and foundations	3-4 months
General construction frame and envelope	18-24 months
Retail leisure and residential fitouts	4-6 months

It is not possible to give an overall construction period for the scheme at the present time as this is dependent on the speed of build, which will be

determined by prevailing market conditions. However, at the present time an average build period of somewhere between 24-36 months is anticipated.

The most intensive period of activity on the site will be during the excavation of the undercroft and basement car park with a likely duration of 15-20 weeks. Towards the end of this time, construction of the substructure will commence, and there will be delivery vehicles as well as vehicles taking away excavated material.

To enable the movement of construction vehicles, it is proposed that certain interim highway improvements (based around the final approved scheme) are brought forward. These improvements have been discussed and agreed with the County Highway Authority and are summarised on Drawing ref. JNY4420-87, submitted with the application, namely:

- Partial implementation of the signalised junction at East Street/Woolmead Road/Dogflud Way;
- Provision of two-way restricted access along Woolmead Road as a link between Dogflud Way and South Street/The Borough;
- Partial implementation of the signalised junction at East Street/The Borough;
- Introduction of temporary two way traffic along East Street, between the Marlborough Head public house and Dogflud Way;
- Temporary alterations to the junction of South Street and Brightwells Road, together with revisions to the car park entrance.

It is also proposed that construction traffic be routed and managed by CNS, as set out in the submitted Transport Statement. The movements of construction traffic would be secured by agreement with WBC and SCC and would be subject to a Management Plan.

The routes would prevent construction traffic from using The Borough and the northern part of South Street for a significant part of the overall construction period. In summary:

Route 1 would provide access from the Shepherd and Flock Roundabout via Guildford Road, East Street, Dogflud Way and the existing Dogflud Way car park accesses. Egress would be via the Dogflud Way car park accesses, Dogflud Way, East Street and Hale Road.

Route 2 would provide access from the Shepherd and Flock Roundabout via Guildford Road, East Street, Dogflud Way, East Street and Brightwells Road North. Egress would be via Brightwells Road North, East Street and Hale Road.

Route 3 would provide access from the Shepherd and Flock Roundabout via Guildford Road, East Street, Dogflud Way, East Street and the existing Dogflud Way car park accesses. Egress would be via Brightwells Road South and South Street to join the A31 at Hickleys Corner.

The agent states that the routes have been assessed in the Transport Assessment in terms of any constraints on the local highway network, the suitability to accommodate construction traffic movements associated with the proposed development, the impact on traffic flows and any local traffic amendment orders that would be required. The routes provide general prohibition of vehicles using The Borough and will be subject to agreed service routing agreements in due course.

Extensive analysis of the impacts of the alternative scheme has been carried out in relation to noise, air quality, trees, ecology, flood risk and residential amenity.

The assessments undertaken by the CNS team demonstrate that there will be no significant harm resulting from utilisation of the existing highway network for construction traffic, given the anticipated increase in trips compared with those already taking place each day on the highway network.

Where any impact might arise, CNS will mitigate as far as possible.

CNS remains committed to delivering the East Street scheme in partnership with the Council as part of an iterative process going forward.

The planning application is accompanied by the following main technical reports and supporting documents:

- Planning and Design and Access Statement (represents a non-technical summary)
- Statement of Community Involvement
- Ecological Appraisal
- Arboricultural Report
- Flood Risk Assessment
- Transport Statement
- Air Quality Report (Addendum to Environmental Statement submitted with original planning application WA/2008/0279)

The addendum to the Environmental Statement (ES) submitted to accompany this planning application concludes that any impacts arising from adopting the option of utilising the existing highway network for construction traffic on the Air Quality Management Area (AQMA), will at worst be 'slight adverse' and for the areas outside the AQMA the effects will be 'negligible'.

Relevant Planning History

The site has a long history, however, the most relevant is the recent application reference WA/2008/0279, resolved to be permitted on 06/10/08 and granted on 06/08/09, together with Listed Building Consent reference WA/2008/0280.

WA/2008/0280	Application for Listed Building Consent for the demolition of the attached Redgrave Theatre. Conversion of Brightwell House to form 2 no. restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room). Works to existing house to include reinstatement of 3 no. original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of glazed canopy in the southern elevation. Reinstatement of original chimneys and other internal works. Demolition of boundary walls, toilet block, bowling pavilion and cottage.	Listed Building Consent Granted 09/10/2008
WA/2008/0279	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 and Marlborough Head); 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; replacement facility for the existing 'Gostrey Centre', demolition and clearance of site.	Full Permission 06/08/2009 subject to 106 Agreement
WA/2007/1057	Application for Listed Building Consent for the demolition of the attached Redgrave Theatre. Conversion of Brightwell House to form 2 no. restaurant units. Works to include single/two storey extensions to the north and west (containing additional ground floor restaurant space, kitchen areas, stores, toilets, staircase and plant room and first floor kitchens, stores, staff wc and plant room). Works to existing house to include reinstatement of 3 no. original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of glazed canopy in the southern elevation. Reinstatement of original chimneys, internal fireplaces and staircase. Partial unblocking of a first floor window on the west elevation. Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking in of existing internal	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009

	openings. Demolition of boundary walls, toilet block, bowling pavilion and cottage.	
WA/2007/1056	Change of use of Brightwell House from theatre (sui-generis) to Class A3/A4 cafe-bar/restaurant; removal of existing extensions; construction of replacement extensions and general refurbishment. (This application is tied to the outline planning application for the comprehensive redevelopment of the East Street regeneration area).	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009
WA/2007/1055	Outline planning application for a phased, mixed use redevelopment comprising: 10,342 sq m of retail, restaurant and cafe-bar accommodation (Classes A1/A3/A4); 294 residential units (Class C3); an 8 screen cinema (Class D2); basement car park for 697 cars; together with associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; following demolition and clearance of site. (Phase 1A matter of landscaping reserved; Phase 1B matters of appearance and landscaping reserved).	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009
WA/2007/0994	Application for Listed Building Consent for the demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2 no. restaurant units. Works to include a single storey restaurant/cafe-bar, toilet and staircase extension to the north and west. New staircase and 2 no. new first floor windows in north elevation. Reinstatement of 3 no. original hipped roofs to the north and hipped roofs over the existing bay windows in the southern elevation. Reinstatement of original chimneys, staircase and existing first floor window on the west elevation. Removal of later partition walls and formation of new staff toilets at first floor. Demolition of boundary walls, toilet block, bowling pavilion and cottage. (Duplicate Application to WA/2006/2354).	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009
WA/2007/0993	Change of use of Brightwell House from theatre (sui-generis use) to cafe, restaurant/bar (Class A3/4); removal of existing extensions, erection of replacement extensions and alterations (duplicate application to WA/2006/2353).	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009

WA/2007/0992	Outline planning application for a phased, mixed use redevelopment comprising: 10,197 sq m of retail, restaurant and cafe-bar accommodation (Classes A1/A3/A4); 294 residential units (Class C3); an 8 screen cinema (Class D2); basement car park for 694 cars; together with associated highway and access works; provision of infrastructure and landscaping; works to the existing 'Gostrey Centre' and replacement facility for the existing Brightwell Bowls Club (Class D2); following demolition and clearance of site. (Duplicate Application to WA/2006/2132)	Appeal Lodged against Non Determination 09/10/2007 Appeal Held in Abeyance Appeal Withdrawn 11/08/2009
WA/2006/2354	Application for Listed Building Consent for the demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2 no. restaurant units. Works to include a single storey restaurant/cafe-bar, toilet and staircase extension to the north and west. New staircase and 2 no. new first floor windows in north elevation. Reinstatement of 3 no. original hipped roofs to the north and hipped roofs over the existing bay windows in the southern elevation. Reinstatement of original chimneys, staircase and existing first floor window on the west elevation. Removal of later partition walls and formation of new staff toilets at first floor. Demolition of boundary walls, toilet block, bowling pavilion and cottage.	Formally Disposed Of
WA/2006/2353	Change of use of Brightwell House from theatre (sui-generis use) to cafe, restaurant/bar (Class A3/4); removal of existing extensions, erection of replacement extensions and alterations.	Formally Disposed Of
WA/2006/2132	Outline planning application for a phased, mixed use redevelopment comprising: 10,197 sq m of retail, restaurant and cafe-bar accommodation (Classes A1/A3/A4); 294 residential units (Class C3); an 8 screen cinema (Class D2); basement car park for 694 cars; together with associated highway and access works; provision of infrastructure and landscaping; works to the existing 'Gostrey Centre' and replacement facility for the existing Brightwell Bowls Club (Class D2); following demolition and clearance of site.	Formally Disposed Of

Planning Policy Constraints

In relation to Potential Temporary Construction Access from A31 to the Southeast of the Site

- Developed Area (to north of River Wey)
- Countryside beyond the Green Belt (to south of River Wey)
- Area of Strategic Visual Importance (River Wey and its south bank)
- Site of Nature Conservation Importance – River Wey north
- Flood zones 2 and 3
- Within 20m of river bank
- Town Centre Area
- Area subject to Special Advertisement Control
- Shared pedestrian and cycle routes (Borelli Walk)
- Thames Basin Heathland Special Protection Area (SPA) 5km buffer zone
- Wealden Heaths 1 Special Protection Area (SPA) 5km buffer zone
- Section 106 Agreement – WA/2008/0279

In relation to Wider Site

- Developed Area
- Town Centre Area (whole of site)
- Central Shopping Area (East Street frontage to depth of approx. 50m)
- Pedestrian Improvement Area (East Street)
- Conservation Area (nearby to southwest)
- Area of High Archaeological Potential (adjacent)
- Listed Building Grade II (Brightwell House)
- Listed Building curtilage buildings, walls and structures
- Potentially Contaminated Land
- Gas Pipe Line (non-hazardous)
- Countryside beyond the Green Belt (River Wey & its south bank)
- Area of Strategic Visual Importance (River Wey & its south bank)
- Site of Nature Conservation Importance – River Wey north
- Flood zones 2 and 3 (southern part of site)
- Within 20m of river bank
- Area subject to Special Advertisement Control
- Shared pedestrian and cycle routes
- Thames Basin Heathland Special Protection Area (SPA) 5km buffer zone
- Wealden Heaths 1 Special Protection Area (SPA) 5km buffer zone
- Section 106 Agreement – WA/2008/0279

Relevant Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1 – Environmental Implications of Development
D2 – Compatibility of uses
D3 - Resources
D4 – Design and Layout
D5 – Nature Conservation
D6 – Tree Controls
D7 – Trees, Hedgerows and Development
D8 – Crime Prevention
D9 - Accessibility
D13 – Essential Infrastructure
D14 – Planning Benefits
C2 – Countryside Beyond the Green Belt
C5 – Areas of Strategic Visual Importance
C10 – Sites of Nature Conservation Importance
C11 – Undesignated Wildlife Sites
C12 – Canals and River Corridors
BE1 – Important Green Spaces within Settlements
HE1 – Protection of Listed Buildings
HE3 – Development affecting Listed Buildings or their settings
HE8 – Conservation Areas
HE14 – Sites and Areas of High Archaeological Importance
TC3 – Development within Town Centres
TC8 – Urban Design in Town Centres
TC12 – Town Centre Access
TC13 – Farnham Town Centre Traffic Management
TC15 – Rear Access and Servicing
LT11 – Walking, Cycling and Horse Riding
M1 – Location of Development
M2 – Movement Implications of Development
M4 – Provision for Pedestrians
M5 – Provision for Cyclists
M9 – Provision for People with Disabilities and Mobility Problems
M10 – Public Transport and Interchange Facilities
M13 – Heavy Goods Vehicles
M14 – Car Parking Standards
M15 – Public Off-Street Parking
M17 – Servicing

Policies of the South East Plan 2009:-

CC1 – Sustainable Development
CC4 – Sustainable Design and Construction
CC6 – Sustainable Communities and Character of the Environment
CC7 – Infrastructure and Implementation
CC8 – Green Infrastructure
T2 – Mobility Management

T4 - Parking
 NRM1 – Sustainable Water Resources, Groundwater and River Water quality management
 NRM4 – Sustainable Flood Risk Management
 NRM5 – Conservation and Improvement of Diversity
 NRM6 – Thames Basin Heaths Special Protection Area
 NRM9 – Air Quality
 W2 – Sustainable Design, Construction and Demolition

National Planning Policies:-

PPS1 (2005): Delivering Sustainable Development
 PPS3 (2006): Housing
 PPS4 (2009): Planning for Sustainable Economic Growth
 PPS5 (2010): Planning for the Historic Environment
 PPS9 (2005): Biodiversity and Geological Conservation
 PPG13 (2001): Transport
 PPG17 (2002): Planning for Open Space, Sport and Recreation
 PPS23 (2004): Planning and Pollution Control
 PPG24 (1994): Planning and Noise
 PPS25 (2010): Development and Flood Risk

Surrey Design Guide (2002)
 WBC East Street Planning Brief (2000)
 WBC East Street Development Brief (2002)
 WBC The Farnham Conservation Area Appraisal SPD (2005)
 Draft Farnham Design Statement (2010)
 Farnham Conservation Partnership's 'Farnham Conservation Area Appraisal'

Summary of Consultations and Town Council Comments

Consultee	Comments
Government Office for the South East (GOSE)	Not yet received, to be reported orally.
South East England Partnership Board (SEEPB)	It is not considered that the proposals are of regional significance and therefore we do not wish to make any representations.
South East England Development Agency (SEEDA)	We do not wish to make any representations on this occasion.
County Highway Authority	A summary of the comments of the County Highway are attached at Appendix 2 No objection is raised subject to the further variance to condition number 37. The original condition is set out below with the required additions shown in bold.

	<p>Condition: No development shall start until a Method of Construction Statement, to include details of:</p> <p>(a) temporary access from and to A31 Farnham Bypass (Eastbound Only)</p> <p>(a) the proposed access provision to Dogflud Way prior to the commencement of development for the purpose of providing safe construction access and egress;</p> <p>(b) parking for vehicles of site personnel, operatives and visitors</p> <p>(c) loading and unloading of plant and materials clear of the highway</p> <p>(d) storage of plant and materials clear of the highway</p> <p>(e) a detailed programme of works (including measures for traffic management and access/junction/highway works scheduling), ensuring that the following works are constructed to an operational standard prior to commencement of development (excluding site clearance):</p> <p style="padding-left: 40px;">(1) The signalisation of the existing junction of East Street/Woolmead/Dogflud Way;</p> <p style="padding-left: 40px;">(2) The modification of the existing traffic signals at the junction of East Street/Bear Lane/The Borough and South Street;</p> <p style="padding-left: 40px;">(3) The alterations to Woolmead to provide for two way traffic flow;</p> <p style="padding-left: 40px;">all as broadly identified in the Seventh Schedule of the S106 Agreement.</p> <p style="padding-left: 40px;">(4) The modifications to the junction of Brightwells Road with South Street to also include the reconfiguration of the Sainsbury's Car Park circulation and a new access to the car park from South Street, all as generally shown on RPS dwg no. JNY4420-87A.</p> <p>The programme of works shall include a construction timetable for the remaining works or remaining elements of the above works required to fulfill the requirements of the S106 Agreement.</p> <p>(f) provision of boundary hoarding behind any visibility zones</p> <p>(g) the agreed construction and routing options as set out in the RPS report dated 5 March 2010;</p> <p>(h) an operational review of the construction routing within 3 months and no later than 6 months from the commencement of development.</p> <p>(i) any phased or staged implementation of the development;</p> <p>(j) travel planning initiatives as set out in paragraph 2.12 of the RPS report dated 5 March 2010.</p>
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	<p>has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.</p> <p>Reason: In order that the development should not prejudice highway safety, the free flow of traffic, nor cause inconvenience to other highway users in accordance with Policy T2 of the South East Plan 2009.</p>
County Rights of Way Officer	Not yet received, to be reported orally.
Commission for Architecture and the Built Environment (CABE)	<p>We do not wish to comment on this application.</p> <p>We understand that the South East Design Review Panel have already commented on previous proposals for this site, and therefore it is our standard practice not to offer any additional reviews.</p>
South East Region Design Panel	Not yet received, to be reported orally.
WBC Environmental Health Pollution Control	<p>Environmental Health officers commissioned a review of the air quality assessments prepared by the applicant by consultants AEA.</p> <p>The consultants' report is summarised at Appendix 3. Following consideration of this report, the Environmental Health Officer has recommended no objection subject to the following condition in relation to dust/emissions from the site and regarding No₂ in the AQMA:</p> <p>Condition: Before development commences a scheme for the continuous monitoring of PM₁₀ and NO₂ readings shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include agreed trigger levels and mitigation measures. The monitoring equipment shall be installed before the development commences in accordance with the agreed scheme and thereafter maintained for the duration of the development. The monitoring equipment shall be capable of providing instant readings and hourly average readings of PM₁₀ and NO₂. If any agreed trigger levels are exceeded then mitigation in accordance with the agreed mitigation measures shall be implemented to ensure that the agreed PM₁₀ and NO₂ levels are not exceeded.</p>

	<p>Reason: In the interests of the character and amenities of the area in accordance with Policy D1 of the Waverley Borough Local Plan 2002.</p>
Council's Tree & Landscape Officer	<p>In relation to variation of condition - no objection In relation to potential access bridge – The tree belt along the dual carriageway provides a relatively dense screen that effectively buffers noise and pollution associated with the traffic. It is a valuable shield to the road and an important 'green corridor' for wildlife. The value of the trees is their collective contribution to the landscape as a feature, within an Area of Strategic Visual Importance.</p> <p>The arboricultural impact assessment provides a realistic scale of the direct tree loss alongside the A31 associated with the access direct to the A31. The proposal will have a significant negative impact on the landscape in the short to medium term from a visual and acoustic perspective, due to the opening up of a section of the road and the impact of this on views from the town to the north and to users of the verdant open space along the river corridor.</p>
Environment Agency	<p>The indicative plans of the road bridge should not form part of any approval.</p> <p>The submitted ecology report supports our original view that the bridge could still have a detrimental effect on protected species and biodiversity by reason of disturbance during construction and subsequent overshadowing and lighting on the bridge. Now that a vehicular bridge is no longer required, we would question the need for another bridge given the existence of another pedestrian bridge in close proximity. No concerns are raised in relation to the bridge on flood risk grounds.</p> <p>There is no flood risk issue for construction traffic using the existing road network.</p>
Natural England	<p>We concur with the conclusions in the Transport Statement. Particularly that appropriate use should be made of the existing road network to service the East Street site as the construction of a temporary access route from the A31 would have significant environmental impacts.</p>
Surrey Wildlife Trust	<p>The Planning Authority has received our comments dated 14th December 2009, regarding a Pre-application submission. You will note the Trust's concerns regarding the potential impact of this access bridge over the River Wey on habitat and protected species in the locality,</p>

		including bats and badgers. If this access route proposal was abandoned the threat posed by the bridge development to these habitats and species would be removed.
Surrey Group	Badger	The closure of the badger setts located on the small strip of land alongside the A31, is not supported by any mitigation. It is difficult to see how Natural England can issue a licence to close these setts in view of this. It may certainly be considered as a breach of the 1992 Protection of Badgers Act. The badgers will have no alternative sett or foraging route. This is the only objection we have to the East Street proposal.
English Heritage		Not yet received. To be reported orally.
Surrey County Council Archaeology		The variation of condition 37 will have little bearing on any potential archaeological resource in itself, although the proposed alternative site for the construction access will need to be included within any archaeological evaluation scheme. Conditions 35 and 36 of permission WA/2008/0279 must therefore apply to any revised version of condition 37, and remain pertinent to its implementation.
The Lutyens Trust		The Trust's remit is limited to the Grade II listed Liberal Club and its setting in South Street and along Brightwell Road. Access, egress and modification are proposed for the South Street/Brightwell Road junction, as indicated on Drawing No. JN4420-87 Rev. A, with the pavement temporarily built out to increase pedestrian visibility. The Trust supports this, as it will provide a better turn for vehicles into South Street, taking them away the corner of the Liberal Club, which might otherwise be vulnerable, if the vehicles were to mount the curb and make a right turn.
Sport England		No objection
Surrey Police		No objection on crime and disorder grounds
Surrey Fire and Rescue		No objection
Health and Safety Executive		The planning application site is not situated within the consultation distance of any Notifiable Hazardous Installation or Notifiable Hazardous pipeline therefore consultation with Health and Safety Executive is not necessary.
Surrey Primary Care Trust		The Farnham Hospital and Centre for Health is located on Hale Road, in very close proximity to the proposed development. The impact of the increased volume of traffic is expected to be noticeable for the staff as well as for patients.

	Concerns are raised around the following issues: -Impact of the increased congestion on the surrounding roads, as a result of the emerging construction traffic as well as local road closures. This is likely to cause delays to emergency vehicles using this route - Impact of the increased congestion on Farnham Hospital and Centre for Health, due to construction traffic routed or exiting the site via Hale Road. Although the reports deem Hale Road as an appropriate route for construction related traffic, I would like to note that hospital users are likely to be affected by the increased levels of pollutions and noise - Impact of the increased volume of traffic on parking facilities at Farnham Hospital and Centre for Health. Appropriate measures should be introduced to avoid parking problems in the vicinity of the site
Thames Water Authority	We have no observations to make
Theatres Trust	The Trust has no comment to make on the application to vary Condition 37, which raises no issues as far as The Theatres Trust is concerned. However, we would like to reiterate our objection to the development as a whole which will involve the demolition of the Redgrave Theatre without providing a suitable replacement.
Guildford Borough Council	No objection
Rushmoor Borough Council	No objection
East Hampshire District Council	No objection
Farnham Town Council	Strongly object – access must be via bridge from A31 and must be adhered to. While loss of trees is regrettable a condition should be enforced to replant after the development is completed. It has been a principle for proposed East Street Development that additional traffic movements and construction traffic in town centre must be avoided.
Hart District Council	No objection

Community Engagement / Representations

The agent has submitted a Statement of Community Involvement with the application.

In relation to ‘Stakeholder Consultation’, the agent states that since October 2008 the CNS project team have been engaging with the Local Planning Authority (LPA), relevant landowners, stakeholders and consultees on finding a means of providing a construction access from the East Street development site to the A31.

Initially CNS undertook various studies which assessed the scale of the impacts that adopting the A31 option would have, listed below, and discussed these with key consultees:

- Ecology
- Flood Risk
- Planning Policy
- Arboriculture
- Transport

It was evident, in light of the conclusions of the assessments and from the outcome of discussions held with the LPA and key consultees, that providing an access directly to the A31 would have significant impacts on the surrounding area, principally in terms of ecology, loss of trees, highways and amenity and that there was significant conflict with adopted planning policy.

The CNS team explored potential alternative options and undertook further technical analysis of both the A31 option and the alternative of utilising the existing highway network.

In relation to public consultation, the agent states that CNS held a public exhibition at the 40 Degreez Youth Centre in Dogflud Way between 9am and 1pm on Saturday 30th January 2010. Information boards explaining the issues and options were displayed.

The Exhibition was advertised in the Farnham Herald and details were posted on the WBC website. Radio announcements were also made on BBC local radio and Eagle FM.

A register of attendees was provided, which indicated that over 40 people attended (not all who attended signed the register). All who attended were invited to leave comments and comment forms were provided.

In response to requests made on the day and in order to give those who were unable to attend the Exhibition a chance to review the proposals and information available, all of the presentation boards were posted on the internet.

The agent has provided the following indicative broad summary of the comments received:

Total responses:	30
Prefers Existing Highway Option:	5
Prefers A31 Option:	7
Neither Option Satisfactory: (i.e. against East Street Scheme)	13
Preference Unclear:	5

Concerns Highlighted re A31 Option

Ecology:	2
Tree Loss:	1
Homepark House:	1

Concerns Highlighted re Existing Highway Option

Traffic:	4
Property Damage:	1

Comments Where Neither Option Preferred

Traffic:	9
Environmental Impact:	6

The agent states that the comments have been reviewed in detail, and as a result, further information has been provided in the supporting reports and application submission to clarify issues, and as far as possible, to address any concerns, which have been raised.

WBC notified adjoining owners/occupiers of the application site about the current application by letter on 18th March 2010. A classified advertisement was placed in the Farnham Herald on 26th March 2010, and 15 statutory site notices were displayed around the site on 24th March. Responses were requested by 16th April 2010.

As with all applications, this application was listed in the 'Weekly List' of all the applications registered in the previous week, produced by WBC. This list was sent to local libraries, local newspapers and displayed on the WBC web site.

Following concerns that the Easter Holiday period would hamper the provision of responses by 16th April 2010, the consultation response date was extended to 30th April 2010. This change of date was advertised in the Farnham Herald and on the Council's web site.

1 letter has been received in support of the application.

2 letters of comment has been received raising the following issues:

- I was under the impression CN were to fund modelling of traffic movements in the context of both the development application and the Air Quality Action Plan. Is this modelling to be funded and completed before this application goes before the committee for approval? If not, we would surely have a situation of potential conflict between the pre-implementation requirements for the main scheme and actions in respect of WA/2010/0372. Grave disquiet has previously been expressed about the air quality and congestion implications for the timing of the Royal Deer traffic lights. We need action now to analyse the impacts of the proposed traffic changes
- This matter should have been sorted out before permission was granted

- It will be nice to see the rubbish and dead foliage cleared and new trees/shrubs planted to tidy up the bypass
- As for the disturbance of badgers and bats, what about the people of Farnham?
- Has anybody given thought to accessing from the Shepherd and Flock roundabout to and from the site. This would just need the restriction of car parking along the Guildford Road
- The community tip HGVs come in from the Shepard and Flock and they don't come through the town

36 signatures have been received on a petition raising the following concerns:

- East Street Construction traffic coming through Farnham will cause three years of significantly increased congestion
- There will be a disastrous impact on the town's trade
- Increased pollution will affect the town centre Air Quality Management Area, with an even greater threat to health than at present
- The related changes to traffic controls and movements, involving the Royal Deer lights, will lead to long delays for both cars and pedestrians

42 letters of objection have been received raising the following concerns:

- The people of Farnham have been led to believe that there would be site access from the A31 to minimise traffic, dirt and health risks from the development. Removal of the requirement for an A31 access brings into question whether the development should proceed
- It was known that the A31 access was not viable prior to planning consent being given and it was omitted from the original application; the residents have been misled
- If the imposition of condition 37 was acceptable in policy terms originally, why is it a problem now? Condition 37 was imposed for the important reason to avoid construction traffic using the streets of Farnham. The condition was fully discussed and accepted by Crest Nicholson and must remain in place
- WBC as a commercial partner of Crest Nicholson is in a conflict of interest in this development and being the LPA at the same time
- The extra cost seems to be the reason for the request to use the road system. Unless CNS are prepared to pay for a dedicated access the whole planning approval should be rescinded
- The developer wishes to make this project more profitable at the expense of the people of Farnham
- Any savings made by the developer would be pushed onto WBC and the local tax payer in maintenance of the already fragile road surfaces, which would be damaged
- The severity of the impact of access from the A31 is being over-emphasised and can be minimised further
- The stated times to erect and dismantle the bridge/deceleration lane are overstated
- The applicant has provided no evidence to support the statement that the proposal is in direct conflict with a number of key planning policies

- The highway/transport report lacks objectivity seeing only disadvantages of the temporary construction access and vice versa for using the existing highways network
- The disruption to traffic on the A31 will be minimal compared to the impact on central Farnham for 3 years.
- The flood impact would be minimal and the trees to be removed are of little value
- The loss of the green screen along the A31 would be temporary
- The argument that the bridge will cause significant and long lasting environmental impact is specious and designed to save costs. The developers should make good any damage caused
- If the only route is through the town the development should be much smaller to decrease the traffic impact and timescales for development
- The town already has a major problem with traffic, highlighted in Case Study 14 – Farnham (ODPM, 2000)
- Traffic chaos will occur on the town's already overcrowded roads
- Hale Road and Guildford Road are both narrow roads already congested with parked cars
- The eastern approach roads are bus routes and provide access to Farnham Hospital. Even modest increases in traffic flows will significantly increase congestion, disrupting bus services and impeding access to the hospital
- Traffic in Guildford Road, Dogflud Way and East Street is frequently slow moving and congested, with parked vehicles obstructing Guildford Road. They are not capable of carrying frequent, additional, heavy traffic
- Neither Guildford Road nor Hale Road are currently used to any noticeable degree by heavy goods vehicles. The introduction of heavy construction traffic and a large number of private vehicles used by construction workers will seriously impede the free flow of traffic, create additional serious inconvenience and risk to local residents living on these roads and side roads which feed into them. This would be incompatible with Policy M13 and M3 of the WBLP 2002
- Construction traffic will cause structural damage to local houses and the listed Victoria Arch, leading to the award-winning Victoria Gardens
- Lorries delivering to Iceland take at least 5 minutes to get into the car park when delivering. It will be almost impossible for all who live in St. George's Mews, those who work in St. George's Yard, and those whose access to their properties is through the entrance to St. George's Yard to turn into St. George's Yard
- The intention is that East Street is to provide access only to the development site. Buses, cycles and emergency vehicles must be allowed up East Street for the full length. There will be no effective way of preventing all traffic from using East Street
- The proposal rests on changing Woolmead Road to 2-way, which will create serious conflict at the junction with The Borough
- Two-way traffic on Woolmead Road will severely affect the ability of vehicles attempting to enter their bays at the rear of The Woolmead. With the new proposal lorries will be forced to halt all oncoming vehicles from both directions

- There are a minimum of 70 cars parked in St George's Yard and St George's Mews on weekdays plus vans and lorries that service the shops on the north side of The Borough. Many of the car users need to go in and out during the day. Bear Lane is a much used cut-through to Castle Street via Park Row. Access from the east will be constantly delayed and dangerous because of the bend on the road at this point, especially if the timing of the traffic lights is shortened
- Accidents are foreseen at the junction of Woolmead Road/Bear Lane/St George's Yard, which would bring the whole system to a complete standstill
- The redesign of the Royal Deer Junction and the proposed two-way flow on The Woolmead and Bear Lane will involve new signal timings. This is likely to increase both pedestrian and vehicle waiting times
- Increased pedestrian waiting times are likely to promote risk-taking
- The application does not include the necessary detailed information on phasing and timing at the Royal Deer traffic lights and must be regarded as incomplete in its present form. As this is an EIA application, refusal should follow for this reason alone
- It appears that waiting time for traffic will double and that in East Street treble
- An essential pre-requisite for the success of Farnham town centre is ease of pedestrian movement. There will be problems in pedestrian movement across Royal Deer Junction and Bear Lane/South Street with severance by heavier traffic flows and longer waiting periods at crossings. People waiting will be exposed to increased air pollution
- There will be significant risks to pedestrians' and cyclists' health with the increased adverse effects on air quality
- Worryingly high levels of NO₂ pollution were recorded at the Borough junction on 24/11/07. This happened when the town's Christmas tree was set up at the Woolmead and traffic was routed two-way, around precisely the route proposed by this application – Bear Lane/Woolmead
- Traffic, cars and particularly buses and lorries when turning from West Street into Bear Lane always cross into the centre of the road
- The proposed exit into South Street via Brightwells Road creates a difficult left turn. Vehicles will encroach on the opposite lane and emerging vehicles will suffer long tailbacks from the Borough to the bypass. There will be significant disruption to the already very heavy traffic flow in South Street, which includes Sainsbury's lorries encroaching two lanes as they seek to enter the store's service area
- The environmental effects of widening Brightwells Road would be incompatible with Policy D2 of the WBLP 2002
- Mature trees will be lost as a consequence of the widening of Brightwells Road and there will be a lack of provision for taxis
- The highway improvements should be trialled to establish whether the modelling does reflect on-the-ground conditions
- Any trial should include a review of the pollution records
- No assessment has been provided of the knock-on effects of these proposals for road safety in outlying parts of Farnham if traffic re-routes itself to Hale/Upper Hale/Park Row/High Park Road/Lower South

- View/St. Cross Road/the Shepherd and Flock and south Farnham rat runs to avoid town centre congestion
- HGVs traversing the very narrow and unsuitable roads could cause conflicts over road space and instances where heavy lorries mount the footpaths
 - Route 2 would affect the daily operation of the Woolmead and East Street Car Park
 - No details have been provided stating how long the proposed construction traffic routes will be in operation
 - No details have been provided of the likely start and finish date of construction works
 - No mention of a construction consultation group is made. One such body should be set up by the applicant
 - A construction website should be set up to keep all the residents, stakeholders and landowners affected by the works informed on the construction timetable and arrangements
 - The applicant should be required to enter into an agreement to ensure Routes 1 and 2 are not used by the excavation/substructure vehicles
 - The movement of traffic through the town will cause associated dirt, disruption, traffic build up and hence further pollution and delay for 3 years
 - The highway disruption caused will drive away visitors, cause less trade for local businesses and further deterioration of air quality
 - Local residents and potential visitors already shop elsewhere because of congestion and parking problems
 - Unacceptable traffic congestion/gridlock
 - Harmful to economic viability of town
 - Any form of pedestrianisation of the Woolmead/East Street will cause the loss of through traffic which is a lifeline for business
 - Has anyone sought the Army's help? – The Royal Engineers are renowned for erecting strong, temporary bridges
 - Increased congestion, inadequate parking/loading space on roads and decrease in highway safety
 - Damage to the roads
 - There are significant changes to the construction programme, with early implementation of proposed highway changes in the town, and the addition of South Street and Hale Road as intended routes for HGVs. There are changes in the amounts of material/concrete and numbers of vehicles required over those quoted under WA/2008/0279
 - There will be greater numbers of HGVs over a shorter period
 - There will be increased noise and disturbance for residential properties on the access/egress roads
 - The solution to 'operative transport' is unrealistic
 - The question of air quality is inadequately covered in the AQ addendum
 - Levels of air pollution will be intolerable
 - Claims that the proposed traffic re-routing together with construction traffic will have no significant effect on air quality defy credibility
 - Given the existing pollution problems in the town, the Council's sanctioning of this proposal would actively exacerbate the problem.

- The Council is required by law to actively consider and implement solutions to air pollution
- Increased congestion will have adverse effects on air quality in the Farnham Air Quality Management Area
 - The Air Quality Report does not take proper account of the current and well known risks to public health from traffic pollution contrary to Policy D2 of the WBLP 2002
 - Public health will be at risk from the proposals
 - The proposal is not compatible with policies D1(d), M2 and M13(a) of the Waverley Borough Local Plan 2002
 - All residents in the vicinity of the main construction will be severely impacted on, not just Homepark residents
 - The main harm to all nearby residents will come from the whole construction process, not from a temporary access
 - The proximity of Homepark House to the A31 access site was known when condition 37 was introduced
 - Construction traffic leaving the site via Brightwells Road onto South Street would have a very serious and detrimental impact on the residents of Falkner Court, their visitors and those who enjoy the tranquillity of Victoria Gardens. Falkner Court is a 24 hour Sheltered Accommodation Residential Centre for older people
 - The Gostrey Club is a Day Centre for the elderly and infirm. It will be vulnerable to noise and vibrations from lorry movements from the east and west
 - The wellbeing of the people who live locally should be paramount, not badgers and bats
 - The impact of the bridge on badgers could be mitigated by relocating the badgers and introducing badger tunnels
 - The impact of the bridge would be temporary
 - There would be no long lasting loss of the environment to Borelli Walk, which can be reinstated
 - A complex design has been used for the temporary bridge, it should be prefab. and simple in design
 - Perhaps a compromise is acceptable by closing or limiting pedestrian/cycle access along Borelli Walk for a period
 - The trees on the A31 removed should be replaced with trees of greater merit
 - The Flood Risk Assessment makes no mention of a loss of flood storage capacity
 - The suggested temporary loss of flood storage capacity has not been substantiated or quantified. Such floods occur less often than every 100 years
 - The submitted flood risk assessment states that the bridge would not present a flood risk. No mention of this was made at the public exhibition and the public were not told that the consultants had suggested an alternative and "easily maintainable" method of construction to overcome this problem as this solution was more expensive

- Object to council tax payers money being extensively used for planning, engineering and other consultants fees to support these impractical proposals
- This is a major deviation from the Environmental Assessment. The EA must be revised to address this impact and resubmitted for public comment
- Insufficient information has been provided under The EIA Directive in relation to mandatory data and an assessment of the proposals by modelling or trial, therefore this is an unlawful planning application
- Without full information it is not possible to assess the effect of the proposal on air quality, pedestrian conditions, traffic and air quality in areas to which the traffic would divert away from the proposed routes
- WBC would be acting *ultra vires* and contrary to their mandatory duty under Article 8 of the EIA Directive were they to consent the application
- In relation to flood risk and tree removal the application repeats the original application's omission of mandatory data with respect to the flood level at the South Street extent of the site, the scale of tree removal and the cumulative effect of similar matters at the enabling development at Riverside
- This application fails to recognise the Conservation Area protection provided to the three trees to be removed from the north of Brightwell Road
- No Appropriate Assessment has been provided under Article 6(3) of the Habitats Directive having regard to the Thames Basin Heathland SPA
- Removal of condition 37a also requires the removal of condition 69 relating to the bridge works
- Waverley should request further information from the applicant under Regulation 19(1)
- 25 of the conditions of WA/2008/0279 are inappropriate

Determining Issues

The principle of development was established by the granting of planning permission WA/2008/0279. Whilst the applicant is applying for a variation of Condition 37, under Section 73 of The Town and Country Planning Act (1990), effectively the proposal is a fresh application for the entire development but with a variation to the original condition No. 37. In considering the current application officers have been mindful of any material changes in planning circumstances since the original permission, including the adoption of the South East Plan 2009 and the extension of the AQMA in Farnham.

However, it is a highly material planning consideration that there is an existing permission. Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development.

Therefore, Members should focus on 2 principal issues:

- 1) Whether the provision of the temporary construction access from the A31 is harmful

- 2) Whether the non-provision of the temporary construction access from the A31 and alternative use of the existing road network and alternative access to the site are acceptable

1) Implications of temporary access from A31

Transport and Highways

In relation to the potential impact of the temporary access from the A31 on transport/highways, the agent has submitted a Transport Statement produced by RPS.

Their conclusion is that during the construction of the access itself, there is likely to be significant disruption to the traffic flows on the eastbound carriageway on the A31. It is anticipated that traffic management measures required during the construction of the access will necessitate the closure of one of the eastbound lanes on the A31 from the stop line at the Hickleys Corner junction for part of the 12-16 week construction period.

A comparable time period of approx. 12 weeks would apply to the removal of the temporary construction access and subsequent re-instatement works at the end of the construction period. Any adverse highway impacts would therefore apply for circa 24-28 weeks, which would amount to approx. 20% of the proposed 3 year construction period.

This will result in substantial additional delays and queuing at the Hickleys Corner junction with the likelihood that vehicles would use alternative routes, including West Street, The Borough, Woolmead Road and East Street or South Street through Farnham Town Centre. This could possibly exacerbate air quality problems in this area of the Borough.

During the morning peak hour the queue on the A31 at Hickleys Corner would increase from 29 to 348 vehicles. Whilst even with a lane removed, vehicles are likely to wait in two lanes on the dual carriageway section, the queue would extend over 1km and towards the Coxbridge roundabout to the west.

Average vehicle delays during these periods would also increase from 0.6 to 12 minutes. Increase would also take place during the PM peak hour and off-peak periods but not to the same degree as they would within the AM peak hour.

It is considered that during the construction phase of the temporary access, a limited number of construction vehicle movements will be involved when assessed on either an hourly or daily basis. They are not therefore in themselves likely to have any material impact for the operation of the traffic signal junction at Hickleys Corner, or for the eastbound carriageway of the A31 itself.

The introduction of the temporary construction access would necessitate the closure of Borelli Walk for the duration of the construction period i.e. 24-36 months, due to health and safety implications of directing pedestrians onto a significant vehicular access. Alternative pedestrian options are considered impractical, as these would only serve to introduce further pedestrian/vehicle conflicts.

It is stated that the peak use of the temporary access would be during the excavation phase of the main development, which would involve heavy vehicles making round trips between the site and the tipping facility. As vehicles would be accessing the site to and from the eastbound carriageway only, the round trip would also entail a westbound leg through Hickleys Corner and a U-turn at the Coxbridge roundabout to the west. The existing eastbound flows at the Hickleys Corner junction on the A31 are in the order of 1,630 vehicles during the morning peak hour and 1,000 vehicles during the day. An assessment of the likely traffic movements arising from the excavation works predicts an increase of eight inbound movements during the peak hour, and a further eight outbound movements, which would not materially affect the operation of the junction.

It is concluded that whereas there would be some benefits within Farnham associated with the removal of construction vehicles from Dogflud Way and the adjoining local road network to the temporary access from the A31, there would be significant negative impacts associated with the potential re-routing of traffic during the construction stage of the access junction with the A31 and the bridge itself.

Whilst the County Highway Authority considers that the construction of the temporary bridge to the A31 would create disruption to the A31, with the main period of disruption taking place when the land is cleared, the access created and then subsequently removed, they state that this would nevertheless be the optimum solution in pure highway terms as it is likely to offer least disruption to existing highway users.

They state that whilst the loss of the trees would have no direct impact in regard to highway safety, congestion or the free flow of traffic, concern is raised that their loss over such a long period of time would be significant in terms of highway amenity.

Whilst it is a matter of judgement, officers concur with the views of the County Highway Authority that the proposal would cause disruption during the construction and removal of the access. The advantage would be to keep construction traffic out of the town centre.

Trees

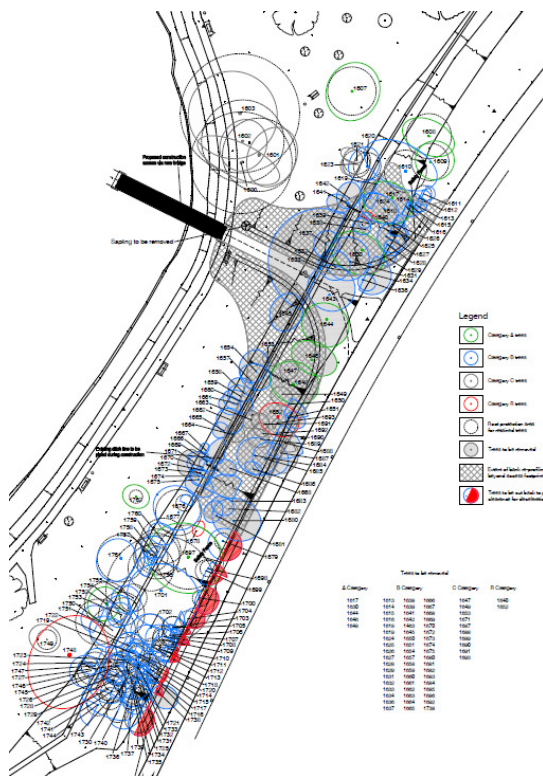
In relation to the potential impact on trees, the agent has submitted an Arboricultural Report produced by Ian Keen Limited.

The report states that there is a woodland belt on the embankment of the Farnham bypass adjoining Borelli Walk public park. This belt is mainly of similar age Sycamore and Norway Maple, although there are the occasional mature trees of earlier origin, as well as other species of varying ages. The belt includes key feature trees that are of significant stature, together with an understorey of Hazel, Myrobalan, Hawthorn and some Dutch Elm regeneration.

Whilst the individual trees within the belt are of limited merit, collectively they form a significant landscape feature providing a visual and acoustic block between the town and the bypass.

The following construction access tree removal plan is included in the submission.

Construction Access Tree Removal Plan



The consultant concludes that the proposed A31 construction access would require the removal of 69 trees from the woodland belt along the bypass.

Of those 69 trees, 5 are of high quality and value, 54 trees are of moderate quality and value and 10 are of low quality and value. In total, 55% of high quality and value trees would be removed from the tree belt.

The proposal would result in an opening in the belt 84m wide and would punch a significant gap in the visual and acoustic screen provided by the tree belt.

The agent states that the retained trees could be protected by a scheme of temporary protective measures deployed and retained for the period of construction activity.

In mitigating the loss of the trees, new trees could be planted, although, due to the constraints on size at time of planting, it would be approximately 30 years before the belt was returned to its current condition.

In summary, the A31 construction access proposals would require significant tree removal, opening of views and exposure to noise that could only be replaced after a significant period of time.

The Council's Tree and Landscape Officer is of the view that the tree belt along the dual carriageway is a valuable shield to the road and an important 'green corridor' for wildlife. The value of the trees is their collective contribution to the landscape as a feature, within an Area of Strategic Visual Importance. The arboricultural impact assessment provides a realistic scale of the direct tree loss alongside the A31 associated with the access direct to the A31. The proposal will have a significant negative impact on the landscape in the short to medium term from a visual and acoustic perspective, due to the opening up of a section of the road and the impact of this on views from the town to the north and to users of the verdant open space along the river corridor.

It is noted that Farnham Town Council state, in the draft *Farnham Design Statement 2010 – Consultation*, in relation to the A31 that: 'It is the aim of the Council to try to improve this road by extensive planting of shrubs and trees' and that 'It is important that the green entrances to the town and the green corridor along the A31 through the town are both maintained and enhanced.'

It is noted, nevertheless, that the comment of Farnham Town Council on this application indicates that whilst the loss of trees would be regrettable, the Council endorses the bridge access as the preferred construction access.

Following the advice of the Council's Tree & Landscape Officer, it is considered that the proposal would have a significant impact upon the landscape, which is a designated ASVI. The loss of the landscaped buffer will have a materially detrimental effect on the character and landscape appearance of the area for a significant number of years. This impact will be from views from within the East Street site and Borelli Walk, but also from the A31 corridor.

Ecology

An Ecology Appraisal has been submitted with the application, carried out by Aspect Ecology, outlining the potential impact of the proposed A31 access upon habitats and species.

The appraisal concludes that the River Wey north Site of Nature Conservation Importance (SNCI), designated due to the rich diversity of aquatic and

marginal flora and stream fauna, e.g. the nationally scarce White-legged Damselfly, lies at the northern boundary of the study area and could be adversely affected by the construction/deconstruction works.

The ecological interest of the River Wey habitat, associated vegetation and the woodland belt is likely to be adversely affected by the construction of the temporary bridge. In particular, due to the extensive tree clearance works required, the wooded belt and associated wildlife activity is likely to take a considerable time to re-establish, if at all, to the pre-clearance condition.

Four badger setts have been identified in the study area, three of which would be destroyed by the proposed road bridge, whilst any remaining badger population are likely to be subject to increased disturbance and isolation from the surrounding habitat.

The proposals are likely to adversely affect the use of the River, associated vegetation and wooded belt by bats. The increase in illumination caused from the vegetation clearance and operational phases of the road bridge are likely to affect existing flight paths, while the fragmentation of the woodland belt itself would provide an additional impact on existing commuting/foraging habitats.

Suitable dormouse habitat will be lost, causing fragmentation of the existing woodland and resulting in reduced connectivity, thereby potentially impeding future colonisation of the woodland by dormice.

No evidence was recorded during the survey, carried out in April 2009, to indicate that water vole are using the bank of the River Wey. However, the River is reported to be an important dispersal corridor for Water Voles, therefore there is the potential for this species to be adversely affected by the proposals.

The loss of the trees and scrub within the wooded belt could adversely affect common nesting birds depending on the timing of the works.

Surrey Wildlife Trust, in its letter of 14th December 2009, raises concern that the bridge will impact adversely on the River Wey (north) SNCI, in an area designated an AGLV.

The Trust is of the view that the development would have a major effect on the strip of woodland, which provides an important shelterbelt for the river corridor from disturbance from traffic and a habitat for legally protected species. This habitat loss is likely to affect badgers and bat species and possibly dormice. The thinning of the woodland and bridge activity with its attendant noise, artificial lighting, dust etc. will cause significant disruption to the habitats and species in the locality and may be detrimental to the river's function as a corridor allowing animals to move through the area. To avoid an adverse effect to nesting wild birds, works should be done outside the main nesting season. The proposed construction and use of the bridge is likely to

adversely affect the river from some overshadowing, accidental pollution and possibly siltation.

The comments of the Environment Agency have been noted. Whilst they state that they would question the need for another bridge, now that a vehicular bridge is no longer required and given the existence of another pedestrian bridge in close proximity, it should be noted that the provision of a cycle/footbridge to the south of the site was approved under planning application WA/2008/0279. Therefore the principle has been established and is not part of the current proposal.

The comments of Surrey Badger Group, regarding the loss of badger setts, have been noted and the comments of Natural England.

Policy NRM5 of the SEP 2009 and Policy D5 of the WBLP 2002 require development to take account of nature conservation issues and retain any significant features of nature conservation value. There should not be any material harm to protected species or habitat.

Officers concur with the views of the statutory consultees that the proposed access from the A31 would have an adverse impact upon protected species and habitat, including bats, badgers and dormice. These impacts would be contrary to the requirements of policy D5 of the Local Plan.

Flood Risk

A Flood Risk Assessment has been submitted in support of the application, produced by Thomasons LLP.

The Assessment concludes that the site of the proposed access bridge is located within Flood Zone 3 (High Probability of Flooding), where the 1:100 year flood level, including 20% climate change, is 64.000m Above Ordnance Datum (AOD).

The design of the proposed bridge accords with the Environment Agency requirements in respect of height and freeboard at 300mm above the 1:100 year flood level and also in terms of providing an 8m way-leave.

The embankment associated with the bridge link construction would encompass a significant extent of the flood plain in this area.

Although the construction access would be temporary, it is recognised that should a major flood event occur during its period of use, the bridge and access road would cause a significant barrier to the free-flow of flood water.

There is scope, through the use of pre-cast concrete box culverts or similar, joined together to form the foundation of the temporary road, to provide a means of allowing possible flood waters to circulate freely, however, these solutions are extremely expensive and would have to be agreed with the Environment Agency prior to implementation.

The Environment Agency raises no concerns, in relation to the proposed access from the A31, on flood risk grounds.

Officers concur with the Environment Agency's view.

Character

A Design and Access Statement has been submitted in support of the application, produced by Scott Brownrigg.

It concludes that the proposed access works affecting the woodland belt and Borelli Walk would be situated in a location that is designated as being 'Countryside beyond the Green Belt' and an 'Area of Strategic Visual Importance'.

It is evident that the loss of the trees will have a significant impact upon the amenities of the surrounding area and environment, both during the construction period and for an extensive length of time afterwards.

In seeking to minimise the impacts after the construction period, new planting can be made to replace the trees that are lost. However, the Arboricultural Report advises that due to the constraints on size at time of planting, it will be approx. 30 years before the belt returns to its current condition.

The nature of the potential structural works and the effects that those works will have upon the landscape and A31 tree belt would result in a significant detrimental impact upon the character and appearance of this area. Whilst the construction access is in place, the effects upon the character and appearance of Borelli Walk will be considerable.

Officers consider that the land to the southeast of the river, encompassing Borelli Walk, forms an important area of open land that penetrates into the urban area like a green lung. This is framed by the green backdrop of trees along the A31 to the south. The site is a designated 'river corridor' and Policy C12 of the WBLP 2002 states that development will not be permitted which will have a detrimental effect on the visual qualities, setting, amenities, ecological value, heritage interest or water quality of the River Wey (north).

Local Plan policy seeks to ensure that the appearance of ASVI is maintained and enhanced or else development proposals will not be permitted. Policy C2 seeks to protect the Countryside for its own sake.

Officers consider that, whilst the A31 access bridge would be a temporary feature in the landscape, the effects on the landscape and character and appearance of the area would last a long time. The applicant indicates that the effects would last for 30 years.

Residential Amenity

It is concluded in the submitted Design and Access Statement that the loss of the tree belt would remove any acoustic protection the vegetation currently provides to the area and those residents located north of the A31.

Residents at Homepark House, whilst also adjoining the application site are likely to suffer a greater comparative loss of amenity from insertion of the A31 access works as they are closer to the southern end of the site and some residents at Homepark House currently benefit from direct, unobstructed views of the river and areas of green space located either side. Beyond, the tree belt protects those properties from views of the A31 bypass.

Overall, the A31 construction access will have a direct impact upon the residential amenity of a number of town centre occupiers.

The loss of the tree belt and long-term impact would have an adverse impact on the residential amenity, value and saleability of proposed residential units, which will be provided as part of the new development.

It should be noted that the impact of the proposal upon the value and saleability of neighbouring properties is not a material planning consideration. In addition, there is no right to a view.

Officers consider that the proposal would have an impact on the amenity of neighbouring occupiers having regard to the loss of the acoustic barrier, the trees present along the A31 and the traffic movements in and out of the site.

Noise and Disturbance

Officers agree that the proposed access from the A31 would be harmful to residents, particularly in relation to the residents of Homepark House, located to the west, which provides accommodation for the elderly.

Convenience of Footpath Users

It is concluded in the submitted Design and Access Statement that the potential works would represent a significant physical barrier, which would make it extremely difficult for the public to gain access to South Street from the east on foot. Ongoing discussions regarding the redirection of the public footpaths through the site during the construction period are considering the use of Borelli Walk as a convenient alternative for pedestrians. However, should the A31 construction access be constructed, this would make those potential alternative pedestrian options impractical because of the conflicts which would arise between pedestrians and construction vehicles.

The final views of the County Rights of Way officer have not yet been received. However it is understood that objection will be raised to the A31 access due to the conflict with the route of the proposed footpath diversion along Borelli Walk. An oral report will be made at the meeting.

2) Implications of utilising existing road network

Transport and Highways

In relation to the potential impact of utilising the existing road network on transport/highways, the agent has submitted a Transport Statement produced by RPS.

It is stated that the original Transport Assessment report, prepared in support of the larger East Street Redevelopment Proposals, assessed the position with the majority of construction vehicles using the Dogflud Way access. The current assessment has now been revised and updated.

Three routes are now proposed, as set out under 'Submissions in Support of Application'. The first two routes are considered suitable for general construction vehicles and vary only in the immediate vicinity of the site, to cater for access at different stages of the construction process. The third route is intended solely for the heavy vehicles used for excavation and the delivery of materials for the construction of the substructure.

RPS state that the advantage of singling out excavation vehicles is twofold.

- The rationale for this proposal is that the excavation lorries work on a cycle, depending on the selected tip location. Each driver will probably visit 3-4 times a day over 5½ days per week and therefore these can be distinguished from other delivery drivers who will be visiting the site on a less regular basis.
- The proposal to use Brightwells/South Street for exiting helps with the provision of basement excavation ramps and wheel wash facilities and also splits the site into that that is out of the ground quickly being of raft or pad foundations and that where the frame and envelope construction are delayed by the basement excavations.

The routes are designed to access the site from the east of the town to minimize disruption to traffic in the town centre and avoid the Borough/South Street/Union Road/Downing Street one-way system.

The roads affected would be Dogflud Way, East Street, Guildford Road, Hale Road and the northern section of Brightwells Road. This reflects an arrangement via Dogflud Way, which was proposed within the application referenced WA/2008/0279 and covered within the supporting Transport Assessment. In addition there would be a controlled and limited impact on the western section of Brightwells Road and South Street and lower parts of South Street, but not the northern part adjacent to The Borough.

It is anticipated that in the early stages of construction, the bulk of the traffic would be generated by the excavation and substructure vehicles using Route 3. It is assumed that the vehicles will be accessing a local waste handling site

via the A31, the closest suitable site being at Runfold, which is to the east of Farnham.

Routes 1 and 2 provide alternative options for general construction traffic. Some concurrent construction activities are likely whilst the excavation and substructure works are underway, which will require the use of routes 1 and 2. The use of route 3 will be restricted as substructure construction progresses, and once completed, will only provide access to the underground car park.

The consultants have provided details of anticipated base traffic flows in 2012 on Guildford Road, the two-way section of East Street, Dogflud Way and South Street during the morning and evening peak hours and also on a daily basis. Modelling work has been carried out to show the implications of introducing excavation/substructure vehicles onto the local road network along Route 3. In summary, a total of 16 two-way movements during each hour has been used, equating to 130 movements per day. This equates to an increase of 8 movements per hour on each of the affected links. This represents the most intensive period of activity when the material is being removed from the undercroft and basement car park combined with the commencement of the substructure construction. The table demonstrates that the increases (of between 0.4% and 1.2% of the existing traffic movements) are small when considered in the context of existing movements on the local roads and therefore will have no material implications, either for the efficiency or safety of those roads.

Following an assessment of Routes 1 and 2, it is concluded that the use of these routes would be acceptable for general construction vehicle movements.

It is stated that the use of alternative accesses to the site will help to ensure that vehicles entering the site will have a clear entry and will not block traffic on the public highway. Site management will ensure that there is sufficient parking for construction-related vehicles to avoid parking problems on Dogflud Way and other roads in the vicinity of the area.

The alternative routes prevent construction traffic from using The Borough at all times and the northern part of South Street for a significant period of the overall construction period.

It is stated that to enable the movement of construction vehicles, certain highway improvements, based around the final approved scheme, would be brought forward and implemented as an early activity during any enabling (demolition, services diversions or site preparation works). These improvements are shown on submitted plan reference JNY4420-87 Rev. A and comprise:

East Street/Dogflud Way

- Puffin Crossing, Toucan Crossing and signals
- Traffic islands
- Section of shared cycle/footway 3m wide

- Two-way traffic flow on Woolmead Way

East Street/South Street

- Two-way traffic flow introduced on Bear Lane/Woolmead Road
- Existing pedestrian crossings and tactile pavements to be retained, signal timings to be adjusted to accommodate two-way traffic flow on Bear Lane/Woolmead Road and East Street exit
- Kerb build outs and controlled crossing
- Traffic signals and controlled crossing

South Street/Brightwells Road Junction

- Controlled crossings to be retained
- Existing footway to be retained
- Existing access from Brightwells Road to Sainsbury's car park to be retained
- Brightwells Road to be retained as construction vehicle egress
- Existing one-way working of Sainsbury's under-croft car park to be reversed and exit retained

The improvements would also involve the following temporary works to facilitate the construction phase, which would be removed to provide the final highway scheme:

- East Street to have tie-in to temporary traffic signals to accommodate two-way traffic flow on East Street with route signed 'Construction Traffic and Access Only'
- Temporary one-way traffic flow southbound on East Street from the Marlborough Head with temporary traffic signals to accommodate one-way traffic flow
- Temporary vehicular access from South Street to Sainsbury's car park to provide separate access to Sainsbury's and construction traffic egress on Brightwells Road
- Temporary curb build out on South Street/Brightwells Road to increase pedestrian visibility

The impact of operative transport will be mitigated by:

- Encouragement of ride sharing through a ride share board in the canteen and mess room.
- Encouragement of use of public transport due to the proximity of Farnham Rail Station, which is on the Waterloo/Alton line, and good bus services to/from Aldershot/North Town and Guildford/Godalming as well as Haslemere and Bordon.
- Onsite parking for multiple occupancy vehicles in the post constructed car parks.
- Encouragement of use of local bed and breakfast accommodation.

The consultants state that, to respond to any potential neighbour concerns we will ensure that the contractor consults with his insurers and surveys will be

undertaken on any property perceived to be at risk of damage from vehicle movements prior to any construction work being undertaken.

It is concluded that the provision of three access routes to and from the site would be acceptable, subject to an agreement, which controlled the routing of construction vehicles. It is stated that there is a strong case for the appropriate use of the existing road network to service the site.

The County Highway Authority is of the view that the proposed use of the existing highway would be acceptable subject to conditions. Whilst the views of Surrey Police are noted and important in any decision, the Authority states that there is little evidence to suggest that the use of the existing highway network will be problematic. Whilst there is little doubt that Guildford Road, Hale Road, East Street and Dogflud Way will suffer from some level of increased congestion and disturbance during the peaks of the construction period, it must be remembered that this will be a temporary situation with peaks and troughs occurring during the whole construction period. The estimate of HGV traffic is presented as a worse case scenario, which will only occur for a limited period, during the construction programme.

The concerns of the Surrey Primary Care Trust have been noted in relation to the increased volume of traffic delaying emergency vehicles and impacting upon the parking facilities at Farnham Hospital and Centre for Health. However, having regard to the views of the County Highway Authority, it is not considered that the proposal would have a significant impact upon the hospital or Centre for Health.

Officers consider that, whilst there would be some impact from the proposal to utilise the existing road network, this is offset by the reduction in the environmental impacts (loss of trees, impact upon protected species/habitat, impact upon the character of the area and upon residential amenity) which the A31 access would have caused.

Noise and Disturbance

It is stated in the submitted Design and Access Statement that paragraphs 9.60-9.70 of the original Environmental Statement, submitted under planning application WA/2008/0279, considered the noise effects of traffic from the scheme.

In summary, effects from permanent traffic noise were found to be 'Minor Beneficial'. Construction Noise was considered to have Neutral to Moderate Adverse impacts, however, suitable measures were expected to be provided, which would minimise potential for disturbance.

Having regard to these conclusions, officers consider that the use of the existing road network for construction vehicles would not cause significant material harm to surrounding occupiers.

Air Quality

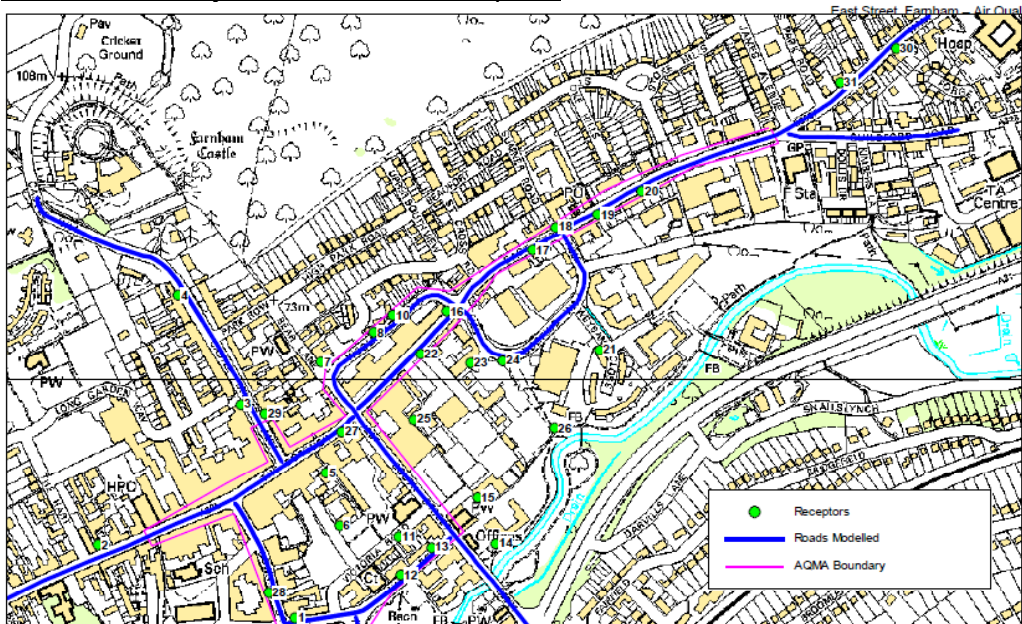
The agent has submitted an Air Quality Statement in relation to the potential impact of utilising the existing road network on air quality. This document was produced by RPS and forms an addendum to the original Environmental Statement submitted under WA/2008/0279.

The consultants state that the original redevelopment application was supported by an Air Quality Assessment, undertaken in late 2007/early 2008. Additional work has now been undertaken as technical guidance has substantially changed since the original assessment was undertaken.

The assessment of construction-related vehicle emissions has now been undertaken using the current technical guidance and having regard to the fact that the designated Air Quality Management Area in Farnham has been extended. An atmospheric dispersion model system has been used to predict the annual-mean Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) concentrations for the peak year of construction activity, 2012, both with and without construction-related traffic. These have been combined with urban background concentrations.

31 sensitive receptors were selected at properties along the construction-related route where absolute pollutant concentrations and/or changes in pollutant concentrations were expected to be greatest, as set out on the plan below.

AQMA Boundary and Sensitive Receptors



The results of the modelling show that the predicted annual mean NO₂ concentration in 2012, both with and without construction related traffic, would be below the UK standard of 40 µg.m⁻³ at all receptors, except **Receptor 27**, which is located at the junction of the Borough and South Street.

The predicted increase in annual mean NO₂ concentrations associated with the construction traffic is above 1% (as a percentage of the UK Air Quality Strategy Objective), deemed a *very small* change, according to the significance criteria adopted for the assessment, at **Receptors 16, 19, 20, 22 and 24**. These receptors are located within the AQMA. When this is considered in the context of the absolute concentration relative to the standard, the significance of the effects at these receptors are deemed *slight adverse*.

The predicted increase in annual mean concentrations is below 1%, deemed an *extremely small* change, **at all other receptors** and when this is considered in the context of the absolute concentration relative to the standard, the significance of the effects at these receptors are deemed *negligible*, except at **Receptor 27**, where the significance of the effects is deemed *slight adverse*.

In relation to particulate matter the predicted annual mean PM₁₀ concentrations in 2012 at all receptors are *well below the standard* of 40 µg.m⁻³ with or without construction traffic (the concentration is *well below the standard* if it is less than 75% of the limit value). Again, the highest annual mean PM₁₀ concentration is predicted at Receptor 27.

The increase in annual mean PM₁₀ concentrations associated with the construction related traffic is <0.05% at all receptors, which is deemed an *extremely small* change in magnitude. When this is considered with the absolute concentration relative to the standard, the significance of the impact on the receptor is deemed *negligible*.

The consultants have not calculated the hourly-mean limit value/objective for NO₂ or PM₁₀ as they state that the annual-mean concentrations indicate it is unlikely that the hourly-mean limit value/objective will be exceeded.

The results of the assessment of construction-related vehicle emissions suggests that during the peak period of construction activity, the air quality effects will be no worse than *slight-adverse*. The air quality effects outside the AQMA are deemed *negligible*. The estimates suggest that the changes in pollutant concentrations are likely to be small and the estimated concentrations are within standards set at a national level for protecting human-health.

In relation to the control of dust and emissions from the plant and activities during construction and demolition, the consultants state that, due to the size and number of properties proposed, the development is concluded to be at 'high' risk of causing air quality effects unless mitigation measures are employed.

It is stated that the mitigation measures appropriate to high risk sites were set out in the ES submitted under WA/2008/0279 (Chapter 10, paras. 10.111 to 10.116 refer). These measures have been used to establish a visual

inspection checklist, detailed in the statement, designed to ensure that appropriate mitigation measures are implemented.

Effective implementation of the mitigation measures should ensure that adverse air quality effects during construction are minimised.

The consultants state that a manager should be on site during working hours to maintain a log book and undertake the site inspections.

The results of the inspection will confirm whether mitigation measures during the remaining construction phase are being successfully implemented. The completed checklist and the nature of any complaints will be provided to WBC on a weekly basis.

If the findings of the visual inspection or the nature of any complaints received suggest that the mitigation measures are not being adhered to or the mitigation measures are not effective, then consideration will need to be given to enhanced mitigation measures and monitoring to satisfy WBC's recommendations.

The Council's Environmental Health Service commissioned an independent review of the air quality impact assessment for the development by engaging AEA Technology plc to:

- comment on the original air quality assessment carried out to support the original planning application
- comment on the additional assessment carried out by CNS to support the use of the existing road network

Environmental Health Officers are of the view, having regard to the Council's consultants findings, that the likely impacts from the development site arise due to its proximity to the Farnham AQMA and the presence of nearby residences and businesses. The site is immediately adjacent to the AQMA and the proposed construction traffic route passes through the eastern arm of the AQMA, as far as Hale Road.

Dust and other emissions from the site are likely to affect nearby premises which, depending on wind direction, may include those within the AQMA. As recognised by the developers report, the site is at high risk of causing air quality effects from dust and emissions during the construction phase. The Best Practice Guide (BPG) recommends mitigation measure to deal with these high risks (particles with an aerodynamic diameter of 10 microns or less, known as PM₁₀ are a sub-group of dust and are of greater concern in relation to human health than dust in general) and the developer's report proposes to adopt the majority of these measures.

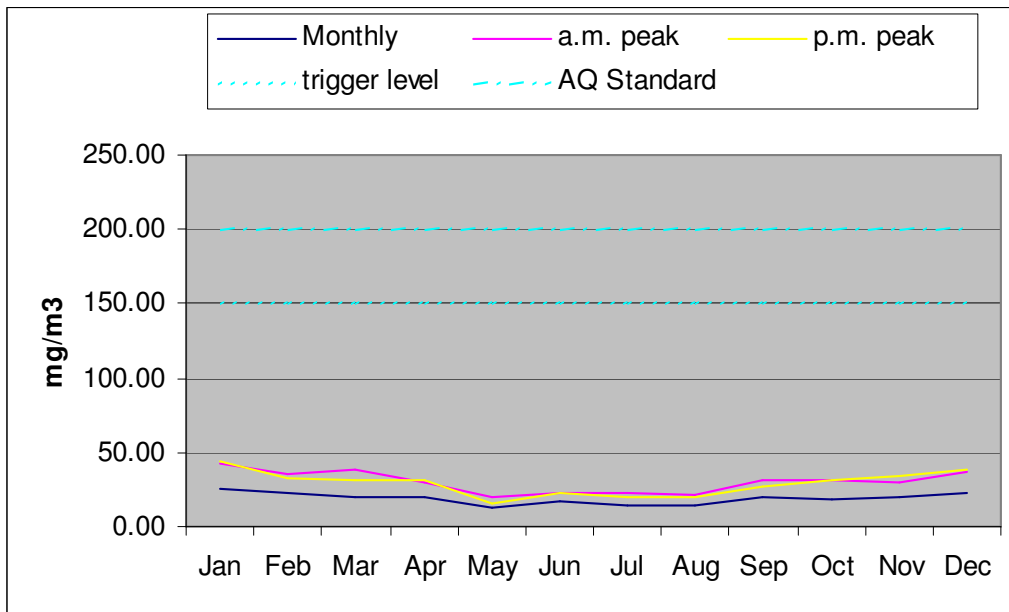
The BPG includes the need for air quality monitoring in order to ensure the mitigation measures are working and, more importantly, to predict when pollutant levels are approaching values where mitigation is critical. The developer's proposal to rely on a visual inspection from time to time does not

meet the guide's requirements to install real time automatic monitors for PM₁₀ on high risk sites.

Apart from concerns over dust emissions, the Farnham AQMA exists due to elevated levels of Nitrogen Dioxide (NO₂) in relation to UK Air Quality Strategy Objectives. The legislation setting these objectives provides a maximum annual mean for NO₂ of 40 micrograms per cubic metre of air (40 µg.m⁻³) and an hourly mean of 200 µg.m⁻³, that should not be exceeded on more than 18 occasions.

Nitrogen Dioxide levels fluctuate both diurnally and seasonally, both in terms of background levels and those additional levels created, for example, by local traffic conditions. Environmental Health Officers have produced the following Figure 1. to show the average NO₂ levels at Farnham Automatic Monitoring Station. The data includes monthly averages, peak periods' averages and AQ objective levels. Although it is recognised that the lower the level, the better the air quality, national standards do not require any action to be taken unless they are regularly breached. The chart shows that there is capacity between the peak periods' averages and the hourly mean objective standard, and this can be used to monitor and better plan construction vehicle movements.

Figure 1. Average NO₂ Levels at Farnham Automatic Monitoring Station



The Council's Environmental Health Officers recommend no objection to the proposal subject to a condition.

Officers consider that, with the imposition of the condition recommended, the proposal to utilise the existing highway network would not have a materially adverse impact on the amenity of the town centre area.

Trees

It is concluded in the submitted Arboricultural Report that the utilisation of the existing highway network would present no implications upon the adjacent trees.

The Council's Tree and Landscape Officer raises no objection to the revised access proposals on tree grounds and officers are satisfied that there would be no material harm to existing trees.

Whilst it is noted that concerns have been raised in letters of representation that the proposed highway improvements would result in the loss of trees to the north of Brightwells Road, adjacent to the existing access to Sainsbury's car park, it should be noted that these trees were accepted as being removed under the existing planning approval and the principle of the loss of these trees has therefore already been accepted.

Ecology

The proposed use of the existing highway network would not have a significant impact upon ecological interests of acknowledged importance and would accord with SEP 2009 Policy NRM5 and WBLP 2002 Policies D1, D5, C10, C11 and C12.

Flood Risk

The Environment Agency is of the view that that the proposed use of the existing highway network would not have a material impact upon flood risk.

The original permission contained measures and conditions to deal with flood risk, surface water drainage, floodplain compensation and groundwater. These conditions would remain upon the permission if the current application is approved.

Residential Amenity

It is concluded in the submitted Design and Access Statement that there will be an increase in the number of vehicles passing dwellings already located adjacent to the proposed access routes. However, it is not considered that this will be a materially significant increase in the number of trips generated by the construction phase, compared to the number of vehicles already in the highway network, or compared to increases resulting from the development when operational.

It is considered that there will be no material impact to the amenities of residential occupiers located along the construction traffic routes.

At the public exhibition, concerns of residents were raised in terms of potential material damage caused by vehicles to private property. CNS does not anticipate any such damage will occur, but will ensure that the appointed

contractor liaises with their insurers and an appropriate strategy is implemented for recording the condition of these buildings to be considered in the case of damage from vehicle movements and/or construction activities.

Officers consider that, having particular regard to the temporary nature of the construction period, the proposal would not have a significant impact upon neighbouring amenity.

Character

Whilst the traffic would pass through Farnham Conservation Area, at the junction of The Borough/Bear Lane/South Street and along South Street adjacent to the Liberal Club and Methodist Church, it is not considered that, having particular regard to the temporary nature of the construction period, it would have a detrimental impact upon the character or appearance of the area.

Archaeology

Within Sites and Areas of High Archaeological Potential, the Council will seek to ensure that ground disturbance is controlled and archaeological investigations carried out to ensure that items or features of archaeological interest are rescued or recorded.

The comments of the County Archaeology Department have been noted and officers can confirm that, if permission is granted for the application, conditions 35 and 36 of the original permission will apply to any ground works approved under this current scheme.

Thames Basin Heathland SPA

The proposal to use the existing highway network would change traffic flow and would not create any more dwellings, over that previously approved under WA/2008/0279, and therefore would not have an impact upon the integrity of the SPA.

It is therefore considered that an appropriate assessment under Article 6(3) of the Habitats Directive is not necessary.

Environmental Impact

The environmental impact of the application has been addressed through an addendum to the original Environmental Statement through the submitted Air Quality Statement.

Given that the application is in respect of not complying with condition 37, by routing construction traffic through the town centre, it is the environmental effects of that alternative routing that need to be addressed.

In relation to noise and disturbance, the applicants make direct reference to the original Environmental Statement. The conclusion of which are considered to still apply.

In summary, the effects from permanent traffic noise were found to be Minor Beneficial. Construction Noise was considered to have Neutral to Moderate Adverse impacts, however, suitable measures were expected to be provided, which would minimise potential for disturbance.

Having regard to the conclusions of the Council's consultants and proposed mitigation measures there is not considered to be a significant impact on the environment in terms of air quality.

In taking into account the effects of other close by developments, the environmental impact and the mitigation of effects are considered acceptable in the context of the development of brownfield land in a town centre location. Any adverse effects are reasonable consequences of development and are likely to be less than the impact and consequences of undertaking an equivalent development elsewhere in Farnham.

Letters of Representation

Concerns have been raised regarding changes to the construction programme and in the amounts of material/concrete and number of vehicles that have been quoted in this submission in comparison with WA/2008/0279. For the purposes of this report this new information has been accepted in good faith. The applicants have reappraised the scheme and up-to-date figures have been provided.

It is noted that a letter of comment was received on 29/03/10 in relation to the modelling of traffic movements in the context of both the development application and the Air Quality Action Plan. Officers understand that a direct response has been provided from the Highway Authority. It is understood that that response indicates that the development requires highway works to deal with its impact, but there is provision within the Section 106 Agreement for funding to be made available for studies, which may give rise to the need for further works. The benefit of this is that if the studies do reveal a need to do further works, and in the event that those new works are inconsistent with the currently approved works, there may still be an opportunity to accommodate them without any significant or costly abortive work.

Concern is raised that the trees to be removed to the north of Brightwells Road are within the Conservation Area and therefore afforded protection. It should be noted that the Conservation Area boundary is located on the southern side of the road and therefore the trees are not within the Conservation Area. The principle of the loss of these trees was accepted under WA/2008/0279.

In relation to the assertion the condition 69 must also be removed as it relates to the bridge, the condition related to the pedestrian/cycle bridge permitted under WA/2008/0279 and not to the temporary access bridge from the A31.

It should be noted that the Gostrey Centre would be closed when construction works commence.

In relation to concerns that the current proposal does not contain sufficient data to consider the environmental impacts, it should be noted that the previous scheme had an Environmental Statement considering air quality and traffic movements and officers came to the conclusion that there was sufficient information to conclude the scheme was acceptable subject to conditions. The current scheme includes an addendum to the ES, which has been considered by Environmental Health Officers, and backed up by the consultant's report, who conclude that there would be no significant effect subject to mitigation. Officers consider that the current proposal provides sufficient information to determine the proposal.

It is considered the Council has received sufficient information in relation to flood risk and trees, in the form of a flood risk assessment, tree survey and tree removal plans, submitted as part of the scheme. Officers have the right information to assess the impact of the A31 access on flood risk and trees. The proposal is not seeking planning permission for the A31 access, it seeks to vary a condition to not provide it.

This is a new application with possible effects over and above the original consent. The addendum to the Environmental Statement provided addresses the effects over and above the original consent.

Some objectors have made the point that the application is unlawful as the Council should have addressed it as a Regulation 19(1) application. Regulation 19 (1) of the Environmental Impact Assessment Regulations 1999 allows the relevant planning authority to request additional information/evidence respecting environmental statements if they are of the opinion that the statement should contain additional information in order to be an environmental statement. However, officers do not consider it is necessary to go down this route as the Council believes the environmental statement to be sufficient.

Contrary to the views of some residents, officers are satisfied that the applicants have addressed the proposals in terms of the relevant planning policies.

Town Council Comments

The comments of the Town Council are noted. Firstly, as the Council's Tree and Landscape Officer has advised, a condition to replant after development has been completed is not likely to sufficiently mitigate the long term harm by the removal of the significant tree buffer.

It is a matter of Member judgement, but the officers are of the view that greater weight applies to the retention of the buffer.

Secondly, the Town Council are of the view that town centre construction traffic should be avoided and this has been a principle previously established. However, as stated previously, the original application envisaged that construction traffic would use the existing network even though condition 37 on that permission indicated that the A31 could be the eventual access route.

Conclusion

The application has considered the proposal against the provision of a construction access from the A31, but to use the existing highway network for construction vehicles instead.

Officers have weighed up the varying degrees of harm presented by the two methods of providing construction access to the East Street site.

It is the conclusion of the transport and highways, air quality and environmental impact assessment that it would be acceptable to route the construction traffic through the town, in preference to providing a bridge from the A31.

Recommendation

That having regard to the environmental information contained in the application, the Environmental Statement in connection with WA/2008/0279, the accompanying addendum to the Environmental Statement and responses to it, together with proposals for mitigation of environmental effects it is recommended that subject to:-

1. compliance with the Section 106 legal agreement entered into in connection with WA/2008/0279
2. completion of appropriate highways agreements referred to in the Council's resolution dated 16.12.2008 to grant planning permission WA/2008/0279
3. the referral of the application to the Government Office for the South East under the Town and Country Planning (Consultation) (England) Direction 2009 and because the application is accompanied by an Environmental Statement and provided that no direction is received calling-in the application for determination by the Secretary of State for Communities and Local Government and
4. the making of Orders, as necessary, for the diversion and stopping up of footpaths under section 257 of the Town and Country Planning Act 1990 (as amended)

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

Conditions 1-36 and informatives of WA/2008/0279

37. Condition

No development shall start until a Method of Construction Statement, to include details of:

- (a) the proposed access provision to Dogflud Way prior to the commencement of development for the purpose of providing safe construction access and egress
- (b) parking for vehicles of site personnel, operatives and visitors
- (c) loading and unloading of plant and materials clear of the highway
- (d) storage of plant and materials clear of the highway
- (e) a detailed programme of works (including measures for traffic management and access/junction, Highways works scheduling), ensuring that the following works are constructed to an operational standard prior to commencement of development (excluding site clearance):
 - (1) The signalisation of the existing junction of East Street/Woolmead/Dogflud Way;
 - (2) The modification of the existing traffic signals at the junction of East Street/Bear Lane/The Borough and South Street;
 - (3) The alterations to Woolmead to provide for two way traffic flow;
all as broadly identified in the Seventh Schedule of the S106 Agreement.
 - (4) The modifications to the junction of Brightwells Road with South Street to also include the reconfiguration of the Sainsbury's Car Park circulation and a new access to the car park from South Street, all as generally shown on RPS drawing no. JNY4420-87A.

The programme of works shall include a construction timetable for the remaining works or remaining elements of the above works required to fulfill the requirements of the S106 Agreement.

- (f) provision of boundary hoarding behind any visibility zones
- (g) the agreed construction and routing options as set out in the RPS report dated 5 March 2010;
- (h) an operational review of the construction routing within 3 months and no later than 6 months from the commencement of development
- (i) any phased or staged implementation of the development
- (j) travel planning initiatives as set out in paragraph 2.12 of the RPS report dated 5 March 2010
- (k) a scheme for the continuous monitoring of PM₁₀ and NO₂ readings shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include agreed trigger levels and mitigation measures. The monitoring equipment shall be installed before the development commences in accordance with the agreed scheme and thereafter maintained for the duration of the development. The monitoring equipment shall be capable of providing instant readings and hourly average readings of PM₁₀ and NO₂. If any agreed trigger levels are exceeded then mitigation in accordance with the agreed

mitigation measures shall be implemented to ensure that the agreed PM₁₀ and NO₂ levels are not exceeded

has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and adhered to throughout the construction period.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users and in the interests of the character and amenities of the area in accordance with Policies NRM9 and T2 of the South East Plan 2009 and Policies M2, M3 and D1 of the Waverley Borough Local Plan 2002.

Conditions 38-73 and informatives of WA/2008/0279

SUMMARY OF REASONS FOR GRANTING PERMISSION

The variation of condition hereby granted has been assessed against policies CC1, CC4, CC6, CC7, CC8, T2, T4, NRM1, NRM4, NRM5, NRM6, NRM9 and W2 of the South East Plan 2009, policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D13, D14, C2, C5, C10, C11, C12, BE1, HE1, HE3, HE8, HE14, TC3, TC8, TC12, TC13, TC15, LT11, M1, M2, M4, M5, M9, M10, M13, M14, M15 and M17 of the Waverley Borough Local Plan 2002 and National Planning Policy Statements and Guidance. Regard has been had to the environmental information contained in the application, the Environmental Statement in connection with WA/2008/0279, the accompanying addendum to the Environmental Statement and responses to it, together with proposals for mitigation of environmental effects and material planning considerations, including consultee responses and third party representations. It has been concluded that the proposal would not result in any harm that would justify refusal in the public interest.

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