

APPENDIX A

WA/2010/1650 – land to the South of East Street, Farnham

Application is subject to public speaking.

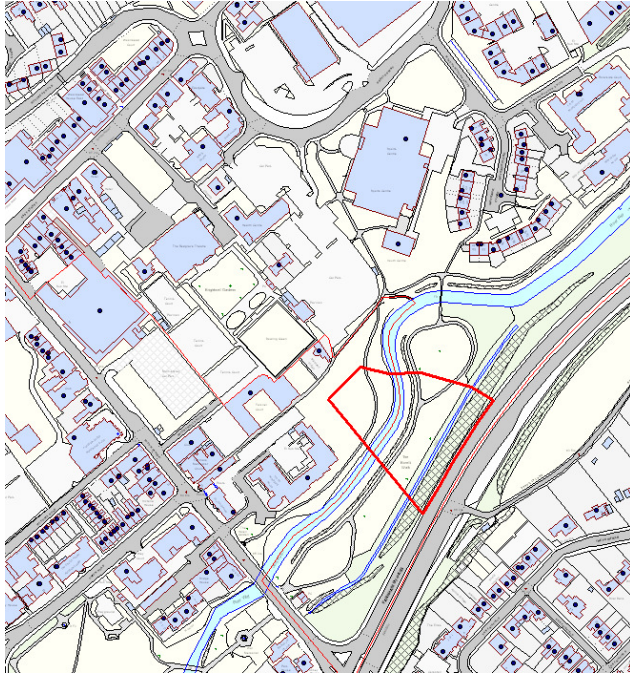
Background Papers (DoP&D)

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the “Representations” heading for each planning application presented, or may be individually identified under a heading “Background Papers”.

The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report.

WA/2010/1650 Crest Nicholson Regeneration Ltd & Sainsbury's Supermarkets 04/10/2010	<u>Provision of temporary construction access to the A31, comprising bridge across the River Wey, pedestrian underpass, other supporting infrastructure and re-instatement works including re-siting of the proposed footbridge across the River Wey from that approved under WA/2008/0279. This application is accompanied by an Environmental Impact Assessment (as amended by letters dated 05/11/10, 28/1/11 and plans received 05/11/10 and amplified by plans received 30/11/2010 and further EIA information received 28/1/11) at Land to the south of East Street, Farnham</u>
Public Notice Grid Reference:	Was Public Notice required and posted YES E: 484134 N: 146982
Town: Ward: Case Officer:	Farnham Farnham Castle and Farnham Moor Park Mrs E Sims
16 Week Expiry Date	23/01/2011
Neighbour Notification Expiry Date	05/11/2010
Neighbour Notification Amended/Additional Expiry Date	25/02/2011
RECOMMENDATION	That permission be GRANTED subject to conditions.

Location Plan



Site Description

This application site, which measures 0.59 hectares, is located to the eastern side of Farnham Town Centre and to the southeast of the main East Street development site.

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

Borelli Walk is subject to becoming a temporary Public Footpath as a replacement to those footpaths currently crossing the main site. However, this Order has not yet come into effect, and the path remains an informal walkway.

To the southeast of the river an embankment, approx. 4m in height, rises up to meet the A31. The bank is treed and provides a green backcloth to this part of the town.

To the northwest of the river the bank rises more gradually. The bank has sparse vegetation on it and leads to a grassed parkland area.

Background/Proposal

In August 2009 permission WA/2008/0279 was granted for the mixed-use redevelopment of Land at East Street, Farnham. The approved scheme comprises 239 residential units, 25 retail/restaurant/café-bar units, a multi-screen cinema, landscaped public realm, community facilities, car parking, provision of infrastructure and associated highway works. The East Street

development would enable a regeneration of this part of Farnham Town Centre. This is a Corporate Plan priority.

Condition no. 37, criterion (a), imposed on Planning Permission WA/2008/0279 requires the applicants to submit details of a “temporary access from and to the A31 Farnham Bypass (Eastbound only), subject to planning permission being obtained.”

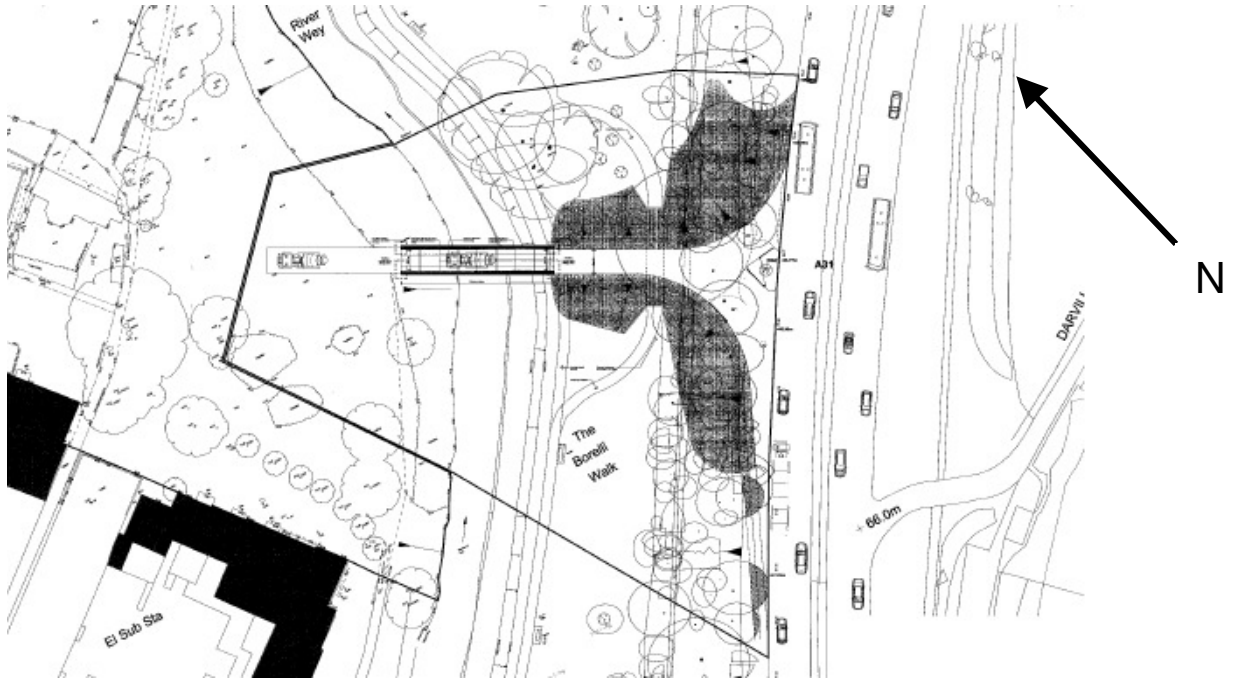
Permission was refused in June 2010 for a variation of Condition 37 to remove the requirement to apply for an A31 access. The application was refused because an alternative means of access to the site for construction purposes, i.e. use of the existing accesses to the site, would cause material harm to amenity by way of loss of air quality, excessive traffic congestion and related inconvenience to highway users, visitors and businesses and material loss of amenity to local residents.

The current application seeks permission for the provision of temporary construction access to the A31, comprising a bridge across the River Wey, pedestrian underpass, other supporting infrastructure and re-instatement works including re-siting of the proposed footbridge across the River Wey from that approved under WA/2008/0279. This application is accompanied by an Environmental Impact Assessment. The EIA was extended by way of further information submitted under Regulation 19 in January 2011. The application stems from the Council’s desire to secure access for the construction from the A31.

The proposal can be broken down into 5 key elements:

- The Access/Bridge
- Permanent Footbridge
- Supporting Infrastructure
- Storm Water System
- Pedestrian Underpass

Plan of Proposed Construction Access – Amended Plan



The Temporary Construction Access Bridge from the A31

The bridge would be constructed from galvanised steel and, at its maximum, would be 4.85m wide by 25.68m long and 2.2m in height.

Galvanised steel struts would provide structural barriers to the sides of the bridge allowing 3.6m between the struts (internal width of bridge) to allow the clear passage of one-way construction traffic along it. The bridge would sit upon reinforced concrete piled foundations on both sides of the river.

The movement of traffic over the bridge would be controlled by site operatives. Priority would be given to accessing vehicles to ensure that no vehicles need to wait on the A31 before entering the site.

Safety lighting would be situated along the inside edge of the sides of the bridge. The deck and side struts of the bridge would be of a solid steel finish to ensure that there will be no light spillage from the bridge onto the river corridor below.

The bridge would maintain an 8m buffer on either bank of the River Wey (an Environment Agency requirement to ensure the free movement of wildlife along and to protect the river corridor).

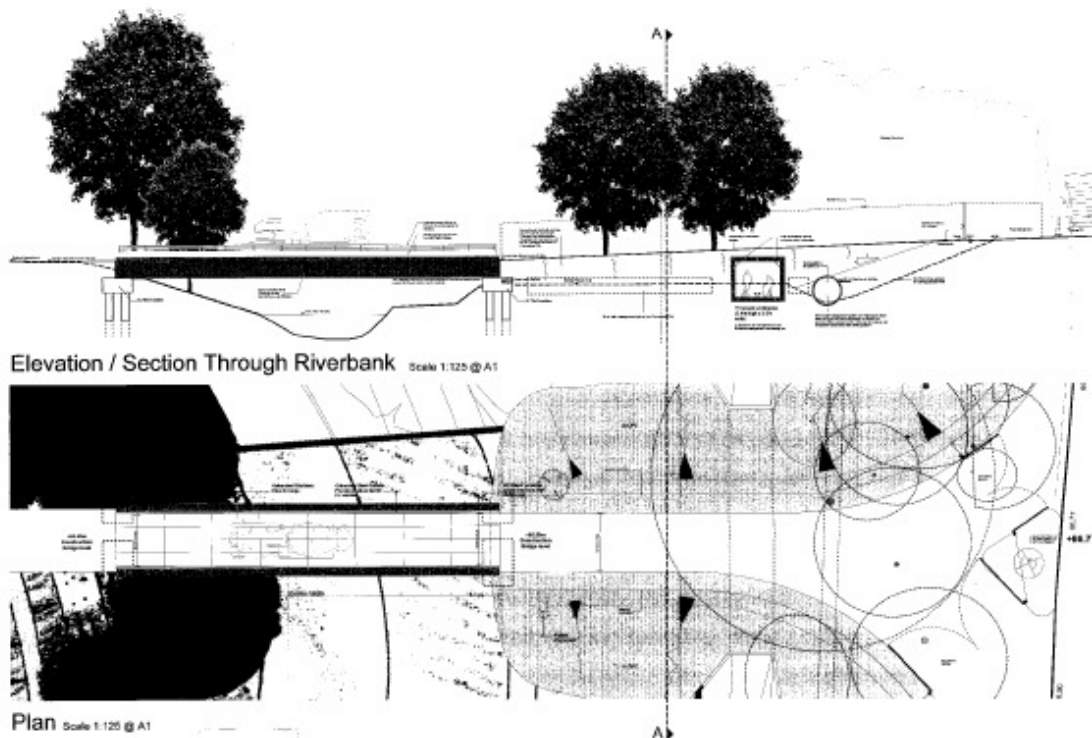
The underside of the bridge will be positioned at a minimum level of 64.3m above ordnance datum level (AOD) to provide a 300mm 'free-board' above the 1:100 year flood level of the River Wey, which would prevent obstruction in such an event (an Environment Agency requirement).

The scheme would result in the loss of 39 trees, predominantly located on the bank to the southeast of the site, which rises up to the A31. The width of opening would be between approx. 44m-60m. (The 44m width is measured from Borelli Walk and the 60m width from the A31).

It is anticipated that the construction of the temporary construction access would take approx. 12-16 weeks. It is estimated that a further 12 weeks would be needed to remove the access and re-instate the land at the end of the construction period.

The bridge would be in place for 18-24 months.

Plan and Elevation of Construction Access Bridge – Amended Plan



The Permanent Footbridge

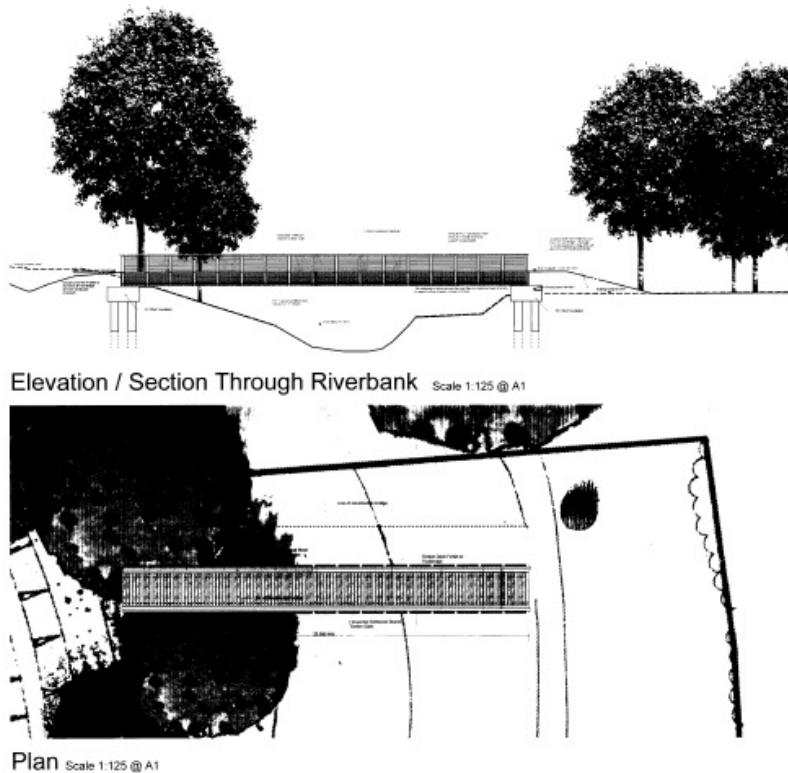
Once the construction bridge has been removed, a permanent footbridge would be provided in its place across the River Wey using the foundations provided for the construction bridge.

The footbridge, at its maximum, would be 3.1m wide by 25.68m long and 2m in height. The bridge would have a galvanised steel base with vertical struts to support a timber deck, handrail and horizontal balustrade detailing.

The footbridge would provide 2.5m clear width between the vertical galvanised struts supporting the balustrade to allow the passage of pedestrians along it.

The footbridge would not be lit.

Plan and Elevation of Footbridge – Amended Plan



The Supporting Infrastructure: -

Embankment

To enable vehicular access from the A31, over the ditch at the base of the bank to the deck of the construction access bridge (at 65.25mAOD) it is proposed to build an embankment.

The embankment would be a maximum of 66m wide by 38m deep and 3.8m in height.

Upon the embankment there would be a diverge-taper (widening of carriageway leading up to site access point to provide deceleration lane allowing vehicles to slow down and turn into the access away from the main carriageway), approx. 56m in length, leading from the northern side of the A31 into the site access. A single carriageway would lead to the bridge. In addition, there would be the vehicular exit back onto the A31.

The junction between the A31 and the construction access/exit would be the subject of a highway lighting scheme. The access would be gated and fenced to prevent unauthorised access (details to be agreed at a later date).

Storm Water Management Systems

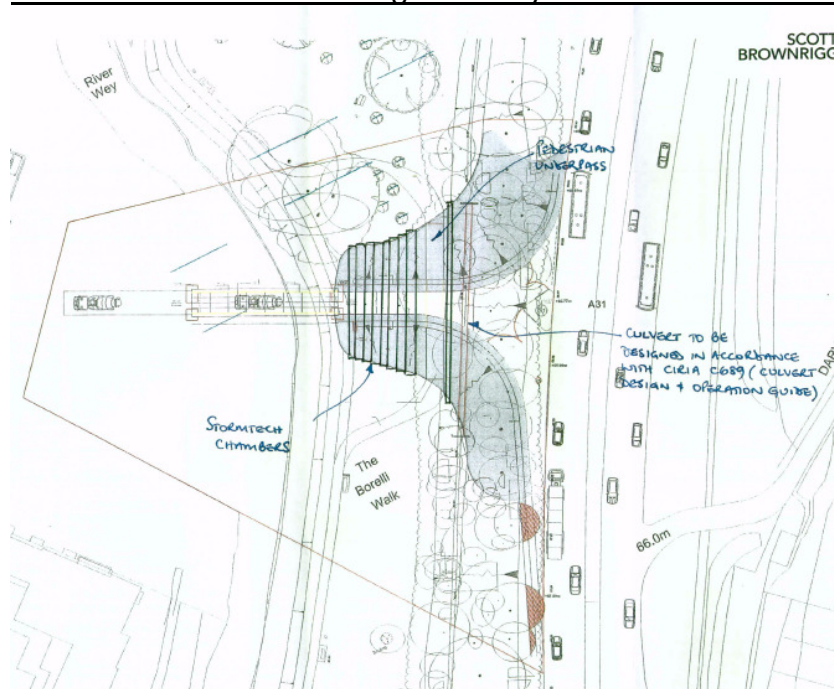
It is proposed to install a Stormtech surface water management system beneath the embankment to mitigate the impact of the embankment on the flood plain.

The Stormtech system uses tunnels in the shape of a parabolic arch. A series of tunnels would be installed in rows parallel to each other across the footprint of the embankment to create a conduit for any flood waters.

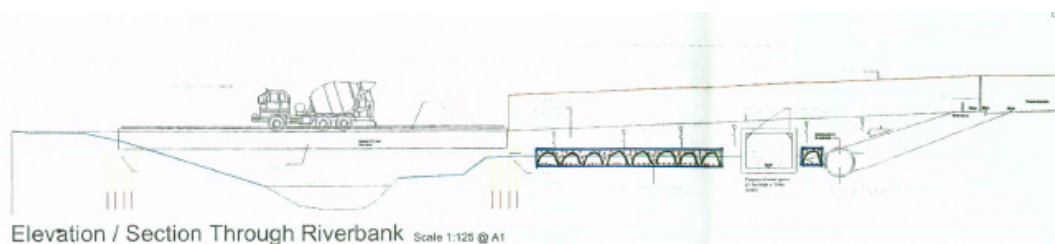
The pedestrian underpass, described below, would also provide a culvert in flood conditions.

In addition, it is proposed to culvert the existing drainage ditch at the bottom of the bank adjacent to the A31 whilst the proposed embankment is in place.

Plan of Storm Water Management Systems – Amended Plan



Section of Storm Water Management Systems



Pedestrian Underpass

It is proposed to maintain the pedestrian access along Borelli Walk, which crosses the application site from the northeast to the southwest, during the course of the construction period for the main East Street development (WA/2008/0279 refers).

It is proposed to divert the existing Borelli Walk footway eastwards through a temporary underpass under the embankment. The underpass would be 3m wide by 2.4m high and 16.5m in length. It would contain high level safety lighting.

The underpass would have splayed entry and exit points to enhance pedestrian visibility.

The underpass would be maintained by Crest Nicholson's management team during its use and would be removed when the footbridge is installed.

Submissions in Support

The applicant has submitted the following documents in support of the application:

- Planning, Design and Access Statement
- Planning Application Summary Document
- Statement of Community Involvement
- Noise and Vibration Report (Environmental Impact Assessment)
- Air Quality Report (Environmental Impact Assessment)
- Air Quality, Noise and Vibration Reports Non-Technical Summary
- Ecological Assessment
- Arboricultural Report
- Flood Risk Assessment
- Transport Statement

The plans were amended to rectify some discrepancies on 5th November 2010 and again on 28th January 2011. Further third party consultation was carried out on those plans.

Relevant Planning History

The site has a long history, however, the most relevant are listed below:-

WA/2010/0372	Variation of Condition 37 of Planning Permission WA/2008/0279 to omit the requirement for and provision of a temporary construction access from	Refused 08/06/2010
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	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)	
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

Planning Policy Constraints

Developed Area (to north of River Wey)

Countryside beyond the Green Belt (to south of River Wey)

Area of Strategic Visual Importance (ASVI) (River Wey and its south bank)

Site of Nature Conservation Importance (SNCI) – River Wey – North
Moor Park Site of Special Scientific Interest (SSSI) (approx. 2.25km southeast
of site)
Flood zones 2 and 3
Within 20m of river bank
East Street Area of Opportunity
Town Centre Area (to north of River Wey)
Area subject to Special Advertisement Control (to south of river)
Shared Pedestrian and Cycle Routes (Borelli Walk)
Thames Basin Heathland Special Protection Area (SPA) 5km buffer zone
Wealden Heaths I Special Protection Area (SPA) 5km buffer zone
Section 106 Agreement – WA/2008/0279
Grade II Listed Building (Brightwell House) to the northwest of the site –
outside the application site red line

Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1 – Environmental Implications of Development
D2 – Compatibility of uses
D4 – Design and Layout
D5 – Nature Conservation
D6 – Tree Controls
D7 – Trees, Hedgerows and Development
D9 - Accessibility
D13 – Essential Infrastructure
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
HE3 – Development affecting Listed Buildings or their settings
TC3 – Development within Town Centres
TC8 – Urban Design in Town Centres
TC12 – Town Centre Access
TC13 – Farnham Town Centre Traffic Management
LT11 – Walking, Cycling and Horse Riding
M1 – Location of Development
M2 – Movement Implications of Development
M3 – Development alongside the A3 and A31
M4 – Provision for Pedestrians
M5 – Provision for Cyclists
M19 – A31 Farnham Bypass

Policies of the South East Plan 2009 (subject to the letters from the
Department for Communities and Local Government dated 27/05/10 and
10/11/10 regarding abolition of Regional Spatial Strategies):-

CC6 – Sustainable Communities and Character of the Environment

CC7 – Infrastructure and Implementation
T2 – Mobility Management
NRM1 – Sustainable Water Resources, Groundwater and River Water Quality Management
NRM4 – Sustainable Flood Risk Management
NRM5 – Conservation and Improvement of Biodiversity
NRM6 – Thames Basin Heaths Special Protection Area
NRM7 – Woodlands
NRM9 – Air Quality
NRM10 – Noise
W2 – Sustainable Design, Construction and Demolition
C4 – Landscape and Countryside Management
BE6 – Management of the Historic Environment

National Planning Policies:-

PPS1 (2005): Delivering Sustainable Development
PPS4 (2009): Planning for Sustainable Economic Growth
PPS5 (2010): Planning for the Historic Environment
PPS9 (2005): Biodiversity and Geological Conservation
PPG13 (2001): Transport
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)
Farnham Design Statement (2010) (Central Area)

Summary of Consultations and Town Council Comments

Consultee	Comments
Town Council	Farnham Town Council considers that this proposal is more acceptable than the construction traffic moving through the centre of the town.
County Highway Authority	<u>Highways & Rights of Way:</u> <u>Original Scheme:</u> No objection subject to inclusion of conditions. <u>Amended Scheme:</u> Not yet received – to be reported orally.
Council's Drainage Engineer	Recommends consultation with the Environment Agency.

Council's Historic Buildings Officer	No concerns raised.
Council's Environmental Health Officer - Pollution Control	<p><u>Air Quality – Original Scheme:</u> Approach outlined in Air Quality Assessment broadly accepted. Issues identified where further information and clarification welcome.</p> <p><u>Amended Scheme and Further Information:</u> No objection in principle. Satisfied detailed information and clarification can be sought and agreed by condition. Recommends approval subject to imposition of condition. Method of Construction Statement to be requested.</p> <p><u>Noise and Vibration/Light Pollution:</u></p> <p><u>Original Scheme:</u> Nearest potentially affected receptors identified as Homepark House and Falkner Court. Potential impacts of development result from noise and vibration, light and accumulation of waste and lighting bonfires. Recommends approval subject to conditions and informatives.</p> <p><u>Amended Scheme and Further Information:</u> No further comments, previous comments apply.</p> <p><u>Contamination:</u> No concerns raised subject to conditions.</p>
Council's Tree & Landscape Officer	<p><u>Original Scheme:</u> Tree Survey and Arboricultural Impact Assessment is fair assessment of tree species, size and condition within construction zone and provides realistic scale of direct tree loss alongside A31.</p> <p>Diverge-taper and associated embankment involve less direct tree loss than previously mooted deceleration lane.</p> <p>Tree belt along dual carriageway provides relatively dense screen. Effectively buffers noise/pollution associated with traffic. Valuable shield to road/important 'green corridor' for wildlife. Value of trees is collective contribution to landscape as a feature, within an Area of Strategic Visual Importance.</p>

	<p>Proposal will have significant negative impact on landscape in short to medium term from visual and acoustic perspective, due to opening up of section of road and impact of this on views from town to north and to users of verdant open space along the river corridor.</p> <p>Proposed landscape mitigation plan on completion of project is acceptable in terms of providing trees of appropriate species mix in keeping with landscape vernacular.</p> <p><u>Amended Scheme:</u> No further comments to make. Recommends conditions and informative.</p>
Council's Housing Strategy & Enabling Team	<p><u>Further Information:</u></p> <p>No concerns raised.</p>
Environment Agency	<p><u>Original Scheme:</u></p> <p>Following consideration of application and FRA, no objection subject to conditions and informative. Provides advice on flood risk and ecology.</p> <p><u>Amended Scheme:</u> Previous comments. Suggest additional informatives if permission is granted.</p>
Natural England	<p><u>Original Scheme:</u></p> <p>This application could potentially affect Moor Park SSSI by way of downstream effects.</p> <p>No objection subject to the safeguards set out in paragraph 6.3.6 of the Ecological Assessment being secured as a condition. If permission is granted without inclusion of this condition, then NE must be notified and be given further chance to comment.</p> <p>Application falls within River Wey – North – SNCI. Recommends consult County Ecologist and Surrey Wildlife Trust.</p> <p>Natural England welcomes the submission of the ecological surveys and recommends consult in-house/retained ecologist with regard to survey results and appropriateness of mitigation proposed.</p> <p>Subject to inclusion of above condition and proposals</p>

	<p>being carried out in strict accordance with terms of application and submitted plans, no objection raised.</p> <p><u>Amended Scheme:</u></p> <p>No additional comments to make. Previous comments apply.</p>
Surrey Wildlife Trust	<p><u>Original Scheme:</u></p> <p>Provides the following comments and recommendations re habitat:</p> <ul style="list-style-type: none"> - Bridge will cross SNCI in area designated as AGLV. (Officer Note: area is not AGLV but ASVI) Local Plan Policy protects SNCIs from development unless can be demonstrated that they will not conflict with nature conservation interests. Development will to some extent impact adversely upon this important habitat - Biodiversity of SNCI may be affected by adjacent East Street Development. Further impact on the river corridor from the current proposal should be given full consideration - Proposal would have major effect on strip of woodland, which provides important shelterbelt for river corridor and habitat used by legally protected species from traffic on A31 - Removal of trees could not be fully mitigated by replanting for many years. This habitat loss likely to affect legally protected species in area e.g. badgers and bats - Thinning of woodland, bridge activity with noise, lighting, dust, will cause significant disruption to habitats and species in locality/may be detrimental to river's function as corridor for animals passing through area - Mitigation proposals needed to address potential harm to habitat and legally protected animals - River may be affected by overshadowing, accidental pollution and siltation - Rivers are also Habitats of Principal Importance in the Natural Environment and Rural Communities (NERC) Act (Section 41) - Deconstruction/restoration works will require detailing to demonstrate how effect on biodiversity can be mitigated and compensated for by habitat restoration and enhancement - An Ecological Construction Method Statement recommended to detail how potentially polluting effects can be controlled during construction/whilst bridge in operation

	<ul style="list-style-type: none"> - 8m buffer between river bank and embankment must be sufficiently protected to ensure function as corridor for wildlife - River should be protected from accidental spillage of polluting materials, run-off and silting to ensure water quality unaffected <p>Re species:</p> <ul style="list-style-type: none"> - Number of badger setts would be directly impacted - Legal requirement to protect badgers from adverse effect - Mitigation scheme required to show how these legally protected animals will be safeguarded - Method statement should be provided of how setts will be closed - Will construction of bridge prevent badgers from reaching important foraging areas? Necessary to address this issue either by further survey work on impact of proposal on badger movement or by providing a means to allow badgers to safely cross the site. - Construction process and night time use of bridge (with lighting) likely to cause adverse effect to bats feeding and commuting behaviour - Serious consideration should be given to prohibiting or applying strict control to after dusk use of the bridge during periods when bats active (May to October) - Lighting should be screened so river not illuminated - Trust interested in results of any survey on Dormice - If development permitted removal of trees and dense shrubbery should be done outside main bird nesting season - Development could offer opportunities to restore/enhance biodiversity - Under PPS9 and NERC Act, every public authority must have regard to the purpose of conserving biodiversity <p><u>Additional Scheme and Further Information:</u> Not yet received – to be reported orally</p>
West Surrey Badger Group	Not yet received - to be reported orally.
Surrey Police	<p><u>Original Scheme:</u> Raises objection that the pedestrian underpass will:</p> <ul style="list-style-type: none"> - Build in fear of crime - Provide an area for graffiti

	<ul style="list-style-type: none"> - Opportunity for theft and assault - Views obscured when entering/leaving the tunnel as path turns sharply <p>Recommends:</p> <ul style="list-style-type: none"> - Anti graffiti tiles - Underpass lit by vandal resistant lighting inside and at entrance/exit points - CCTV installed <p><u>Amended Scheme:</u> Not yet received – to be reported orally</p>
Health & Safety Executive	No comments or objections.
Government Office for the South East	Does not wish to comment on application
Ramblers Association	<p><u>Original Scheme:</u> No concerns raised</p> <p><u>Amended Scheme:</u> No further comments to make</p>
Open Spaces Society	Not yet received - to be reported orally.
Byways and Bridleways Trust	Not yet received - to be reported orally.

Community Engagement

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

The agent states that since the refusal of planning application WA/2010/0372, in June 2010, the Crest Nicholson Regeneration Ltd and Sainsbury's Supermarket Limited (CNS) project team has been engaging with the Local Planning Authority, relevant landowners, stakeholders and consultees with a view to finding a means of providing a construction access from the East Street development site to the A31 which would have reduced impacts in comparison with the proposals put forward as part of planning application WA/2010/0372.

As a result of those consultations, the following changes have been made to the design of the A31 option scheme:

- Imposition of a temporary speed restriction on the A31 Farnham Bypass, agreed with Surrey County Council and Surrey Police (reduced speed limit negates need for lengthy 'deceleration' lane into the site at the junction with the A31 and removal of fewer trees in the belt located between the A31 and Borelli Walk);
- Free-spanning bridge design negates need for supports to be located within river bed, allowing free-flow of the river and free movement of wildlife along the river corridor;

- Provision of a pedestrian underpass to maintain public access along Borelli Walk throughout the construction period.

On Wednesday 22nd September 2010, CNS presented the draft proposals to the Farnham Town Council and members of the Farnham Society. As a result of comments made at that meeting, further amendments to the scheme have been made:

- 'Straightening' of the course of the pedestrian underpass to improve security;
- Provision of lighting within the pedestrian underpass to improve security;
- Provision of lighting at the junction of the construction access with the A31.

In conclusion, the agent states that CNS have listened to the comments made by Members of the Joint Planning Committee, the public and consultees and have responded to those comments with a scheme which seeks to deliver a temporary construction access from the East Street development site to the A31 in accordance with their wishes and in accordance with Condition 37 and the Section 106 legal agreement associated with Planning Permission reference WA/2008/0279.

Representations

Original Scheme:

1 letter has been received from Farnham Chamber of Commerce in support of the application.

1 letter of comment has been received from The Bourne Conservation Group, raising the following points, summarised under the relevant headings:

Ecology

- The application fails to recognise the sensitivity of the area or the enormous impact of what is proposed
- The combined effects of the bridge and the main East Street project are not taken into account
- The chalk stream habitat of the north Wey is assigned UK Biodiversity Action Plan conservation status
- Not just the Wey is spanned but both its banks including the footpath
- Borelli Walk and its grassy surrounds form an important green corridor and allow residents to get away from the increasingly congested and polluted town
- Bridge will have devastating effect on appearance and tranquillity of green corridor
- Tree screen will be destroyed shielding site from heavy traffic on A31
- Disturbance to humans and wildlife will be considerable
- Bridge may be temporary but effects will be felt for decade or more

- Ecological Assessment conducted in accordance with good practice but fails to make any deduction from the considerable concentration of wildlife interest in the Farnham area
- Site far richer in biodiversity than identified and therefore impact of bridge greater than anticipated
- Particular concern re impact on bats, breaking of tree line likely to disrupt feeding corridor
- Less concern re badgers if sets no longer active
- Surrey Wildlife Trust should be invited to monitor situation

Traffic Noise/Air Pollution

- Only movements of construction traffic using the bridge are considered and therefore modelling unreliable
- Probability all traffic in area will move considerably slower and will result in noise, vibration and air pollution
- Tree screen acts as shield to noise and filters air pollution, impact of loss of trees on noise and pollution ignored in assessments
- Traffic report states routes through town will become attractive alternative routes. Any increase in traffic in town will cause congestion and increase in levels of air pollution
- Delays on by-pass of 12 minutes underestimated
- As construction traffic from east will have to drive both ways along by-pass will effectively create 50% more movements than traffic report considers
- Traders in Weymouth suffering 40% loss of trade as result of road improvements there. Will traders in town experience similar loss?
- Should advice and recommendations in supporting reports be wrong or inadequate, who can be held to account?
- How will the Air Quality Management Area and Air Quality Action Plan be operated to halt or moderate grossly exceeded short-term pollutant levels?
- Proposal and main East Street development will have deleterious effect on public health in Farnham
- Bridge solution to construction traffic merely shifts problems
- Neither traffic passing through town or bridge access are environmentally attractive options. Bridge option marginally better for town centre
- Acceptance of scheme must be conditional to the construction company providing mitigation of detrimental effects on wildlife, paying for independent EIA and funding an independent on-site environmental officer to be employed by the Council to regulate activities to ensure pre-determined levels of noise, air-pollution, vibration and traffic congestion both in the town and along the by-pass are not exceeded. Officer to act as 'ombudsman' for complaints by residents

19 letters of objection have been received, including those from the following groups: Homepark House Residents' Association, The Farnham Society and East Street Action Group, raising the following concerns, summarised under the relevant headings:

Character of Area

- Long term (up to 30 years according to WA/2010/0372 submission) damage to character and setting of river corridor area, through which Borelli Walk passes
- Farnham Design Statement (2010) states the River Wey Corridor is 'one of the Town's greatest assets' highlighting its recreational and biodiversity importance and contribution to beauty of Farnham. Proposal contrary to this
- Design Guidelines for the Town Centre specifically say 'green corridor along the A31 should be preserved and enhanced'. Proposal is contrary to this
- Tranquillity of Borelli Walk will be lost
- Detrimental to Area of Key Visual Importance
- Impacts proposed border on vandalism
- 60m of tree screening will be lost

Residential Amenity

- Loss of amenity to neighbouring occupiers by reason of road noise and pollution from heavy trucks/goods vehicles entering and leaving the site via the A31, disturbance and visual impact of development itself and visual impact/noise/disturbance due to loss of part of visual and acoustic barrier trees provide
- Proposal will have damaging impact on future sale of surrounding properties
- Pollution from works and traffic detrimental to environment, health and safety of neighbouring occupiers
- Report acknowledges impacts upon residents of elderly in Falkner Court and Homepark House but no mention of residents in Weybank Close
- Fact that ongoing nuisance to neighbouring occupiers by almost continuous procession of heavy vehicles and throughout construction period has not been recognised.
- In-combination effects of on site works, traffic, light and noise pollution also not considered

Traffic/Highway/Convenience & Safety of Users of Footpath

- Traffic congestion will be created on the A31 and associated parts of highway network not only during construction/dismantling of bridge and access but for entire East Street construction period of 2.5 to 3 years
- Access to the rail station and schools will be a problem due to congestion
- Congestion experienced when grass cutting taking place on A31, let alone impact from proposal
- Extensive queuing
- Substantial delays
- Likelihood traffic will seek alternative routes through town
- Traffic safety concerns due to single track bridge, lack of approach lane off A31/acceleration lane for construction vehicles accessing A31, with possible simultaneous arrival of vehicles at single lane entry and proximity to traffic lights and Hickleys Corner

- Number of lorry movements will be considerable for whole of development period not just during the construction and removal of the bridge
- No confidence in developers claim that workers' vehicles will not cause further congestion. Not credible that 300 workers will use public transport and stay in B&Bs
- Ingressing vehicles will cause visibility restrictions to drivers of egressing vehicles
- Potential for traffic accidents on A31
- Road/pedestrian safety in town affected by congestion
- Not clear whether bridge will be only access to site or whether it will be used by trade involved after heavy construction completed
- Congestion in town will have economic consequences
- Closure of one lane on A31 will cause gridlock in town and on by-pass
- Insufficient modelling carried out
- Unless access to site restricted only to bridge its rationale will be undermined
- Network changes proposed under main East Street scheme would be installed long before 12 week removal of A31 access, so the effects could combine for up to 4 years
- Borelli Walk is area where people have been attacked. Routing path along river could lead to serious security problems
- Disruption to Borelli Walk pedestrian route
- Inclusion of underpass and temporary fencing seen as unattractive and potential risk to personal safety
- Underpass could flood and would be dangerous environment for public, particularly children
- Underpasses invite graffiti and vandalism and provide cover for criminal activities
- Modelling for Royal Deer traffic lights not carried out. Application has not assessed in-combination effects of the two traffic proposals

Environment

- Farnham Town Design Statement highlights area as visually important and that no development should take place
- This area has been previously contaminated, earthworks may release toxins into the river and silt will enter the river
- Drilling/piling may allow contaminants through the clay separation layer to enter the underlying major aquifer. Contrary to legislation no data, assessment or remedial proposals are included in the application. The cumulative impact of this with the main East Street application storm drain works, at the confluence of the river and the eastern town ditch, and Riverside application has not been addressed
- The application fails to consider the cumulative risk of contaminating drinking water
- The EIA does not stand up to scrutiny
- EIA omits obligatory information In accordance with legislation and guidance, consent must be refused

- The EIA contravenes regulations - no assessment of the likely in-combination effects of this proposal with the main scheme and the Riverside development have been provided
- No environmental assessments (traffic and air quality) have been provided in relation to the impact of congestion on the A31, surrounding roads and AQMA
- The Paramics model for Farnham, and thus the 2008 Transport Assessment that depended upon it, is out of date. It is therefore invalid for the purposes of the EIA Regulations and must be updated before any assessment of this application can be made.
- The consent for the main scheme, upon which the Environmental Statement depends, has lapsed.
- Waverley should submit a Regulation 19 request for a full and updated Environmental Statement
- Unlawful to apply conditions when EI information missing

Air Quality

- Problems in Air Quality Management Area will be greatly intensified by traffic congestion and gridlock. A report on these effects should be included before application advanced any further
- Serious breaches of air quality standards will occur
- The air quality of the Farnham AQMA will be adversely affected
- Application fails to anticipate town wide traffic impacts on air quality
- Implications of current proposal with main development not addressed
- Suggestion that deficiencies in information could be covered by a condition flawed. The implications of a development must be considered by the decision maker before decision is made. Against advice given by Government to ensure compliance with European law and recent court cases on Environmental Impact Assessment

Flood Risk

- Additional flood risk posed by bridge supports and embankments
- Damaging consequences for homes, lives and safety
- Not considered that effects on flood plain have been sufficiently considered or that drainage requirements can be met

Ecology

- Loss of continuity of river corridor habitat for wildlife
- Exposure of wildlife to traffic noise and disturbance
- Loss of habitat for legally protected species, particularly badgers and bats
- Ecological value of area affected
- Water quality of river affected
- Pollution and siltation of river may occur
- Noise, dust, over-shading and artificial lighting will have adverse effect on ecology
- Number of species in area greater than stated
- The feeding corridor of bats will be broken

Trees/Landscape

- Loss of mature trees (80% classed as A or B grade) and cutting back of others, which have probably taken 50 years to establish, and form ASVI
- Loss of visual screening of the A31 and acoustic barrier the trees provide from the town and river
- Replacement planting will take 30 years to return to current condition
- Replacement planting is inadequate. Need double amount of advanced nursery stock
- The transplant replacement trees will have little impact for decades
- It will take 30-40 years to replace the existing screen
- The group value of the trees is of particular importance
- In agreement with Council's Tree & Landscape Officer that proposal will have significant impact on landscape from a visual/acoustic perspective but regret he didn't recommend refusal

Regeneration of East Street

- The applicant has no intention of delivering the bridge scheme
- The developer wished to avoid the cost of the A31 access
- The overall plan for East Street regeneration is totally out of proportion and style to the requirements of Farnham and objection is raised to any of its constituent parts
- Given current market conditions the East Street regeneration is not likely to be implemented in the foreseeable future
- Farnham needs smaller scale, lower density approach to regeneration of the area and the Woolmead, which would not have such a construction traffic problem
- The main East Street proposal and associated proposals will place too much demand on the infrastructure of Farnham
- There is no satisfactory solution to the issue of construction access. The Council has rejected a scheme to route the traffic through the town and CNS and officers have already highlighted the negative and damaging consequences of building a bridge (public exhibition and WA/2010/0372). The Council is in the position of having to approve a highly unsatisfactory solution
- The current scheme is equally bad as that proposing to bring construction traffic through the town. The current scheme will have consequences well beyond the construction period

Policy

- Contrary to key planning policies
- Contrary to policies D1, D2, D5, D6, D7, C5, C7, C11, C12 and M3 of Local Plan
- Contrary to guidelines in Farnham Design Statement

Amended Scheme:

12 letters have been received raising objection on the following grounds:

- 1) Contrary to planning policy
- 2) Loss of mature tree belt
- 3) Effect on enjoyment of Borelli walk/visual amenity
- 4) Effect on flood plains
- 5) Effect on Ecology
- 6) Constant disruption to highway network
- 7) Revision does not overcome previous concerns
- 8) Too close to residential properties
- 9) Noise and pollution
- 10) Loss of noise/screen buffer for residents to A31
- 11) Harm to historic town setting
- 12) Restriction of lanes is unworkable
- 13) Traffic likely to divert through town.
- 14) Lack of clarity on times for lane closures
- 15) Traffic information contains errors
- 16) Traffic arrangements will cause rerouting through the town and affect Royal Deer junction and affect air quality.
- 17) Information on alternative proposals is poorly developed. Does not consider abandoning main proposal altogether.
- 18) 'Peak hours' not defined so impact not clear.
- 19) Restriction to peak hours will prolong the construction period
- 20) Regulation 19 information is inadequate in terms of assessments relating to contamination, in combination effects and changes to phasing at the main Royal Deer junction.
- 21) Off peak hours lane closure would still cause congestion
- 22) No method of construction statement has been submitted
- 23) No appropriate assessment has been provided on effect of removing dog walking facilities.

Determining Issues

- a) Principle of Development
- b) Character of Area
- c) Residential Amenity
- d) Traffic/Highway Issues
- e) Convenience/Safety of Footpath Users
- f) Environmental Impact
 - Noise and Vibration
 - Air Quality
 - Contamination
 - Flood Risk
 - Water Quality
 - Ecology
- g) Trees/Landscape
- h) Effect upon Special Protection Areas
- i) Climate Change
- j) Letters of representation

Planning Considerations:

a) Principle

The principle of a permanent footbridge in association with the main East Street development was established under the original permission WA/2008/0279. The following changes have been made in comparison with that permitted development:

- The location of the bridge has been moved 1.5m southwards

The application seeks permission for a temporary construction access from the A31. Condition 37, criterion (a) on Planning Permission 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...

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.”

Pursuant to criterion (a) of Condition 37, the application is seeking approval for the following details of the temporary access:

- the principle of a construction access from the A31
- physical form of bridge and supporting infrastructure and their impact (character of the area, residential amenity, environmental impact and ecological impact)

The Council’s planning policies indicate that the following considerations are relevant to assessment of the development proposal.

The site is partially within the Developed Area of Farnham, wherein the principle of development is acceptable subject to visual and residential amenity considerations, and partially within the Countryside beyond the Green Belt, wherein building in the open countryside away from existing settlements will be strictly controlled.

The River Wey and its south bank is an Area of Strategic Visual Importance. The Council will seek to ensure that the appearance of the area is maintained and enhanced.

The River Wey is a Site of Nature Conservation Importance. Development will not be permitted within or affecting a SNCI unless it can be demonstrated that it would not conflict with nature conservation interests.

The site is within the Thames Basin Heathland and Wealden Heaths I Special Protection Area 5km buffer zones. Development should not result in significant effect upon the integrity of the SPAs.

Development proposals on sites which contain, or are close to, important trees, groups of trees or hedgerows should provide for their long-term retention.

The site is within 20m of a river and within flood zones 2 and 3. PPS25 - Development and Flood Risk contains sequential and exception tests to ensure that new development is directed to areas of no or lower risk (Flood Zone 1) and to ensure that such development is appropriate in any area.

There is a Grade II Listed Building (Brightwell House) approx. 130m to the northwest of the site. Proposals will not be permitted if they would harm the building or its setting.

Development which involves the provision of a new access or significant intensification of use of an existing access onto the A31 will not be permitted where the traffic generated by that development would compromise the safe movement and free flow of traffic on that road by others.

Development should not significantly harm the amenities of occupiers of neighbouring properties by way of overlooking, loss of daylight or sunlight, overbearing appearance or other adverse environmental impacts.

All applications should provide safe access for pedestrians and road users, designed to a standard appropriate for the highway network in the vicinity and the level of traffic to be generated by the development.

Climate change and the contributions of CO₂ emissions should be taken into account in considering development.

The Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment.

An Environmental Impact assessment (EIA) is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before development is allowed to go ahead. An EIA must describe the likely significant effects (including where appropriate impacts on air, water and or soil quality before during and after the proposed development) mitigating measures envisaged, an outline of the main alternatives studied, and the reasons for the applicant's choice and a non technical summary.

Development will not be permitted where it would result in material detriment to the environment. The Council will seek, as part of a development proposal, to resolve or limit environmental impacts. This may include the submission of assessments (e.g. flood-risk) to determine the risk to the development, the likely effects of the development on risk to others, whether mitigation is necessary, and if so, whether it is likely to be effective and acceptable.

The planning impact of both footbridge and construction access bridge will be considered together unless individual reference to either development is necessary.

Members should be aware that the following aspects are not being considered under this application:-

- a) Impacts upon congestion/safety of surrounding network of main development once built (already established by planning permission)
- b) Impact upon congestion/safety of highway network of construction traffic involved in building the development, once bridge is built (to be considered under Condition 37 (e))
- c) Hours of construction of main development (to be considered under Condition 37 (e))

Conversely the following aspects are relevant to this proposal

- a) Safety of access/bridge in terms of visibility/design
- b) Capacity of access to accommodate proposed construction traffic flows without prejudice to safety and congestion upon network
- c) Visual impact of the development
- d) Environmental impact of bridge construction, use and demolition and any in-combination effects with other developments

Character of Area

In support of the application, the agent states, in the submitted Design and Access Statement, that it is evident that the loss of trees will have an impact upon the amenities of the surrounding area and environment, both during the construction period and afterwards. However, the level of tree loss (39 trees) has been reduced significantly from the previous schemes (69 trees). The impact of the proposal upon trees is discussed under the 'Trees/Landscape' heading below.

The proposed 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'. The land to the north of the river is within the Developed Area of Farnham.

Officers acknowledge that the proposed access/bridge would primarily be visible from the A31, Borelli Walk, Homepark House, Falkner Court, Farnham Sports Centre, 40 Degreez Youth Centre, The Fairfield and from the properties to the south of Weybank Close.

Whilst officers accept that the proposed access and bridge would be utilitarian in design, the visual impact would be temporary. Following the removal of the construction access/bridge it is proposed to re-instate the land and to carry out tree planting to replace the original tree screen. Given this temporary period, no overriding concerns are therefore raised in relation to the impact of the proposal upon the character of the area.

It should be noted that the form and design of the permanent footbridge was accepted under planning permission WA/2008/0279. There have been no material changes in circumstances to justify taking a different view to that aspect under the current proposal.

Residential Amenity

The agent states in the submitted Design and Access Statement that the closest residential occupiers to the proposed construction site and the A31 access are those at Falkner Court, Homepark House and those who lie towards the south of Weybank Close. Other residences (The Fairfield) to the south of the A31 also have views of the tree belt looking north across the carriageway.

Whilst the proposal would be visible to these neighbouring occupiers, it is not considered that it would be materially harmful to their amenity in terms of loss of daylight or sunlight/the emission of light, overbearing appearance, impact upon privacy and outlook. The issues of air quality, noise and vibration are handled below.

Officers consider that the proposal complies with Policy D1 of the Local Plan.

Traffic/Highway Issues

Members should note that there is an important distinction to make between the traffic impact of the construction of the approved main development and that of the currently proposed access/bridge.

Condition 37 (e) of planning permission WA/2008/0279 requires full details within a Method of Construction Statement of traffic management proposals including routing and access/junction/highways works scheduling for the main development construction.

The traffic impacts of building the approved development itself, are required to be considered under Condition 37 (e). The traffic implications of the completed development were also considered under WA/2008/0279.

In support of the current application, the agent has submitted a Transport Statement which makes the following comments:

1. During the construction of the access there is likely to be some temporary disruption to the traffic flows on the eastbound carriageway on the A31.
2. Traffic management measures required during the construction of the bridge/access will necessitate the closure of one of the eastbound lanes on the A31 from the stop line at the Hickleys Corner junction. This will result in delays and queuing at the junction. During the morning peak hour the queue would increase from 29 to 348 vehicles and would extend for 1km towards the Coxbridge roundabout to the west. Average vehicle delays during these periods would increase from 0.6 to 12 minutes. Increases would also take place during the PM peak hour and off-peak periods but to a lesser extent compared to the AM peak hour. Such delays would be temporary in nature lasting for 12 to 16 weeks during the access/bridge construction and again during its removal and re-instatement works.
3. With consideration to safety, it is proposed that traffic management measures would be implemented throughout the works, during which the speed limit along the eastbound A31 carriageway would be reduced from 50 to 40 mph. This would only be a temporary reduction and would be enforced through an agreed measure. These details could be controlled via a condition, to be imposed upon the current application if permission is granted.
4. During the construction phase of the main East Street development, the numbers of vehicles using the temporary access bridge are not considered to have any significant effects on the operation of the Hickleys Corner junction on the A31 or for the eastbound carriageway of the A31 itself.
5. In conclusion, the report states that there would be benefits within Farnham from the construction of the temporary access from the A31, with regards to the removal of construction vehicles from roads within Farnham. Although there would be dis-benefits associated with the potential re-routing of traffic during the construction stage of the bridge, these would be short-term and temporary in nature.

The County Highway Authority has carefully considered the application and its conclusion is that, subject to the inclusion of conditions, no objection should be raised on grounds of highway safety or capacity.

Officers have had regard to the comments received from the Highway Authority. The conditions recommended seek to:

- i) Control the timing and closure of the access in relation to the main development;
- ii) Ensure the provision of temporary works and controls upon the highway for the construction period and
- iii) Control the design and safety of the Borelli Walk proposals.

Notably, the conditions seek to control the traffic/highway impacts of the current access proposal and not those of the main East Street permission, which are controlled under Condition 37 of WA/2008/0279.

The final views of the County Highway Authority, taking into account the further information submitted under Regulation 19, have not yet been received, however, no overriding objection is anticipated. An oral report would be made to the meeting including any additional conditions or informatives recommended.

Concern has been expressed that if permission is granted for the A31 access, then controls should be put in place to ensure that construction traffic associated with the construction of the main East Street permission should not be allowed to enter the site from other access points via the town centre roads. The appropriate mechanism for controlling the method and routing of construction traffic to the main site would be through the discharge of condition 37 of WA/2008/0279. Those details should propose the permitted routing and access points and the developer's methods of on site management and monitoring of those arrangements.

The concerns of local residents in relation to fears of increased traffic congestion and inconvenience during the bridge construction are noted. However, it is considered that it would not be reasonable to raise objection on this ground as the construction period would be temporary and any inconvenience limited to the duration of works. It is noted also that the Council refused permission in May 2010 for alternative plans to access the site from the existing road network. The currently proposed arrangements are considered to be preferable in terms of convenience to residents overall.

Convenience/Safety of Footpath Users

The agent states in the submitted Design and Access Statement that Borelli Walk and the area located south of the River Wey are used by the public as a walkthrough from the east of the town centre towards South Street and beyond. The application includes a realigned path to maintain pedestrian access along Borelli Walk.

The Order in relation to confirming Borelli Walk as a public footpath is no longer appropriate. This is due to the duration of the construction and dismantling of the bridge works which will make Borelli Walk temporarily unsafe to use if permission is granted for this current development. At the conclusion of works Borelli Walk would then be dedicated as an additional public right of way linking to the new footpath network in the development. If permission is granted for this application, members' approval is sought for the making of the appropriate new order and revoking of the existing order across main East Street site.

The views on the original plans of the County Rights of Way Officer and Surrey Police are contained within the response from the County Highway Authority. In its original form, Surrey Police objected to the scheme on

pedestrian safety grounds to the under pass. Following negotiations the scheme has been amended to provide a splayed entrance to the underpass providing improved visibility. Following these changes, it is considered that the arrangements are acceptable. The further views of Surrey Police and the County Highways Authority on Rights of Way grounds are awaited and an oral report will be made to the meeting. In summary, no further objection is anticipated, subject to the inclusion of a condition to require and control the installation of CCTV, drainage measures and the removal of the bridge and reinstatement of the original pedestrian route upon completion.

Environmental Impact:

An Environmental Impact Assessment has been submitted in support of the application. This includes the following sections upon noise and vibration:

- (i) Introduction
- (ii) Noise and vibration units, standards and guidance
- (iii) Baseline noise levels
- (iv) Assessment of construction of the temporary construction traffic route
- (v) Assessment of construction traffic on the local road network
- (vi) Assessment of construction traffic movements on site
- (vii) Conclusions

And the following sections upon air quality:

- (i) Introduction
- (ii) Legislation and policy
- (iii) Methodology
- (iv) Baseline air quality conditions
- (v) Results of assessment
- (vi) Summary and conclusions

Following initial assessment, further information was requested under Regulation 19 of the EIA Regulations. The submitted information includes amended and amplified detail in respect of

- (i) Noise and Vibration
- (ii) Air quality
- (iii) Flood risk
- (iv) Ecology
- (v) Effect on the Thames Basin Heaths SPA
- (vii) A summary of the alternatives considered further development and the reasons for choice.
- (viii) The in-combination effects with the main East Street development.

Noise and Vibration

The agent has submitted a Noise and Vibration report in support of the application. The report supplements the original Environmental Impact

Statement Chapter for the main East Street redevelopment, reference WA/2008/0279.

The noise and vibration effects, of the construction of the temporary construction route and the operation of the temporary construction route, have been assessed during the worst-case period where different construction phases overlap and the largest number of vehicle movements (130 two-way vehicle movements or approx. one vehicle every four minutes) occur per day. This overlap is in respect of use of the bridge by vehicles and other noise including construction of main development.

The following principal points are made in the report:

1. Noise – Bridge Construction

- main noise sources: piling for the reinforced concrete pile foundations for the bridge and use of crane to lift major sections into place
- construction temporary in nature
- nearest noise sensitive receptor is Homepark House (46m from the bridge at the closest point)
- during noisiest activity during construction (piling) increase of 4 db over ambient noise level predicted
- therefore noise from bridge construction not significant
- impulsive noises associated with assembly of bridge deck and edge barriers will last for short duration, not considered to significantly increase overall noise levels

2. Noise – Road Construction

- route through site, once over bridge, may have temporary road constructed to handle 130 vehicles
- road of either hardcore or tarmac
- road passes Homepark House and Falkner Court
- nearest noise sensitive receptor is Falkner Court (16m at closest point)
- noisiest activity: vibratory compacting roller
- temporary construction operation, will not increase ambient noise level for sufficient duration to be considered significant effect

3. Vibration – Bridge Construction

- main vibration source: piling
- construction techniques proposed will not cause significant vibration

4. Vibration – Road Construction

- main vibration source: surface compaction
- nearest building 16m away, therefore unlikely to cause building damage at this distance

5. Noise and Vibration – Traffic

- assessment of construction traffic on A31 and within site
- HGVs travelling on 'A' roads, already have significant numbers of HGV movements a day
- therefore not likely to be significant increase in vibration
- additional 130 HGV movements on A31 will have neutral effect on noise level emitted
- on site HGV movements, assuming 2.4m site hoarding at 10m from edge of route past Homepark House and Falkner House not considered significant

Following consideration of the proposal, the Council's Environmental Services Officer has raised no objection to the proposal on grounds of noise and vibration impact, subject to a condition and informatives.

Officers consider that, with the imposition of the conditions recommended, the proposal would not have a materially adverse impact upon the amenity of neighbouring occupiers by reason of noise and vibration and would comply with policy D1 of the Local Plan.

Air Quality

PPS23 states that in assessing planning applications planning authorities should consider the possible impact of potentially polluting development on the environment. This will include consideration of the impact upon existing and future air quality, including Air Quality Management Areas (AQMAs).

In support of the application, the agent has submitted an Air Quality report. The report supplements the original Environmental Impact Statement Chapter for the main East Street redevelopment, reference WA/2008/0279. In summary the report makes the following comments:

1. Modelling has been undertaken for the peak year of construction activity, 2012. Annual mean Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) concentrations have been modelled with and without construction-related traffic.
2. Concentrations have been modelled at a range of receptors (34 in total), representative of the locations most likely to be affected by construction-related vehicle emissions, including locations within the Farnham Air Quality Management Area boundary as well as locations to the southeast of the A31.
3. The air quality assessment has taken into account the extension of the Farham AQMA in 2007.
4. The results suggest that during the peak period of construction activity, the change in traffic-related pollutant concentrations is imperceptible at

all the receptors modelled and the air quality impacts are described as negligible at all receptors.

5. The impacts associated with construction related vehicle emissions during the peak period of construction activity are deemed negligible. Consequently, the impacts associated with construction related vehicle emissions during the entire period of construction activity are deemed negligible in the submitted report.

The further information makes the following comments:

- 1) Further consideration has been given to the operation of the A31 Hickleys Corner and in particular the appropriateness of peak hour lane closures.
- 2) It is not expected that drivers would choose to re route as a consequence of the closure of one east bound lane on the A31
- 3) It is therefore expected that there would be no impact upon the AQMA and limited impact on the flow of traffic on the A31
- 4) It is also concluded therefore that the proposed development would not have an adverse impact on the operation of the Royal Deer Junction.

In response to this information officers, having regard to the specialist view of the Environmental Health Officer, consider that there is no objection in principle on air quality grounds. Whilst the proposal would be likely to result in some deterioration in air quality, that harm could be mitigated by measures secured by condition if permission is granted.

Having regard to the views of the Council's Environmental Health Officer, and subject to the inclusion of conditions, it is considered that the development would not cause a significant environmental effect, taking into account the effects of the development in combination with the East Street development. There would not be a significant environmental effect upon air quality subject to the inclusion of safeguarding conditions to provide suitable mitigation.

Contamination

PPS23 – Planning and Pollution Control requires that the Council should satisfy itself that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks.

The applicants have not identified any evidence of sources of contamination upon the site, either in isolation or in combination with any other adjacent sources. The application form states that the land is not known to be contaminated nor polluted.

The third party concerns raised in relation to this matter have been carefully considered by the Council's Pollution Control Officer. The contamination

report submitted in relation to the main East Street development identifies that a former council depot existed on the Northern edge of the current application site wherein elevated concentrations (above drinking water standards) of ammonia and petroleum hydrocarbons have been identified in an off site bore hole. The conclusion of the Pollution Control Officer is that the identified potentially contaminated former use (Council depot) and identified petroleum and ammonia contamination in ground water are not considered to pose a risk to the health of construction workers where standard health and safety measures are in place or to future users of the “development” (the bridge).

The Council’s Pollution Control Officer has also been guided by the lack of objection from the Environment Agency, but has recommended that standard safeguarding conditions be applied to any permission granted to ensure only unsuspected contamination to be handled in the course of development works.

Having regard to the above conclusions and taking into account concerns expressed by residents, officers raise no objection to the development on these grounds, subject to the inclusion of appropriate conditions if permission is granted.

Water Quality

PPS23 requests that the impact of development upon water quality of surface and underground water resources are considered. The Ecological Assessment sets out measures to reduce potential pollution and that EA best practice will be followed with a view to minimising harm to water quality and wildlife. Natural England has raised no objection subject to a condition.

The EA has also raised no objection on this ground.

It is not considered that the development would cause any likely significant effect upon the water quality.

Flood Risk

PPS25 states that in assessing new development, planning authorities should avoid inappropriate development in areas at risk of flooding, and direct development away from areas at high risk. Where new development is exceptionally necessary in such areas, planning authorities should ensure it is safe without increasing flood risk elsewhere and, where possible, reduce flood risk overall. In relation to this, authorities should only permit development in areas of flood risk where there are no reasonably available sites in areas of lower flood risk (sequential approach) and the benefits of the development outweigh the risks from flooding.

Preference should be given to locating new development in Flood Zone 1. In the current case there is no alternative available site in a sequentially preferable location as confirmed by the SFRA. Moreover, it is considered that

the bridge and access works together constitute a form of water compatible development in terms of PPS25 vulnerability classification.

A Flood Risk Assessment (FRA) has been submitted in support of the application. In summary the report states that:

1. The proposed construction access road and bridge would be temporary. The site is located within Flood Zone 3. The 1:100 year design flood level is 64.000m AOD.
2. The temporary construction access bridge and permanent footbridge have been designed to meet the Environment Agency's requirement for the underside to be 300mm above the 100 year flood level of 64.000m.
3. The proposed Stormtech conduit solution (comprising a series of tunnels installed in rows parallel to each other across the footprint of the embankment) would ensure continuity of the flood plain together with the underpass and culverted ditch.
4. Volume and velocity calculations for the existing and proposed flood situation indicate that the construction access would not have an adverse effect on the operation of the flood plain.
5. The surface water drainage of the construction access would be considered at the detailed design stage.

Taking into account all available access points, and the Council's refusal of planning application WA/2010/0372, to vary Condition 37 of 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, the officers conclude there is no sequentially preferential site for this access.

In addition, the Exception Test has been applied. The bridge and access are temporary and are essential to deliver a scheme with planning permission. The approved scheme will deliver community and sustainability benefits. The FRA has demonstrated that the development will be safe without increasing flood risk elsewhere.

As part of the further information submitted under the Regulation 19 of the EIA regulations, the applicants have assessed the in combination effects of the proposal with the main East Street development permitted under WA/2008/0279. They conclude that volume and velocity calculations for the existing and proposed flood situation indicated that the construction access would not have an adverse effect on the operation of the flood plain. This is the case both in isolation or concurrently, with the main East Street development.

The Environment Agency has considered the application, including the further information submitted and has raised no objection subject to conditions and informatives. They have queried the proposal for a footbridge but this has been agreed in the original consent under WA/2008/0279 albeit in a slightly different position. In view of these considerations, officers consider that there is no objection to the development on flood risk grounds. Given that the EA does not object, there is no requirement to refer the application to the Secretary of State.

Ecology

An Ecological Assessment has been submitted with the application. As part of the further information submitted under Regulation 19 an ecological assessment of the proposal is also made as part of the EIA. The habitat types present are identified and an assessment of the species composition of each habitat made. The importance of the habitats and species present is evaluated and where necessary, mitigation measures are recommended so as to safeguard any significant existing ecological interest at the site.

In summary, the report states that the study area is not subject to any statutory nature conservation designation and no statutory ecological designations will be adversely affected by the proposals.

The principal findings of the Ecological Assessment are as follows:

1. A non-statutory designation, the River Wey Site of Nature Conservation Importance (comprising the River Wey itself), which passes through the study area, will be potentially affected during the construction of the bridge. However, appropriate safeguards will be implemented to minimise the potential for long-term adverse effects on the ecological value of the River.
2. The river and wooded belt are of the greatest relative ecological value in the context of the study area, whilst the remaining habitats are generally of low ecological value. The proposals will result in the loss of a number of trees, whilst those retained will be protected in line with standard arboricultural best practice. Replacement tree planting is proposed to re-instate the wooded belt once the road bridge is removed.
3. The river has the potential to be adversely affected by the works, however a number of safeguards/measures are proposed to minimise harm.
4. In relation to fauna, no protected, notable or rare species were recorded inhabiting the study area, although bats have been recorded foraging/commuting along the River Wey and wooded belt, and it is likely that badgers pass through the site. Accordingly, the applicants consider that the proposals are likely to temporarily affect these

species. However, safeguards and mitigation measures detailed in the report are proposed to minimise harm to these species.

5. Common birds may use habitats at the site for nesting, and as all wild birds receive protection whilst nesting, in order to avoid a potential offence the Ecological Appraisal recommends that any clearance of nesting habitat is undertaken outside of the bird nesting season.
6. Moor Park SSSI is located approx. 2.25km southeast of the application site. However, there is potential for the designated area to be affected indirectly, such as from pollution, siltation etc, during the construction works via downstream waterways linked to the River Wey. Accordingly safeguards/measures will be undertaken to minimise any risk of adversely affecting the designation.
7. The Ecological Assessment concludes that, in the absence of safeguards/mitigation, the proposals would adversely affect the wooded belt and potentially the River Wey and would cause temporary disruption to the commuting/foraging activities of a number of faunal species. However, appropriate safeguards/mitigation as detailed within the Ecological Assessment report could be employed to minimise potential adverse effects, whilst replacement planting of the wooded belt is expected to provide compensatory habitat in the long term.

Officers consider that sufficient surveys have been carried out up front in relation to the presence of any protected, rare or notable species, and specific survey work has been undertaken for badger, bats, water vole and otter, in compliance with the Conservation of Habitats and Species Regulations 2010, the Protection of Badgers Act 1992 and Wildlife and Countryside Act 1981(as amended).

It is noted that Surrey Wildlife Trust has raised a number of issues, which have been taken into consideration. Moreover, Natural England has concluded that the development could be acceptable on ecology grounds, subject to the imposition of a condition. This condition and the matters raised by Surrey Wildlife Trust are recommended to be included as conditions if permission is granted. Thus, officers consider that there is no material objection upon ecological grounds.

Moreover, officers consider that, having regard to the mitigation measures proposed, there would be no significant environmental effect caused to ecology. This conclusion is reached having regard to the effect of the proposal in isolation and in combination with the effect of the main East Street development.

In addition, there would not be any likely significant effect upon protected species under the Habitats and Species Regulations 2010.

Trees/Landscape

An Arboricultural Report has been submitted with the application. The report concludes that the proposal would require the removal of 39 trees from the wooded belt along the side of the bypass (5 of high quality and value, 26 of moderate quality and value, 6 of low quality and value and 2 trees that should be removed irrespective of development due to their condition).

The following principal points are made in the Arboricultural Report:

1. The proposal would result in an opening in the belt of trees along the bypass of between approx. 44m-60m. (The 44m width is measured from Borelli Walk and the 60m width from the A31).
2. The retained trees can be protected by a scheme of protective measures.
3. The diversion of the Borelli Walk through the underpass and back to the existing path would pass across the root protection area of retained trees. To ensure the rooting environment is protected the footpath would be constructed above the existing soil levels.
4. To mitigate the loss of the trees, on the removal of the access bridge and associated works, a scheme of new tree planting is proposed including a mix of heavy standard and transplant sized trees that are most likely to establish quickly to replace the screen.

The key issue for Members is whether the proposed loss of trees and resultant opening up of the screening tree belt adjacent to the A31 is so harmful as to outweigh the benefits of achieving the proposed construction access.

Officers have sought the guidance of the Council's Tree and Landscape Officer. The value of the trees is considered to be their collective contribution to the landscape as a feature within an ASVI, which provides a visual and acoustic block between the town and the bypass and an important 'green corridor' for wildlife. Moreover, the Farnham Design Statement states that "the green corridor along the A31 should be preserved and enhanced.....planting of trees and hedging must be increased along the A31 and elsewhere in the town".

It is considered that the proposed tree loss would result in a negative impact on the character of the area and appearance of the ASVI. In addition, the removal of a substantial section of tree belt is contrary to the expectation of the Farnham Design statement for this part of the A31. However, it is acknowledged that the current proposal would result in less direct tree loss than the fallback scenario described under planning application WA/2010/0372 (which included a deceleration lane), which would have

resulted in the loss of 69 trees and an opening in the tree belt of 84m, and that this loss would be for a temporary period.

The impact is considered to have been minimised by the use of a diverge-taper from the A31 and it would be further mitigated by conditions which, notwithstanding the concerns raised, the Tree and Landscape Officer has recommended to be included if permission is granted. The loss of the trees would enable construction access to be achieved to the main East Street site in preference to use of alternative town centre accesses which have previously been rejected by the Council under the earlier planning application.

The impact of the loss of the trees upon the wildlife corridor is discussed under 'Ecology'.

Climate Change

Officers consider that the development may give rise to an increase in CO₂ emissions in comparison with the existing situation in consequence of the use construction traffic, removal of trees and emissions from the construction process. Nevertheless the development and construction traffic are for a temporary period to facilitate the building of development with planning permission. Following completion, the removed trees would be replaced.

In view of the above, it is considered that there is no overriding objection to this temporary development on climate change grounds.

Effect upon Special Protection Areas

The proposal to create a construction access/bridge from the A31 would not create any more dwellings over that previously approved under WA/2008/0279. The further information submitted under Regulation 19 assesses the proposed development in combination with the main East Street development in terms of likely significant effect upon the SPA. It concludes that at its closest point, the proposed development would be 2.5 km from the TBH SPA and there would then be no direct effects during construction or operation. There would not be any likely significant effect caused in combination with the main East Street development.

Natural England has not raised any objection on this particular ground.

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

Summary of Alternatives Considered for this Development:

The EIA Further Information sets out the alternatives to the initial proposal that were considered, taking into account the likely environmental effects. These were as follows:-

- 1) No bridge – alternative use of local road network

- 2) Two narrow lanes on the A31– Would not leave sufficient working and safety space for construction.
- 3) Night closure to avoid busiest hours of the day – disturbance from construction unacceptable.
- 4) Other alternatives – access A31 had significant constraints.

The applicants have come to the conclusion that the current proposal is the optimum solution in terms of construction access to the site. The officers concur with this conclusion.

As has been summarised under the individual headings, taking into account all of the likely environmental effects of this application from the submitted and known information, and taking into account the likely effects in combination with the main East Street development, it is not considered that the proposal would cause a significant environmental impact.

Letters of representation

The concerns raised in the letters of representation have been very carefully considered. Most material points raised have been addressed within the main body of the report.

Officers note the concerns raised in relation to the submitted Ecological Assessment. However, the application is considered to have included appropriate surveys in respect of all recognised protected species and the coverage of these has not been disputed by the statutory consultees.

The concerns that the construction traffic modelling is unreliable and the combined effects of traffic of the development, queuing on the A31, and the main East Street project on air quality, particularly in the AQMA, have not been taken into account are noted. The further information requested under the EIA has satisfied officers that the effect upon the AQMA, including the in combination effect, has been addressed.

In relation to concern that the developers' claim that workers' vehicles will not cause further congestion, this was addressed and found to be acceptable in the original planning application reference WA/2008/0279.

In relation to concerns regarding the safety of pedestrians using Borelli Walk and that the underpass would be dangerous if it flooded, members' attention is drawn to the conclusions of the County Highway Authority and the Environment Agency where, subject to details to be received by condition, no objection is raised on this ground.

The concerns regarding contamination of the River Wey and drinking water, and the fact that the cumulative impact of contaminants from the main East Street development and Riverside application have not been addressed are noted. The applicants have not identified any known sources of contamination upon the site. Safeguarding conditions have been recommended to cover the handling of any unsuspected contamination, should permission be granted.

The comment that, given current market conditions, the East Street regeneration is not likely to be carried out, is not a material consideration. The current application has been submitted and the Council has a duty to determine it. If permission is granted but the main development does not proceed, the applicants are not likely to erect a construction bridge at great expense for no apparent purpose. In addition, a condition is recommended to link the bridge to the implementation of the main East Street permission.

The concerns regarding the likelihood of the implementation of this development are noted. However, this could not amount to a reasonable ground to resist the proposal, which must be assessed on its individual merit.

The comments made that the main East Street development proposal should have been smaller, with less demand on the infrastructure of Farnham, have been noted. However, no such scheme is before the Council and it is for members to assess the proposal before them.

Finally, It should be noted that concerns raised in relation to the impact upon the sale of surrounding houses and the economic climate of the town are not material considerations.

Conclusion

Details of a construction access to the main East Street Development are required by Condition 37 upon WA/2008/0279. The current application is for a bridge and access to provide the details pursuant to that condition. The only alternative which is to direct all construction traffic through the town has been rejected by the Council as unacceptable.

The application has raised a number of material planning issues, namely in respect of visual impact, traffic and highway impact and likely environmental effects. The most notable impacts on the proposal would be the opening up of the mature tree belt along the A31 and the effect upon traffic flows and air quality. These have been carefully considered.

Officers consider that the development is acceptable and that the identified effects upon trees, landscape, air quality, traffic flows and neighbour amenity could be controlled and mitigated through planning conditions if permission is granted.

PPS23 indicates that in considering environmental impacts the overall environmental benefits of a proposal can be material. In relation to this, the overall timescale for the impact of this application is related to the construction period of 18-24 months on the main East Street development. The bridge would, in the longer term, be removed and the land/environment returned and rejuvenated to a more acceptable form. Moreover, any short-term impacts are considered to be outweighed by the benefits of facilitating access to the approved East Street development onto the main strategic highway network and away from the existing town road network.

In relation to environmental impact, and having regard to the assessments submitted, officers are satisfied that the proposals have been designed to either avoid or control adverse environmental effects or to provide measures to alleviate or compensate for them, where they would occur. The likely effects of the proposed redevelopment on people, as well as on the built and natural environment, in isolation and in combination with other developments, are therefore acceptable.

Recommendations

Recommendation 1:

That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects and subject to consideration of outstanding responses from consultee, permission be GRANTED subject to the following conditions:

1. Condition
The development hereby permitted shall commence no later than 6th August 2012 unless an extension of time is first agreed in writing by the Local Planning Authority.

Reason

Having regard to the fact that the temporary construction access/bridge hereby permitted is to serve the development permitted under planning permission WA/2008/0279, which expires on 6th August 2012. This application is therefore also given the same life and should expire on 6th August 2012 in accordance with policies D1, D4 and C5 of the Waverley Borough Local Plan 2002.

2. Condition
The temporary construction bridge, hereby permitted, shall be removed within three years of the commencement of the development hereby permitted or within an alternative timescale to otherwise be agreed in writing by the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4 and C5 of the Waverley Borough Local Plan 2002.

3. Condition
On completion of the development permitted under WA/2008/0279 the temporary construction access/bridge shall be removed and replaced with the permanent footbridge in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such details shall include reinstatement of the land to a condition that is first agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

In the interest of the character and amenity of the area and pedestrian convenience in accordance with Policies D1, D4, C5 and M4 of the Waverley Borough Local Plan 2002.

4. Condition

The plan numbers to which this permission relates are 135/2. TPN-TCA-001A, 002D, 003D, 004E, 005C, 006C, 007, 010B, 011B, 012B, 013B, 1005/120E, 1005 12/C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority. The bridges shall be clear spanning structures with the abutments set back from the watercourse on both banks to provide natural banks beneath the bridge.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4, D5 and C12 of the Waverley Borough Local Plan 2002.

5. Condition

No development shall take place until a scheme for the protection of the River Wey and its corridor has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include all of the recommendations in the submitted Ecological Assessment (Aspect Ecology, September 2010) set out at paragraphs 6.3.6 - 6.3.12, 6.5.15, 6.5.16 and 6.5.22. Thereafter the development shall be implemented in accordance with the approved scheme. The scheme details shall include provision for the protection of protected species as detailed in the attached letter from Surrey Wildlife Trust dated 24/11/2010 and the measures shall be carried out in strict accordance with the approved details.

Reason

In the interest of the visual amenity and ecology of the River Wey and its river corridor in accordance with Policies D1, D5, C5 and C12 of the Waverley Borough Local Plan 2002, Planning Policy Guidance Note 9 and ODPM circular 06/2005

6. Condition

Prior to the commencement of development, a detailed method statement for the removal or long-term management of Japanese Knotweed and Himalayan Balsam on the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed and Himalayan Balsam during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the

seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason

In the interest of the visual amenity and ecology of the River Wey and its river corridor in accordance with Policies D1, D5, C5 and C12 of the Waverley Borough Local Plan 2002.

7. Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) An assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

8. Condition

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment

must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

9. Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

10. Condition

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of the construction and deconstruction of the temporary construction access and bridge and construction of the permanent footbridge, have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of the re-instatement of the land following deconstruction of the construction access and bridge; and shall consider and provide for the cumulative impact of the construction and deconstruction of the temporary construction access and bridge in combination with the demolition and construction works taking place on

the main East Street redevelopment site, permitted under planning permission WA/2008/0279. The scheme shall include:

- (i) control of noise;
- (ii) control of mud, grit, dust, NO_x, smell and other effluvia;
- (iii) control of surface water run-off;
- (iv) details of all screen, fences, site security arrangements including hoardings and other means of enclosure (to include any noise attenuation proposals);
- (v) proposed method of piling for foundations;
- (vi) construction and demolition working hours;
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking away materials are allowed to enter or leave the site;
- (viii) parking for vehicles of site personnel, operatives and visitors;
- (ix) loading and unloading of plant and materials;
- (x) storage of plant and materials.
- (xi) effects on traffic flows and air quality on the A31 and in the adjacent AQMA.
- (xii) Details of vehicle Euro standards and fuel and exhaust treatments for plant and machinery

The development shall be carried out in accordance with the approved Working Method Statement scheme unless first varied in writing by the Local Planning Authority.

Reason

To ensure that the potential environmental impact arising from the development does not give rise to an unacceptable intrusion on the amenities of nearby residential property, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

11. Condition

Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2005, Trees in relation to construction) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

12. Condition

The proposed landscaping scheme shall be carried out strictly in accordance with the submitted scheme and shall be carried out within the first planting season after the removal of the construction access/bridge or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 10 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

13. Condition

Prior to the commencement of development, those dwellings, which are sited within 25m of the development, should be the subject of an assessment of the impact of the vibration from the site. This assessment should include details of recommended remedial measures should vibration levels be found to be unacceptable. This assessment must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be carried out in direct accordance with the agreed details.

Reason

To protect the amenities of neighbouring occupiers in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

14. Condition

Before development commences details of any external lighting, to include location, height, type, intensity of illumination, direction of light sources and spillage, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details and shall not thereafter be altered without the prior written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area and highway/pedestrian safety in accordance with Policies D1, D4, M2 and M4 of the Waverley Borough Local Plan 2002.

15. Condition

No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority detailing the

method of construction of the temporary bridge/access development hereby permitted. Details to include:

- a) The location of wheel washing facilities within the construction site, such that no extraneous matter is carried outside of the site area;
- b) The provision of a suitably sized vehicle parking, turning and compound to provide adequate space for the queuing and management of exiting vehicles;
- c) Details for the safe management and control of inbound and outbound vehicles along the construction access, such that incoming vehicles do not queue back onto the A31
- d) The submission and agreement of the proposed traffic management required during the construction and subsequent operation of the access in order to minimise traffic disruption to the existing road network.
- e) The provision of appropriate traffic management measures on the A31, in conjunction with vehicle activated signs, to ensure compliance with the proposed temporary 40mph speed limit;
- f) The provision of a hard standing within the existing verge on the A31 Farnham by-pass between South Street and the proposed access for the safe positioning of a mobile speed enforcement vehicle;
- g) The re-positioning, if necessary of the gates on the proposed access road.

The development shall be carried out in strict accordance with the approved details and adhered to throughout the construction period, unless otherwise first agreed in writing with the Local Planning Authority.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

16. Condition

The road and vehicular access to the A31 Farnham Bypass including the temporary vehicular bridge over Borelli Walk and the River Wey hereby permitted shall be designed and constructed prior to the implementation of development approved under WA/2008/0279, unless otherwise first agreed in writing by the Local Planning Authority. No development pursuant to WA/2008/0279 shall begin before that junction, the bridge, access road and site compound have been completed broadly in accordance with the application drawings and the requirements of the County Highway Authority. Once constructed the access and bridge shall be retained free of any obstruction to its use in accordance with a duration to be agreed in writing with the Local Planning Authority.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

17. Condition

The proposed access road, including its junction with the A31 Farnham by-pass shall be closed upon completion and prior to the occupation of the development approved by WA/2008/0279 or within an alternative timescale to be agreed first in writing by the Local Planning Authority. All kerbing, verges and highway margins shall be fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

18. Condition

Prior to the commencement of development the applicant shall submit details of a 'Borelli Walk Management Plan', which shall identify and include the following:

- a) Installation of CCTV monitoring and 24 hour recording;
- b) Straightening of the subway entry points to maximise pedestrian visibility through the subway;
- c) Inclusion of appropriate drainage measures to prevent rainfall ponding in the subway;
- d) Management details for the treatment of flood water and removal of graffiti;
- e) Details for the decommissioning of the temporary bridge access upon its closure;
- f) Details for the provision of the proposed footbridge following the decommissioning of the temporary access with the reinstatement of a route along the approximate route of the existing Borelli Walk.

Once agreed the plan shall be fully implemented by the applicants all at their own expense, including any necessary costs associated with making, securing and implementing any traffic orders or legal processes.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

19. Condition

Prior to the construction of the proposed access or any other associated works on the highway, the applicants shall apply for and implement a temporary 40mph speed limit on the A31 Farnham bypass and install two vehicle activated speed enforcement signs in accordance with details to be agreed with the County Highway Authority. All of which shall be fully implemented by the applicants all at their own expense, including any necessary costs associated with the making, securing and implementation of any traffic orders or legal process.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

20. Condition

The proposed gates across the access road shall be kept open at all times during construction, unless otherwise agreed in writing by the Local Planning Authority.

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 Policies M2 and M14 of the Waverley Borough Local Plan 2002.

21. Condition

The construction access and bridge hereby approved shall not be used other than for the purposes of facilitating access to the main East Street site by construction traffic. They shall not be used for any other purpose unless otherwise first agreed in writing by the Local Planning Authority.

Reason

Having regard to the fact that the development hereby permitted is to serve the development under permission WA/2008/0279 and is not suitable or appropriate for a permanent site access in accordance with Policies D1, D4 and M2 of the Waverley Borough Local Plan 2002.

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against policies CC6, CC7, T2, NRM1, NRM4, NRM5, NRM6, NRM7, NRM9, NRM10,

W2, C4 and BE6 of the South East Plan, policies D1, D2, D4, D5, D6, D7, D9, D13, C2, C5, C10, C11, C12, HE3, TC3, TC8, TC12, TC13, LT11, M1, M2, M3, M4, M5 and M19 of the Waverley Borough Local Plan 2002 and National Planning Policy Statements and guidance. It has been concluded that the development would comprise an acceptable form of development to provide temporary construction access to facilitate the building out of planning permission WA/2008/0279; It would cause some harm to the character of the area but any harm caused could be mitigated by way of appropriate conditions and is therefore considered to comply with Policies D1 and D4 of the Waverley Borough Local Plan 2002. The development would not cause material harm to residential amenity, or highway or pedestrian safety and is considered to be compliant with Policy M2 of the Local Plan. Regard has been had to the environmental information contained in the application (including upon, noise and vibration, air quality, flood risk, ecology and likely effect upon the Special Protection Area) and 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.

Informatives:

1. On 6 April 2008 a new fee was introduced by the Town and Country Planning (Fees of Applications and Deemed Applications) (Amendment) (England) Regulations 2008. This fee relates to requests to discharge a condition on a planning consent. The fee payable is £85.00 or a reduced rate of £25.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.

2. The applicant's attention is drawn to the contents of the attached consultation responses from Waverley Borough Council Environmental Services dated 29/10/10 and 03/11/10.
3. The applicant is advised to note the contents of the attached letters from the Environment Agency dated 4th November 2010 and 17th February 2011 and Surrey Wildlife Trust dated 24th November 2010.
4. Notwithstanding the submitted information, the permission hereby granted purports to the construction of the temporary access and bridge and permanent footbridge. It does not grant approval for traffic management proposals etc. in relation to construction of the main

development. These details are required to be submitted under Condition 37 (e) of Planning Permission WA/2008/0279.

5. The applicant is advised that under the terms of the Water Resources Act 1991, and the Thames Land Drainage Byelaws 1981, the prior consent of the Environment Agency is required for any proposed works or structures, in, under or over or within 8 metres of the top of the bank of the Wey, designated a 'main river'.
6. The attention of the applicant is drawn to the requirements of Section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise on construction and demolition sites. Application, under Section 61 of the Act, for prior consent to the works, can be made to the Environmental Protection Team of Waverley Borough Council.
7. The applicants are advised that all works will need to be carried out under the terms of a Section 278 Agreement to be entered into with the Highway Authority and subject to Stage 1, 2 and 3 Road Safety Audits and achieve full technical approval.

Recommendation 2:

That following the grant of planning permission under reference WA/2010/1650, the Head of Democratic and Legal services be authorised to:

(a) make an appropriate Order, under section 257 of the Town and Country Planning Act 1990 (as amended) for the stopping up of the footpaths as necessary; and

(b) revoke the Waverley Borough Council Public Footpaths Nos 170 and part of 169 and 171 (off Dogflud Way, Farnham) Public Path Stopping Up Order 2010, confirmed on 3rd June 2010, on confirmation of the new Order.