

SCHEDULE "A1" TO THE AGENDA FOR THE JOINT PLANNING COMMITTEE 1ST AUGUST 2012

Applications subject to public speaking.

Background Papers

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.

- A1 WA/2012/0912
Crest Nicholson Regeneration Ltd &
Sainsburys Ltd
06/06/2012
- Application for a new planning permission to replace extant permission WA/2008/0279 (time extension). 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 the site. This application is accompanied by a supplementary Environmental Statement at Land At East Street, Farnham (as amplified by letter dated 04/07/12)

Committee

Joint Planning

Date:

1 August 2012

Public Notice:

Was Public Notice required and posted: Yes

Grid Reference:

E: 484186 N: 146994

Town :

Farnham

Ward :

Farnham Moor Park

Case Officer:

Mr P Hardwick

16 Week Expiry Date

25/09/2012

Neighbour Notification Expiry Date

13/07/2012

RECOMMENDATION

That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and

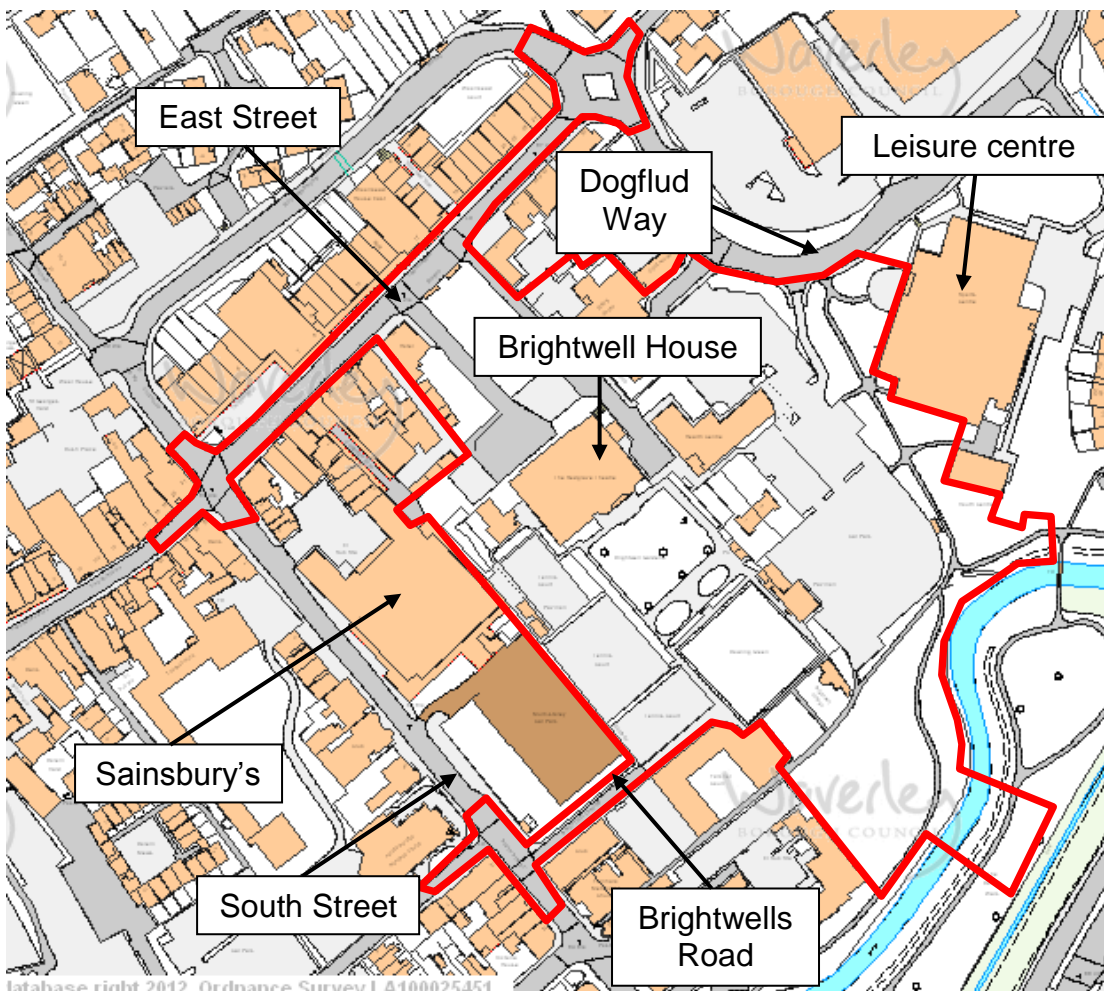
responses to it, together with proposals for mitigation of environmental effects, and subject to consideration of views of outstanding consultees and the conclusion of appropriate legal agreements, permission be GRANTED subject to conditions

Introduction

This report concerns a time extension application for a major mixed-use development of a site in Farnham Town Centre. For a number of years, the Council has regarded the East Street site as an area requiring regeneration.

The application is one of a pair that relates to the redevelopment of land at East Street, Farnham. The second application (WA/2012/0911) relates to the provision of a temporary construction access to the A31, comprising a bridge across the River Wey. This application is reported at Item A2 on the agenda.

Location Plan



Site Description

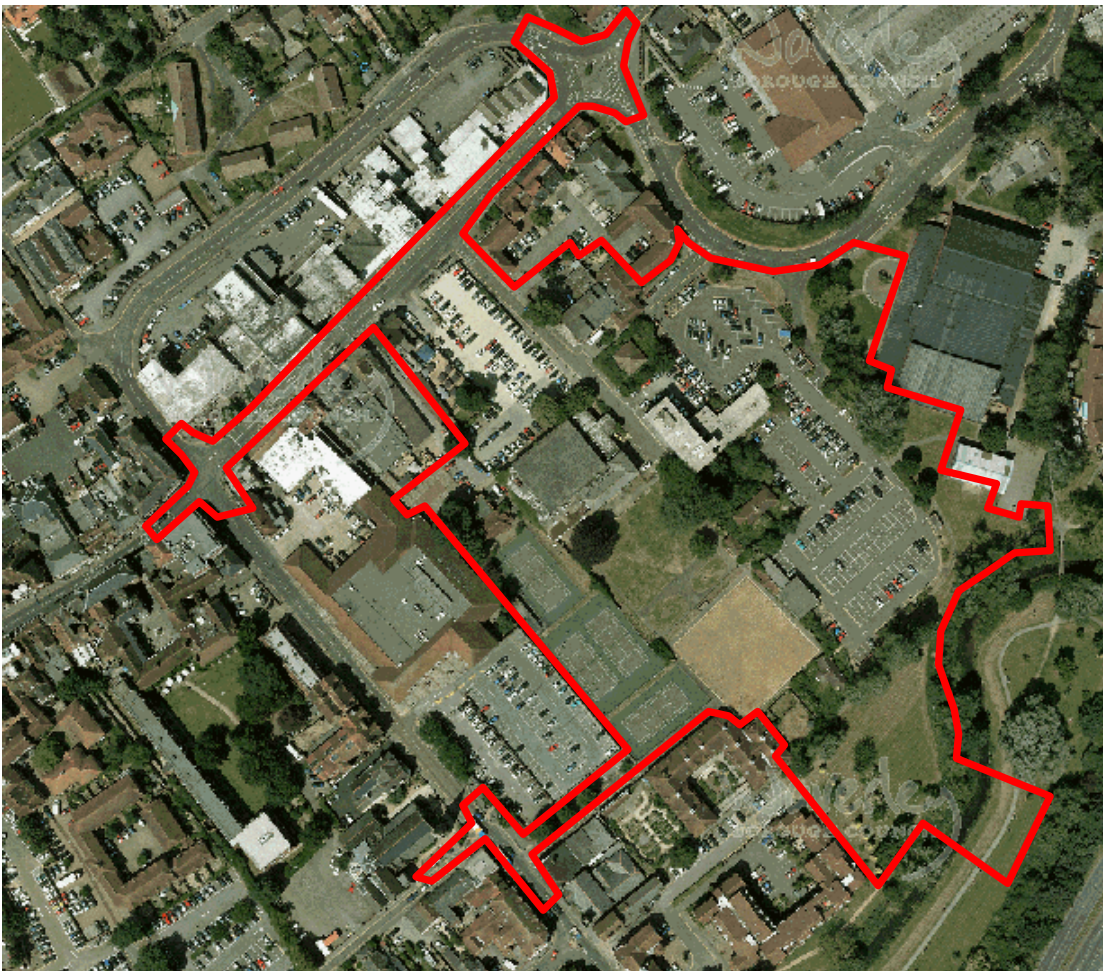
The application site extends to 3.95ha and contains a variety of buildings and land uses. Many of the buildings are vacant and boarded up and some have been demolished in

recent years. Demolition has included the former Health Centre building, the bowling club building and bowling green.

The following describes the principal elements of the site and surrounding streets:

- The former Regal Cinema off East Street was a very substantial brick building constructed in the 1930s. It was demolished a number of years ago and is now used as a temporary car park.
- The two-storey Gostrey Centre is a functional 1960/70s building;
- Dogflud Car Park provides parking for both the town centre and leisure centre.
- Brightwell House is a two-storey Grade II Listed Building to which was added the modern Redgrave Theatre in the 1970s. The buildings have been unused for a number of years and are boarded up.
- Brightwell Gardens and the former bowling green were originally part of the historic curtilage of Brightwell House. The former is a simple attractive green space to the south of Brightwell House.
- Four tennis courts and a clubroom located towards the western part of the site.
- Brightwell Cottage located towards the south-east of the site and is a Building of Local Merit (formally Locally Listed Building). This is an attractive single-storey dwelling built of random coursed chalkstone with brick quoins under a concrete tiled roof. It is in poor condition and is boarded up.
- The informal treed green space close to the River Wey which provides a backcloth to this part of the town.

Aerial Photograph of Site



As well as the buildings and uses within the application site, the influence of the development will be felt beyond the site boundary. Any development of the site should therefore also have regard to the character and qualities of adjoining streets and spaces.

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

The wooded course of the River Wey lies on the southeast boundary of the site and is a major green space containing Borelli Walk, a recreational thoroughfare.

East Street is an historic route to and from the town centre. The south side comprises small-scale buildings of a variety of architectural styles and a number of buildings are either statutory Listed Buildings or Buildings of Local Merit (formerly known as Locally Listed Buildings). The south side and western end is also within the Conservation Area but that stops just short of the Marlborough Head public house. Land east of the pub is the cleared site of the former cinema.

The street as a whole is dominated by the Woolmead Centre on its northern side. This was constructed in the 1960s and is a two/three/four storey building containing retail uses at ground level with offices above. East Street is a one-way street from east to west and has a number of mature trees at its eastern end.

Dogflud Way provides a principal vehicular access into the town from the east. It is characterised by larger building blocks compared with the historic core of the town.

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

To the east of the site is Farnham Leisure Centre with swimming pool and sports facilities. The Centre has recently been refurbished. To the east are other leisure facilities including the skateboard park and a youth centre building.

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

The building occupied by the Farnham Town Council, designed by Lutyens, is within the Conservation Area facing South Street.

In terms of land and building use there is a broad mix of uses found within the vicinity of East Street, including shops, pubs/restaurant/cafe, commercial, community, leisure and

residential uses. The retail uses on East Street and South Street, with the exception of Sainsbury's, are generally of a secondary and tertiary nature although they lie within the central shopping area.

East Street lies in an area of transition between the historic core of the town to the west and the more modern large building formats to the east.

Building heights range between two to four storeys across the town centre. Very few buildings exceed four storeys. No single architectural theme dominates the town centre although Castle Street retains its striking Georgian buildings and streetscape.

Proposal

The application, submitted on behalf of Crest Nicholson Regeneration Ltd and Sainsbury's Supermarkets Ltd, seeks an extension of time to planning permission WA/2008/0279. That permission was issued on 6 August 2009 and expires on 6 August 2012.

The applicants have requested that any granting of planning permission is for a period of five years as opposed to the default period of three years.

The applicants state that their underlying aim is to create an integrated and vibrant extension to the Town Centre on this under-utilised "brownfield" site, bringing vitality to this important location.

The design of the proposed development takes the form of groups of buildings with individual characteristics rather than a common rhythm or design. The approach has been to meld traditional building forms to be found in Farnham and create a pattern of new car free 'streets' and spaces which create an addition to the townscape but that reflect Farnham's historic qualities. The layout is not a copy of the historic "grain" of the town. The design is not pastiche but is a modern interpretation of building tradition that embraces 21st Century planning philosophy in creating a sense of place as a complement to the historic market town.

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

- 9,814 sq.m. of new retail, cafes, restaurants and bar floorspace;
- 239 new residential properties, comprising:
 - 167 for private sale (70%);
 - 36 affordable shared ownership (15%); and
 - 36 affordable rental (15%).
- A modern multi-screen cinema complex;
- New public open space areas including a new town square;
- Landscaped garden areas;
- Provision for a new Gostrey/Community Centre within Building D20;
- New surface, basement parking facilities and a multi-storey car park with the provision of 426 car parking spaces including 3 spaces for use by a Car Club.

The plan below shows the ground floor plan layout of the development with the landscaping proposal (as revised) at the southern end of Brightwells Garden.

Proposed Site Layout



The proposed Masterplan offers a mix of uses and a variety of block sizes, which range between small size double-aspect residential blocks with street servicing, to larger blocks of retail and leisure activities with residential units above. The development would have pedestrian links to East Street, Cambridge Place, Sainsbury's, Brightwells Road, the River Wey, Borelli Walk, the leisure centre and youth building.

The development is based on a pedestrian shopping street leading from East Street where two storey buildings would be on the west side (D14) with three storey buildings on the east side (D6). Those on the west would be mainly two storey retail units whilst only the corner unit to East Street on the east side would be a two storey retail unit. Residential flats are the predominant upper floor use of these buildings D1 and D6. The shopping street leads into a 'town square' with retail uses on three sides and a restaurant on the other. Building heights around the square vary from single (extension to D12), 2 storey (D21) to 3 storey (D1 and D20). An existing Copper Beech tree would form the visual focus in the southeast corner of the square and lead into a new green space. The building (D21) that backs onto Sainsbury's would have two floors of retail units. The restaurant would be an extension to Brightwell House (replacing the theatre).

A pedestrian walkway leads from the north east corner of the square past further shops (D6) another walkway and to a group restaurants/cafes/bars and a multi-screen cinema (D8). The buildings here range from 2 storey (D12), 3 storey (D6) to 4 storeys (D8) in height. Brightwell House (D12) would retain its open south aspect looking out over a new green space. The Copper Beech and Cedar trees frame the south façade of the building.

A major element of building D8 is the multi level car park served by access from Dogflud Way but it would also contain flats at ground, first, second and third floor levels. The

cinema would have a ground floor entrance with the 7 auditoriums occupying the upper level. The applicants have confirmed that one of the auditoriums would be fitted out as a multi-purpose auditorium.

The building block comprising D4A, B and C would be built over a basement car park and, apart from the restaurant in D4A, would have flats on 3 and 4 storeys above. It would have a frontage to the green space as well as external facades to an internal courtyard, the sports centre and the river. Elevations have been designed to suit their context with that facing the green space being a modern interpretation of historic building tradition and the other elevations more contemporary.

The final building, in the approximate position of the tennis club, is D20. This will have a large retail unit on the ground floor with access to/from the new town square plus a new Gostrey centre. There is a change in levels across the footprint of building D20 such that the new Gostrey centre has a mezzanine level inserted between the ground floor and the first floor of the building. Residential flats would be at first and second floor level with a small element of residential at third storey level. The residential units would look into a first floor roof garden as well as having outlooks to the town square, the new green space and Brightwells Road.

The applicants consider that the architecture draws on traditional building materials found in the locality. They point to the variety of the built environment in terms of its character, height and mass. The public facades within the development would use traditional materials and detailing, whilst the private and more secluded areas of the development are designed in a more contemporary way.

The existing Brightwell Gardens and former bowling green would be replaced by a new linear public greenspace stretching from the restored Brightwell House through to the remodelled north bank of the River Wey. Under application WA/2008/0279 the plans were amended to overcome the initial Environment Agency objection omitting the previously proposed balancing pond at the southern end of Brightwell Gardens but retaining the outdoor performance area. These same arrangements are proposed under the current time extension application.

The main vehicular access would be from Dogflud Way. This would provide access to the public and residents parking area as well as the service yard at the rear of building D6. Vehicular access for servicing would be provided by widening Brightwells Road and making it two-way to serve building D20 and the new Gostrey Centre. In the process some car parking spaces would be lost at the South Street car park.

A number of traffic management proposals, including changes to various road junctions, are included as part of the application. These would also introduce two-way flows on Woolmead Road and Bear Lane and by doing so, this would allow East Street (between South Street and the Dogflud Way junction) to become a pedestrian priority area with an eastbound bus route. Service vehicles would also be allowed to travel eastbound on East Street but within controlled hours.

A total of 426 car parking spaces would be provided. This is on the basis of 183 public parking spaces and 240 spaces for the residential units and 3 spaces for the car club.

Secure cycle storage and refuse storage would be provided throughout the site for both residents and users of the development. There would be 72 spaces situated at discrete

locations throughout the development for those visiting the site. A further 24 cycle spaces would be provided along East Street. There would be a total of 239 cycle spaces to serve the residential units.

A landscape strategy has been submitted and the applicants see green spaces and the public realm as being important elements of the scheme. The 'Town Square' and new Brightwells Garden/Park are key features along with the rejuvenated north bank of the River Wey. Of the 100 trees on the site, the application indicates that 13 would be retained and 87 felled and removed. The application includes a comprehensive landscaping Masterplan including hard and soft landscaping and new tree planting. The plan indicates the planting of at least 102 trees.

Relevant Planning History

The site has a long planning history. However, the most relevant are listed below:

WA/2012/0911	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	Pending Decision
WA/2012/0553	Certificate of Lawfulness under Section 192 for the proposed development of Unit D20-R-01 in accordance with planning permission WA/2008/0279 and the use of Unit D20-R-01 for Use Class A1 (retail), with an in-store café of up to 223sqm for use by visiting members of the public and use of an external area shown on drawing 13512-D20-001 B for seating associated with the café.	Certificate of Lawfulness Granted 17/05/12
WA/2012/0052	Construction of new shop fronts.	Full Permission 09/03/2012
WA/2012/0051	Display of 2 illuminated and 2 non-illuminated fascia signs.	Consent Granted 09/03/2012
WA/2012/0050	Construction of new shop fronts.	Full Permission 09/03/2012
WA/2012/0049	Display of internally illuminated fascia signs and car park signs.	Consent Granted 09/03/2012
NMA/2012/0025	Changes to building D20 comprising provision of an additional basement area and ventilation louvers, rearrangement of bin store and recycling stores, alterations to café entrance and provision of new entrance door to south west of building, installation of roller shutter and door to unit 01. Amendment to the area outside of the building comprising an external seating area to café with resulting alterations to footpath, erection of a trolley bay and provision of a "collect by car" parking space.	Permission Granted 17/04/2012

WA/2011/1215	Listed Building Consent for demolition of the attached Redgrave Theatre, conversion of Brightwell House to form 2no. 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 3no. original hipped roofs and rooflight to the north elevation and hipped roofs over the existing bay windows and reinstatement of the glazed canopy in the southern elevation. Reinstatement of original chimneys, internal fireplaces and staircase. Partial unblocking of a first floor window on the west elevation. Removal of later partition walls and ground floor toilet; new openings through to first floor extension, installation of servery. Some blocking in of existing internal openings. Demolition of boundary walls, toilet block and cottage.	Listed Building Consent Granted 13/09/2011
WA/2010/1650	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.	Full Permission 21/03/2011
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 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).	Refused 08/06/2010
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 Brightwells House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre', demolition and clearance of site.	Full Permission 06/08/2009 subject to 106 Agreement
WA/2007/1967 (Riverside)	Provision of additional public car parking spaces, 5 tennis courts with associated pavilion, 3 metre chain link fencing, combined pedestrian/cycleway and associated drainage, landscaping and access works.	Full Permission 19/05/2008 (Part implemented – extant)

Planning Policy Constraints

Developed area of Farnham
 Countryside beyond the Green Belt (River Wey and its south bank)
 Public Footpaths Nos. 170 and parts of Nos.169 and 171
 Potentially contaminated land
 Flood Zones 2 and 3 (southern part of site)
 Listed Building Grade II (Brightwell House)
 Building of Local Merit (Brightwell Cottage)
 Listed curtilage walls and structures
 Within 20m of river bank
 Conservation Area (nearby)
 Gas Pipe Line (non-hazardous)
 Central Shopping Area (East Street frontage)
 Development within Town Centre
 Pedestrian Improvement Area in East Street
 East Street Opportunity Area
 Shared Pedestrian and Cycle Routes (Borelli Walk)
 Site and Area of High Archaeological Potential (adjacent)
 Area of Strategic Visual Importance (River Wey and its south bank)
 AQMA Buffer Zone
 Wealden Heaths I SPA 5km buffer zone
 Thames Basin Heath SPA 5km buffer zone

Section 106 Agreement – WA/2008/0279

Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1 – Environmental Implications of Development
 D2 – Compatibility of uses
 D3 - Resources
 D4 – Design and Layout

D5 – Nature Conservation
D6 – Tree Controls
D7 – Trees, Hedgerows and Development
D8 – Crime Prevention
D9 - Accessibility
D13 – Essential Infrastructure
D14 – Planning Benefits
C2 – Countryside beyond the Green Belt
C5 – Areas of Strategic Visual Importance
C10 – Sites of Nature Conservation Importance
C11 – Undesignated Wildlife Sites
C12 – Canals and River Corridors
H1 – Housing Provision
H4 – Density and Size of Dwellings
H5 – Subsidised Affordable Housing within Settlements
H10 – Amenity Play Space
CF1 – Retaining Existing Community Facilities
CF2 – Provision of New Community Facilities
S1 – Retail Development: Sequential Test
S6 – Food and Drink Uses
S7 - Shopfronts
BE1 – Important Green Spaces within Settlements
HE1 – Protection of Listed Buildings
HE2 – Buildings of Local Architectural or Historic Interest
HE3 – Development affecting Listed Buildings or their settings
HE4 – Change of Use of Listed or Locally Listed Buildings
HE5 – Alteration or Extension of Listed or Locally Listed Buildings
HE8 – Conservation Areas
HE10 – Heritage Features
HE14 – Sites and Areas of High Archaeological Importance
TC1 – Town Centre Uses
TC2 – Existing Retail Uses
TC3 – Development within Town Centres
TC8 – Urban Design in Town Centres
TC9 – Town Centre Enhancement
TC12 – Town Centre Access
TC13 – Farnham Town Centre Traffic Management
TC14 – Town Centre Car Parking Standards
TC15 – Rear Access and Servicing
TC16 – Footways and Yards
LT1 – Retention of Leisure Facilities
LT6 – Leisure and Tourism Development in Settlements
LT8 – Sports Grounds and Playing Fields
LT11 – Walking, Cycling and Horse Riding
M1 – Location of Development
M2 – Movement Implications of Development
M4 – Provision for Pedestrians
M5 – Provision for Cyclists
M6 – Farnham Cycle Network
M7 – Footpaths and Cycleways
M9 – Provision for People with Disabilities and Mobility Problems
M10 – Public Transport and Interchange Facilities

M14 – Car parking
M15 – Public Off-Street Parking
M17 - Servicing

Policies of the Pre-Submission Core Strategy (July 2012):-

CS1 - Location of Development
CS2 – The Amount and Location of Housing
CS3 - Sustainable Transport
CS4 – Infrastructure and Community Facilities
CS5 – Affordable Housing on Development Sites
CS7 – Housing Type and Size
CS11 - Town Centres
CS14 - Leisure, Recreation and Cultural Facilities
CS15 - Landscape Character
CS16 - Townscape and Urban Design and the Heritage
CS17 - Biodiversity and Geological Conservation
CS18 - Thames Basin Heaths Special Protection Area
CS19 - Sustainable Design and Construction
CS21 - Flood Risk Management

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):-

CC1 – Sustainable Development
CC2 – Climate Change
CC3 – Resource Use
CC4 – Sustainable Design and Construction
CC6 – Sustainable Communities and Character of the Environment
CC7 – Infrastructure and Implementation
CC8 – Green Infrastructure
CC9 – Use of Public Land
H1 – Regional Housing Provision 2006-2026
H3 – Affordable Housing
H4 – Type and Size of Housing
H5 – Housing Design and Density
T1 – Manage and Invest
T2 – Mobility Management
T4 - Parking
NRM1 – Sustainable Water Resources, Groundwater and River Water Quality Management
NRM2 – Water Quality
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
NRM11 – Development Design for Energy Efficiency and Renewable Energy
NRM12 – Combined Heat and Power
W2 – Sustainable Design, Construction and Demolition

C4 – Landscape and Countryside Management
BE1 – Management for an Urban Renaissance
BE4 – The Role of Small Rural Towns (Market Towns)
BE6 – Management of the Historic Environment
TC1 – Strategic Network of Town Centres
TC2 – New Development and Redevelopment in Town Centres

National Planning Policy Framework (March 2012)
Technical Guidance to the National Planning Policy Framework (March 2012)
Ministerial Statement ‘Planning for Growth’ (2011)
Noise Policy Statement for England (March 2010)

Waverley Borough Council Corporate Plan 2012-2015
West Surrey Strategic Housing Market Assessment (SHMA) (2009)

Waverley Borough East Street Planning Brief 2000
Waverley Borough Development Brief 2002

Farnham Design Statement (2010) (Central Area)
Farnham Conservation Area Appraisal SPD 2005
Planning Infrastructure Contributions SPD (2008)
Thames Basin Heaths Avoidance Strategy (2009)
Strategic Housing Land Availability Assessment (2010) and update 2011
Shopfronts in Waverley – Design Guidelines
Waverley Borough Cycling Plan SPD 2005
Waverley Borough Street Cafes and Placing of Tables and Chairs on the Highway SPG 2002
Chase and Partners Retail Study of Waverley Borough 2008

County Council Vehicular and Cycle Parking Guidance (January 2012)
Waverley Borough Parking Guidelines (Draft May 2012)
Surrey Design Guide (2002)

Note:

The South East Plan 2009 is the Regional Spatial Strategy (RSS) for the South East region. Although the Localism Act makes provision for the abolition of regional strategies, until they are formally abolished by Order, they remain part of the development plan. It has been held that the Government’s intention to abolish regional plans could be a material consideration in making development control decisions. The amount of weight that can be attached to this intention is a matter of judgment, given that there are still some matters to be resolved before the Government can initiate the formal process of abolition.

The Council is preparing its Core Strategy setting out the key strategic planning policies for the area up to 2028. Between February and April 2012, the Council consulted on the “Local Development Framework Core Strategy – Revised Preferred Options and Draft Policies”. The Council is now in the process of assessing the outcome from that consultation and deciding what further changes need to be made to the Plan, before it is published. The Council agreed the proposed pre-submission version of the Core Strategy at its meeting on 17 July 2012. The intention is that the Pre-Submission Core Strategy will be published for consultation in August. The intention is that the Core Strategy will then be submitted for Examination in December 2012. As it stands only limited weight can be given

to the emerging Core Strategy and its proposed policies. However, this will increase as the Core Strategy progresses through Examination.

On the 27th March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document has superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management) and condensed their contents into a single planning document. Section 38(6) of the Planning and Compulsory Purchase Act 2004, still requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Waverley Borough Local Plan 2002 and the South East Plan 2009 therefore remain the starting point for the assessment of this proposal.

Summary of Consultations and Town Council Comments

Natural England – No objection subject to appropriate SPA contributions

Surrey Wildlife Trust – No objection

Environment Agency – No objection subject to conditions

Thames Water Authority – Not yet received – to be reported orally

Sport England – No objection

English Heritage – No objection

The Theatres Trust – Objects to the application:

- a) The proposal includes the demolition of the Redgrave Theatre without a replacement facility/venue or a financial contribution set aside to develop an existing facility. There is no such commitment within the application, as with previous applications;
- b) Makes reference to the NPPF which includes advice on the importance of cultural assets, particularly within town centres, and which can contribute towards sustainable development. The proposal conflicts with this guidance;
- c) The Redgrave Theatre was constructed with public money in 1974 as a purpose built theatre and originally had full stage facilities. Objected to the loss of theatre use as there was no appreciation of the theatrical needs of Farnham, nor any reasoned justification for its loss as a cultural asset. None of the applications have included a proper Needs and Impact Assessment for theatre use in the Borough;
- d) The Trust considers the Redgrave to be an 'asset of community value'. The theatre could be passed over to the community and run by a Trust.

Network Rail – No observations to make on application

NATS – No safeguarding objection to the application

Health and Safety Executive – Not yet received – to be reported orally

County Highway Authority – No objection subject to conditions

County Rights of Way Officer – No objection

County Archaeologist – No objection subject to conditions

East Hants DC – Not yet received - to be reported orally

Hart DC – No objection. Considers that the proposal is consistent with both national and local planning policy guidance by focussing development in the most accessible and sustainable location in the Borough. The proposal would support Waverley in achieving the vision for Farnham Town Centre and be of benefit to residents in neighbouring areas, including Hart.

Rushmoor BC – Object on the grounds that the retail assessment accompanying the application fails to assess fully the impact of the proposed additional floorspace on Aldershot Town Centre. This is in conflict with Policy TC3 of the South East Plan which requires retail development to take account of the potential impact on the vitality and viability of nearby towns.

Guildford BC – Not yet received – to be reported orally

Farnham Town Council – Object on the grounds that there is substantial doubt and uncertainty as to the suitability of the current scheme to meet the future needs of Farnham and is not sustainable development. Whilst strongly of the view that positive proposals are needed to secure the timely regeneration of the East Street Area with an appropriate scheme, Farnham Town Council would wish to work cooperatively with Waverley Borough Council, landowners and developers to achieve this. Farnham Town Council regards the uncertainties of viability, design and traffic as set out in the report of the Planning Consultative Group to render the proposed development flawed and not justifying the extension of the previous permission.

Additional background comments of the Town Council are set out at [Annexe1](#) to this report.

Representations

6 letters of support:

1. Planning issues assessed as part of 2008 application;
2. Development in accordance with NPPF and Development Plan policy;
3. Application should be clear on levels of funding and how expended in Farnham;
4. Bring economic and social benefits to the town;
5. Redevelop and underused and unsightly part of Farnham.

A total of 2,240 representations have been received raising objection to the application.

These representations include two sets of proforma letters, with one bundle of 1901 letters and one bundle of 221 letters, together with 118 individual letters of representation.

Additional letters of objection have also been received from the Farnham Society, the Farnham Trust, the Farnham Theatre Association and the Farnham Swimming Baths Trust.

The main grounds can be summarised as follows:

1. Loss of Redgrave Theatre – valuable asset and well established need in Farnham – fail NPPF policy guidance;
2. Question economic sustainability of the project;
3. Approval at this time would spoil important local planning initiative – Neighbourhood Plan for Farnham;
4. Provision could be made in scheme for a modest small scale theatre venue;
5. Proposed retail units D6 and D1/D14 could be reduced in area to accommodate retained theatre;
6. 10 year old concept and is stale and out of date in terms of retail and residential provision;
7. Traffic proposals unacceptable and add to congestion and air pollution;
8. Loss of 166 car parking spaces in Central Farnham area, with inadequate parking 400 spaces distant;
9. Result in damaged town of two competing halves;
10. Town would be blighted by construction process for up to 6 years;
11. Insensitive scale of proposed development;
12. Policing and servicing difficulties;
13. Flooding implications from underground car park and possible pollution to River Wey;
14. Gross overdevelopment of site;
15. Unbalance trade in town;
16. Assumed catchment area for cinema wildly over-optimistic;
17. Marks and Spencer affect existing trade to Sainsbury's and Waitrose;
18. Should provide housing for families;
19. The Maltings is not a theatre;
20. Loss of Brightwell Gardens;
21. Destruction of woodland shield to A31 and reduction of available use of Borelli Walk;
22. Scheme should be fundamentally revised or scrapped;
23. Increased air pollution in town centre AQMA;
24. Question air quality assessment submitted with application;
25. Question traffic assessment submitted with application and argue that it is flawed;
26. Question whether application submission and information complies with EIA regulations;
27. Question flood risk assessment submitted with application;
28. 20% increase in retail floor space unwanted and unnecessary;
29. In Flood Zone and development would require costly flood mitigation;
30. Loss of trees and wildlife;
31. Amenity of residents in sheltered accommodation affected;
32. Cost/benefit analysis should be carried out with urgency;
33. Dedicated play area should be included within scheme;
34. Total lack of 'green technology' in scheme;
35. Out of character with appearance of Farnham;
36. Overcrowded residential development;
37. Should include 1960s buildings to north of site;
38. Affect listed buildings and conservation area;
39. Existing infrastructure cannot support the proposal;
40. Poor/inadequate internal layout and space within units;
41. Economic and retail situations have changed significantly and it is not in the public interest to pursue this development as the plan is outdated;

42. Assessment of the effects of changes to the Royal Deer traffic lights has not been published and question capacity and use upon completion of the development;
43. 166 on-site car parking spaces would be lost, with inadequate replacement parking 400 spaces distant;
44. May well be spare capacity in existing car parks, however, proposal ignores additional demand that would arise from the proposed development;
45. The Redgrave Theatre is not being replaced. The NPPF requires Waverley to plan positively for cultural buildings and guard against loss of valued facilities;
46. Phasing of the development would result in longer construction time and consequent increased impact on the town;
47. The NPPF stresses the importance of sustainable development. The development is too big for the town, too big for the site and would create in Farnham two rival and disconnected town centres;
48. The redevelopment scheme could be adjusted to include a new 25m swimming pool, as an addition to the current Sports Centre facility, for use primarily by the Farnham swimming Club and local schools;
49. Concerned about widening and use of Brightwells Road and possible impact upon adjacent buildings, including Falkner Arch.

Submissions in support

The application is accompanied by two supporting statements which seek to fully explain and consider any material change in policy or circumstance that has occurred since the approval of WA/2008/0279 in August 2009. These comprise:

- (i) a Planning Statement which also contains a schedule of proposed changes to the existing conditions attached to the original approval;
- (ii) a Review of Environmental Statement Baseline Information and Assessments; and
- (iii) Two further reports with updated traffic and air quality surveys.

The application is also accompanied by a Site Location Plan and Demolitions Plan.

The applicant's agent, having regard to the type of application and the supporting information, concludes that there are no issues raised by the proposed changes to planning policy that would prevent an extension of time to WA/2008/0279 being granted and that current and emerging policy and guidance support the type of development proposed.

The applicant considers that the proposal would strengthen Farnham's retail and leisure offer, bolstering vitality and viability of the Town Centre. The proposal would provide employment, inward investment, new housing and upgraded community facilities.

The applicant has stated that it is important to note that the 239 residential units, including an affordable element, granted by planning permission WA/2008/0279 are 'commitments' in terms of housing land supply numbers for the Borough and Farnham, as catered for in the draft Core Strategy and supporting evidence base.

If this extension application were to be refused, it is pointed out that alternative provision would have to be made elsewhere in Farnham or the Borough. Furthermore, such sites are likely to be in less sustainable locations or on less-desirable Greenfield sites.

Determining Issues

Background to time extension applications
Planning history and comparison with extant scheme; material changes in circumstances
Principle of development
Townscape
Urban design
Open space and recreation
Retail provision
Housing
Neighbouring residential amenity
Leisure and community uses
Heritage
Transportation
Crime and disorder
Financial considerations
Infrastructure contributions
Climate change and sustainability
Biodiversity and nature conservation
Effect upon Thames Basin SPA
Environmental Impact (EIA development)
Legal agreements
Conditions
Representations

Planning Considerations

Background to time extension applications

Under the Town and Country Planning (General Development Procedure) (Amendment No.3)(England) Order 2009, the Government brought into effect a procedure to allow an applicant to apply to their local planning authority for an extension of time for the implementation of a planning permission by grant of a new permission for the development authorised by the original permission.

Guidance issued by the Government to accompany the 2009 Order, entitled 'Greater Flexibility for Planning Permissions', states that the measure has been introduced to make it easier for developers and local planning authorities to keep planning permissions alive for longer during the economic downturn so that they can be more quickly implemented when economic conditions improve.

The provisions apply only to permissions which were granted on or before 1 October 2009 (in this case 6 August 2009). This is because those permissions granted after that date could be made the subject of longer than the 3 year default time period at their outset by virtue of S.91 and 92 of the Planning Act.

The applicant has sought a planning permission for five years as opposed to the default three year timescale. It is considered that this request is reasonable in view of the current economic climate.

The guidance states at paragraph 23 that: 'in current circumstances, local planning authorities should take a positive and constructive approach towards applications which

improve the prospect of sustainable development being taken forward properly. The development proposed is an application for extension will by definition have been judged to be acceptable in principle at an earlier date. While these applications should, of course, be determined in accordance with s.38(6) of the Planning and Compulsory Purchase Act 2004, local planning authorities should, in making their decisions, focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission.'

The guidance advises that in the majority of cases where EIA was carried out on the original application, further information to make the environmental statement satisfy the requirement of the EIA regulations is unlikely to be required. It goes on to advise, however, that extensions should not be seen as a mechanism to avoid proper and thorough consideration of environmental issues.

It is open to local planning authorities to seek further information in support of the application, for example, if the proposal is an EIA scheme, and applicants may additionally wish to provide supporting information setting out why they are seeking an extension, or addressing any changes in policy or other material considerations which may have occurred since the previous grant of permission, if these are relevant to the proposal. Where it is necessary to update environmental information, provide new information or alter the proposed mitigation measures, this can normally be done by means of a supplementary ES.

It advises that it is possible to seek changes to a legal agreement/planning obligation in order to make the proposal acceptable in changed circumstances. This could either be done through a Deed of Variation or fresh legal agreement.

In addition, the guidance advises that, if appropriate, different conditions could be imposed or some conditions could be varied or removed – for example in order to make the scheme acceptable in the light of new policies.

Planning history and comparison with extant scheme; material changes in circumstances

There have been a number of applications for the development of the East Street site over the years. The current and previous applications are based upon the Council's Planning Brief approved in February 2000. The Planning Brief followed the identification of the East Street Area of Opportunity in the Waverley Borough Local Plan.

In August 2009, the Council granted planning permission (reference WA/2008/0279) for the redevelopment of the East Street site. This was accompanied by a legal agreement.

In October 2008, the Council granted listed building consent (reference WA/2008/0280) for the demolition of the attached Redgrave Theatre extension, the conversion of Brightwell House to form two restaurant units together with extensions on its northern and western sides. Following expiry of WA/2008/0280, in September 2011, the Council granted consent for these same works under a fresh application reference WA/2011/1215. This consent is extant.

In March 2011, the Council granted planning permission (reference WA/2010/1650) for the construction of a temporary construction access to the A31, comprising a bridge across the River Wey together with associated works. This permission was pursuant to Condition

37 of WA/2008/0279 which required that separate permission be sought for construction access from the A31.

Earlier this year, the Council granted consent for the construction of new shop fronts and for the display of signs (references WA/2012/0049-50) on Buildings D8 and D20 in approved scheme WA/2008/0279.

In April 2012, non-material amendments to planning permission WA/2008/0279 were approved by the Council (reference NMA/2012/0025). The amendments related to Building D20. The amendments included the provision of a basement, an alteration to elevations and the provision of an outdoor seating area to serve the approved retail unit. An outdoor seating area was indicated in the 2008 approved scheme but was in a slightly different location. These amendments now form part of the original 2008 approved scheme.

In May 2012, the Council granted a Certificate of Lawfulness (reference WA/2012/0553) for part of Building D20 to be used as a café ancillary to the main retail use of that unit. This application also made reference to the outdoor seating area included as part of the NMA application.

In November 2011, the Executive gave permission to carry out the legal and preparatory work to enable a potential CPO submission for the acquisition of key parts of the East Street site that remain outside Waverley's control. The Council agreed to make the Compulsory Purchase Order at its meeting on Tuesday 8 May 2012.

The Waverley Borough Council (East Street, Farnham) Compulsory Purchase Order has now been made and was advertised on site from Tuesday 29 May 2012. The representation expiry date for the CPO was 29 June 2012.

Planning permission WA/2008/0279 which has not yet been implemented at the time of the preparation of the report remains extant. This permission is therefore a highly material consideration in the assessment of the current proposal.

The key consideration in the determination of this application is whether there has been a material change in planning circumstances since the previous approval to warrant a different decision.

The following changes have occurred since the granting of planning permission WA/2008/0279.

(i) Site circumstances

There has been a change in site circumstances since the time of the granting of the previous permission.

The changes were implemented outside the scope of planning permission WA/2008/0279 (albeit that they were also included in that approval):

- Demolition of Health Centre and associated structures;
- Demolition of club-house together with removal of bowling green and associated enclosures;
- Demolition of properties at 1 and 2 La Casa, Brightwells Road, together with associated structures and enclosures;
- Demolition of building between Health Centre and Gostrey Centre;

- Removal of boundary fencing to Brightwell Cottage;
- Removal of fencing and erection of new fencing around areas of demolished buildings.

A further change in the local area includes a refurbishment to the Farnham Leisure Centre in Dogflud Way.

It is considered that these changes which have taken place do not materially affect or prejudice the granting of this time extension application.

(ii) The application

It should be noted that there have been no material changes to the submitted proposals in comparison with the proposals permitted under planning application WA/2008/0279.

As noted above, a Non-Material Amendment was granted under application NMA/2012/0025.

However, having regard to the time period which has lapsed since the approval of planning application WA/2008/0279, the supporting documentation submitted has been reviewed and updated. In particular the following additional information has been provided:

- Review of Environmental Statement Baseline Information and Assessments (4 May 2012)
- Air Quality Assessment – Response to EIA Queries (1 June 2012)
- Supplementary Note on Traffic Surveys (1 June 2012)
- RPS letter regarding ecological issues (25 May 2012)

The applicant's amplification of these documents is as follows:

The review of the baseline data and information used in the Environmental Statement (ES) that accompanied the planning application (WA/2008/0279) in 2008 and the subsequent application for the construction access in 2010 (WA/2010/1650) demonstrates that although there have been changes in traffic flows in the intervening period, the overall assessment and conclusions of the original ES remain valid. The only difference, which is not significant in EIA terms, is that on Woolmead Road, a noise change of minor adverse significance during the peak hour would occur with the updated traffic data, where none had been predicted before.

The Air Quality Assessment concludes that the overall significance of air quality effects of the main East Street development and the construction and removal of the temporary access road is considered to be 'negligible' to 'slight adverse' and the site is deemed suitable for its proposed future use in the context of air quality.

The supplementary note on traffic surveys indicates that the changes in traffic flows would not be discernible and would not result in any significant effects, even in locations that may be deemed environmentally sensitive. The updated traffic surveys demonstrate that the original Traffic Assessment (TA) and ES have used flows which are generally higher than those predicted for more recent surveys, and the TA consequently provides a robust assessment. Therefore the conclusions of the TA and ES remain valid for the new application.

It is concluded in a letter dated 25 May 2012, regarding ecological issues, that there has been no change to the ecological baseline and that the results of the ES remain valid.

Evaluation of these issues will be included in the relevant section of the main body of the report.

(iii) Planning policy

National policy

Since the determination of planning application WA/2008/0279 there has been a material change in planning policy.

The Government published the National Planning Policy Framework in March 2012. This document replaces all Planning Policy Statements and Planning Policy Guidance, with the exception of PPS10: Planning for Sustainable Waste Management. The Framework is a new material consideration in the determination of this application.

The NPPF sets out that development which accords with an up-to-date Development Plan should be approved unless material considerations indicate otherwise.

The NPPF is, however, a material consideration in the determination of this application. Paragraphs 214 and 215 of the NPPF make clear that where the local authority does not possess a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of conformity with the NPPF. Consideration will be given in the report as to whether the NPPF alters the conclusion in relation to individual issues, in comparison with the previous approval under the Local Plan.

An underlying theme running through the NPPF is that the planning system should seek to deliver sustainable development. There are three dimensions to sustainable development: economic, social and environmental. This should be achieved by contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to protecting and enhancing the natural, built and historic environment.

At the heart of the NPPF is a presumption in favour of sustainable development. For decision-taking this means:-

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.

The NPPF 2012 identifies that, within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and

decision making. The following summarised principles are pertinent to this application. It is stated that planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- take account of the different roles and character of different areas, promoting the vitality of our main urban areas and recognising the intrinsic character and beauty of the countryside;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk and encouraging the re-use of existing resources and that of renewable resources;
- contribute to conserving and enhancing the natural environment and reducing pollution;
- encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
- conserve heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of this and future generations;
- actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable;
- improve health, social and cultural well-being for all, and deliver sufficient community and cultural facilities to meet local needs.

The paragraphs of the NPPF, relevant to the issues under consideration, are included in the main body of the report.

Regional policy

Since the time of the extant application, there has been a material change in strategic planning policy. The Surrey Structure Plan 2004 was abolished in 2009. The Regional Plan was published (South East Plan) in 2009. The Government has since outlined its intention to abolish RSSs; however, the Government is yet to formally revoke this tier of regional planning policy and as such the South East Plan remains part of the Development Plan and a material consideration. Nonetheless, the policy objectives of this document are consistent with those policies published in the 2008 draft plan, and also with the Local Plan policies which were taken into account in the assessment of the 2009 permission.

Therefore, no new material considerations or policy considerations arise out of the South East Plan 2009.

Local policy

Planning permission WA/2008/0279 was determined under the 'saved' policies of the Waverley Borough Local Plan 2002. The Local Plan continues to form part of the Development Plan for the area. However, having regard to paragraphs 214 and 215 of the

NPPF, there is a need to consider the degree of conformity of relevant policies to the current proposal.

The Council is currently preparing its Core Strategy. Whilst the current application will be considered in the light of these policies, it is important to stress that as it stands, only limited weight can be given to the emerging Core Strategy.

It will be demonstrated in the main body of the report that the proposal is in line with the spirit and detail of emerging local policy.

Other Policy and Guidance

In March 2011, the Government issued a Ministerial Statement on 'Planning for Growth'. This statement outlined that the Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. The Government's clear expectation is that the answer to development growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national policy.

The Waverley Corporate Plan 2012-15 includes five core priorities. Corporate policy five is that of the 'environment' and includes delivery of the East Street scheme during the plan period.

The Farnham Design Statement 2010 became a material consideration in the determination of planning applications in July 2010. The Statement is intended to supplement planning policies in the Local Plan, as they relate to Farnham.

The document sets out the historical development of the town; the importance of green spaces in and around the town; infrastructure and highlights a particular issue with traffic congestion; the importance of the River Wey Corridor; and goes on to analyse the different character areas of the town. The document sets out a number of design guidelines on Page 19 which relate to the application site area.

(iv) Material changes in Planning Legislation

Environmental Impact Assessment Regulations 2011

On 24 August 2011 the Town and Country (Environmental Impact Assessment) Regulations 2011 came into force. The regulations consolidate the provisions of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the subsequent amending instruments. The 2011 Regulations apply to England only.

While the 2011 Regulations are principally consolidating regulations, the key changes are highlighted below:

- Addition of new descriptions of development
- Any applicable screening threshold applies to the development as a whole once modified, and not just to the change or extension.
- All LPA screening opinions (including those that indicate EIA is not required) must now have reasons (justification) behind the Authority's decision, which must be made available as part of the public record.

- The definition of statutory consultation bodies is amended to include the Marine Management Organisation, in certain circumstances.
- The consolidated 2011 Regulations are renumbered, e.g. 'Regulation 19 requests' (requests for further information) become 'Regulation 22 requests'.

These changes must be taken into account in assessing the current scheme.

Principle of development

The principle of the current application was established by the previous permission WA/2008/0279. This permission was for the same proposal as currently applied for, with the exception of the non-material changes permitted under the NMA application (reference NMA/2012/0025).

The 2008 approved application derived from the Council's regeneration proposals for East Street. The basic stance for these proposals has been to focus development on an under-used site in a highly sustainable location and enhance Farnham town centre's facilities and attractiveness to customers and users.

In terms of the key policies and issues, the 2008 application was considered to embrace both the spirit and content of the Planning Brief. This Brief reflected the then Government advice in PPGs 1, 2, 3, 6 and 13. Although these had been replaced with the PPS equivalents, PPS advice at the time was more focused on the principles of sustainable development and the 2008 scheme reflected those principles.

The Woolmead Centre, located to the north of East Street, does not form part of the planning application, although it is located within the East Street Area of Opportunity. The inclusion of the Woolmead Centre was not a specific requirement of the Planning Brief and its omission from the overall scheme was not crucial. It was considered that the East Street application could co-exist with any future refurbishment or redevelopment scheme for the Woolmead Centre.

The general scale, form and content of the proposed development were considered acceptable in terms of the Development Plan location policy. These policies sought to optimise development in town centres that enhanced the important role of town centres and provide for greater opportunities for more sustainable development principles to be achieved. The proposal was considered to accord with the Council's regeneration objectives for East Street.

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

The site is 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. Policies D1, D4 and C2 of the Local Plan are relevant in this respect.

The site is within the East Street Area of Opportunity and is which is identified on the Local Plan Inset Plan for Farnham. Paragraphs 9.61 to 9.74 set out the background to the designation and make reference to townscape, access and preferred uses. The proposal is considered to be in accordance with Local Plan objectives for the area.

The site is within the designated Town Centre Area and the northern part of the site is also within the designated Shopping Area as shown on the Local Plan Inset Plan for Farnham. Policies TC1, TC2 and TC3 of the Local Plan state that the Council will seek to maintain and enhance the role of town centres as the focus of shopping, commercial and social life in the Borough and will seek to retain and encourage a mix of uses which contributes to the vitality and viability of these centres; will seek to retain existing retail uses; and will encourage investment in town centre uses; and where significant new development is proposed, the Council will seek a mixture of uses which generate activity during and beyond normal shopping hours.

The NPPF states under its Core Planning Principles that planning should: take account of the different roles and character of different areas, promoting the vitality of our main urban areas, recognising the intrinsic character and beauty of the countryside; and proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

At the heart of the NPPF is a presumption in favour of sustainable development.

On building a strong, competitive economy, paragraph 18 states that the Government is committed to securing economic growth in order to create jobs and prosperity. This builds on policy previously contained within PPS4: Planning for Sustainable Economic Growth.

Paragraph 21 states that local planning authorities should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.

On ensuring the vitality of town centres, paragraph 23 states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

On promoting healthy communities, paragraph 69 states that decisions should aim to achieve places which promote opportunities for meetings between members of the community, including through mixed-use developments. Paragraph 70 states that planning policies and decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities.

The proposal would seek to secure sustainable economic growth through the provision of a high quality, mixed use development, including residential uses and affordable housing. The proposal would bring economic growth through the provision of new shops, restaurants and a cinema, increasing footfall and spending in the centre as a whole. In addition, the proposal would provide investment and new employment at a time when sustainable economic growth is a priority for the Country.

There is a Grade II Listed Building (Brightwell House) within the site. Proposals will not be permitted if they would harm the building or its setting. The site is adjacent to the Town Centre Conservation Area. Policies HE1 - HE5 and HE8 of the Local Plan are relevant in this respect. Development is required to preserve or enhance the character of such areas. The NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

The River Wey and its south bank are an Area of Strategic Visual Importance. The Council will seek to ensure that the appearance of the area is maintained and enhanced. Policy C5 of the Local Plan is relevant in this respect.

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. Policies D5 and C11 of the Local Plan are relevant in this respect.

It should be noted that Paragraph 113 of the NPPF states that distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

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 NPPF at paragraph 118 states that when determining applications, local planning authorities should aim to conserve or enhance biodiversity. If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

The site is within 20m of a river and within Flood Zones 2 and 3. The NPPF and its Technical Guidance on flood risk contain 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. Paragraph 99 of the NPPF states that when new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.

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. Policies M2, M4 to M7, M9, M12 and M14 to M17 of the Local Plan are relevant in this respect.

Paragraph 32 of the NPPF states that decisions should take account of whether safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

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. Policies D1 and D4 of the Local Plan are relevant in this respect.

The Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Policy D1 of the Local Plan is relevant in this respect.

Climate change and the contributions of CO₂ emissions should be taken into account in considering development. Paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change.

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.

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, archaeology, ecology) 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.

Townscape

In this section, the consideration of townscape relates not to the actual external design of the individual buildings but how the development in part and as a whole fits together and its relationship in scale, form and mass to its surroundings.

Paragraphs 56 to 68 of the NPPF refer to requiring good design. These principles are taken forward from policy previously contained in PPS1 on 'Delivering Sustainable Development.'

Paragraph 56 states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development.

Paragraph 58 sets out that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 65 states that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape.

There are no changes, save for the NMA approved earlier this year, to the approved scheme and although there may have been some changes to the site and to the surrounding built environment since planning permission WA/2008/0279, the development is acceptable for this site and location. The scale, form and design of the development have therefore been established by the 2009 permission. It is considered that the design approach complements its setting and will make a positive contribution to the overall character and appearance of Farnham.

The main features are as follows:

- The development takes its cue from an analysis of the 'grain' of Farnham. It includes the concept of alleys in its pedestrian routes through the scheme and the links to existing routes.
- The proposals include an active Town Square connected by alleyways and yards with gardens and riverside areas are also townscape elements. These spaces would add interest and activity to the area.
- The Town Square is of an appropriate size and scale for its intended purpose as a multi-purpose outdoor meeting and event area.

The Town Square would be surrounded by buildings varying in height from 1 to 3 storeys. It would have shops and restaurants on all four sides and be approached by pedestrian routes of varied width.

The proposed development has been designed in blocks of varied height, form and appearance. A detailed analysis of each building was assessed in the officer's report in respect of the 2008 application. The building has interest and architectural quality. The development was considered to be of a high quality design.

It is noted that one of the principal areas of objection to the 2008 application was to the scale, height and mass of the development. This centred around the fact that much of the development is four storeys high and in some cases built over a basement level car park. In that assessment, officers concluded that although certain buildings may be of a height that does not copy the prevailing storey height of adjacent development, it does not mean that the townscape approach is inappropriate or wrong.

Previous and current national and local policies seek to make efficient and effective use of urban land. Sites at the heart of town centres inevitably often require buildings of greater height. The previous PPS6 and current NPPF 2012 talk in terms of housing being an important element of mixed use, multi-storey development.

The proposed development would clearly have some impact on the setting of Brightwells House, a Grade II Listed Building. However, any impact has also to be balanced against its existing setting and the restoration/new use of the building. The proposals involve making Brightwell House the centrepiece of the development. Whilst it is noted that the existing or previously existing surrounding buildings would be replaced by buildings of greater height and stature, it is considered the new buildings would complement and would not unduly dominate its setting.

The applicants envisage that public art would be included in the scheme by way of detail as street furniture, lighting, landscaping and building features. No specific sculpture or

artwork is proposed at this stage but would be provided for by way of the legal agreement. This element of the proposal remains the same as that agreed under WA/2008/0279.

In relation to the NPPF, the proposal would comprise a high quality development, would improve the character and quality of the area, would respond to local character and history, and would establish a strong sense of place.

Policy CS16 of the Core Strategy states that the Council will ensure that the character and amenity of its towns and villages will be protected. The policy requires developments to be of the highest standard of design that responds to the distinctive local character of the area in which it is located.

The approach to townscape in this application in respect of the creation of high quality environments and an integrated, inclusive approach to development are considered acceptable. The sentiments of the NPPF are supported by Policies D1, D4 and TC8 of the Local Plan, Policy CC6 of the South East Plan and Policy CS16 of the emerging Core Strategy. Officers consider that there has been no material change in planning circumstances to justify taking a different view on this issue under the current proposal.

Urban design

The design approach is considered to be valid in its own right and in context to its surroundings. The proposal is considered to blend traditional and contemporary styles that will contribute to Farnham's character.

The approach is to create a built environment of varied character, height and mass with a strong sense of place. The design approach regards each building as part of a new street rather than one large building resulting in a uniform look.

Some of the key features are as follows:

- The public facades within the development use traditional materials and detailing, whilst the private and more secluded areas of the development are designed in a more contemporary way.
- The proposals incorporate a variety of building heights to avoid uniformity. The development is a mix of two (15%), three (53%) and four- storeys (25%). The four storey elements of the scheme are mainly located to the eastern side of the site, away from the Conservation Area.
- The design takes account of the scale and massing of nearby buildings but, as befits a town centre site, it makes full use of the site in its building mass and form.
- Roads and pathways are used as the boundary of urban blocks and result in a scale of urban grain that is similar to that of the existing core of the town. Although the size of individual buildings increase compared with the older parts of the town, the scale of relationship between people and urban space remains similar.
- A wide variety of building and paving materials are to be used which reflect those found in the town, although a small number of new technology materials are used. The external materials include red orange brick, yellow brick, render, timber framework, timber-boarding, slate, plain tiles, copper and knapped flint.
- The design includes the incorporation of a 'green wall' which is to be used on the exterior of the cinema/decked car park block (D8). Building D8 contains uses within a rectangular form and the resultant building could have been very functional and box-like in appearance. It is considered the 'green wall' would provide a

sympathetic screen to the car park and blank facades of the cinema and that this approach would create a landmark building on arrival to Farnham from the east.

In addition to the NPPF, one of the new key policy documents has been the Farnham Design Statement. The Statement, in particular, makes reference to a number of buildings and the green open spaces in and around Farnham town centre including Brightwell Gardens, Borelli Walk and green corridor to the river. The Statement also makes reference to the planning permission on the East Street site.

The development is considered to comply with the broad design guidelines set out in the document, in that the proposal would:

- Preserve the character and setting of the nearby conservation area;
- Reflect and be sympathetic to the scale, character, massing and appearance of the existing built environment;
- Incorporate small lanes and alleys which are characteristic of the town centre;
- Be appropriate to this town centre location in terms of its relatively high density; and
- Retain the green corridor along the river and would provide appropriate replacement green space within the development.

The proposal is considered to accord with the design guidelines set out in this document.

The sentiments of the NPPF are supported by Policies D1, D4 and TC8 of the Local Plan, Policy CC6 of the South East Plan and Policy CS16 of the emerging Core Strategy. Officers consider that there has been no material change in planning circumstances to justify taking a different view on this issue under the current proposal.

Open space and recreation

On promoting healthy communities, paragraph 69 of the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, contain clear and legible pedestrian routes, and high quality public space which encourage the active and continual use of public areas.

Paragraph 70 states that planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Paragraph 75 states that planning policies should protect and enhance public rights of way and access.

The previous planning application (WA/2008/0279) was considered in the context of PPG17 (Open Space, Sport and Recreation). This set out the Government's policy for open space, sport and recreation. Its objectives included supporting an urban renaissance through the management of the urban environment for sport, leisure and biodiversity. The provision of informal open space together with the new public open space, Town Square, footbridge over the river and pedestrian and cycle links were considered to accord with this policy. These elements are also consistent with the NPPF.

The provision for open space is welcome in the context of this town centre location and the planning need to maximise the development potential of the site. The new open space is

of a form that would embrace a variety of uses and complement the development. The applicants' landscape strategy highlights the value of green spaces being provided in the development and these are an important integral part of the scheme.

The proposal includes a building layout which would deliver more open space than was previously available, both for the project site as a whole and Brightwell Gardens in particular. The proposal includes a landscape strategy which sees the retention of land in the public realm as an important element. This would include a new 'Town Square', Brightwell Gardens (including the land previously used as the bowling green), a rejuvenated north bank of the River Wey, together with new walkways and space between buildings. The area of public realm available under the proposal would be increased from 1.42ha to 1.54ha, an increase of 8%.

Within part of the site, the original area of Brightwell Gardens available for public use covered an area of 0.25ha. The former bowling green was fenced and public access was restricted. Taken together with the completed area of Brightwell Gardens, with an expansion to the south and east, the proposal would provide an area of 0.37ha, an increase of 28%.

The design of the green spaces, the pavements and hard surfaces of the town square and the surrounding spaces, are considered to contribute significantly to the character of the development as a whole.

Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

The proposal provides both 'private' and 'communal' outdoor amenity areas. For the majority of the proposed dwellings this is through provision of balconies, terraces and roof gardens.

The proposal does not include the provision of a children's play area. However, in view of the small number of 'family dwellings (21)', it is considered that such provision is unnecessary in this case. Although contrary to Policy H10, it is considered that the approach is reasonable and a commuted payment in lieu of on-site provision is acceptable. The development provides a significant level of open 'informal' play areas and that the nearest local park (Victoria Park) is located 200m to the west of the site and provides significant formal and informal play spaces for children.

There has been no material change in circumstances to suggest that this approach, which was regarded as acceptable under application WA/2008/0279, would not be acceptable in the current assessment.

A tree condition survey has been produced with some 100 trees on site having been assessed. 13 trees would be retained and incorporated into the scheme. A landscaping scheme and tree planting schedule have been developed and submitted to complement the development, enhance green spaces and better relate to the development. The loss of over 80 trees should be considered in the context of at least 102 trees being planted throughout the development and would therefore have future amenity value. Many of the existing trees to be removed are of low amenity value.

Sport England has raised no objection to the proposal, noting that it is a resubmission of the 2008 application. It noted that the Head of Leisure at Waverley had indicated previously that there was sufficient capacity for the members of the former Bowling Club to join elsewhere and that developer contributions would be sought through a legal agreement in respect of recreation provision.

Under application WA/2008/0279, the Council's Tree and Landscape Officer considered that the proposal would involve significant new replacement tree planting as part of the scheme and was considered to be acceptable in layout and landscape impact terms.

In terms of the NPPF, the proposal would provide for appropriate open space for members of the community, in the form of both private and communal outdoor amenity space, and introduces a new Town Square.

It is therefore considered that the provision of public open space linking the development through to the River Wey and the amount of amenity space around the development accord with the principle of Policy BE1 of the Local Plan. The impact of the development as a whole on the River Wey corridor would not conflict with Policy C12 of the Local Plan. These policies support the sentiments of the NPPF. Officers consider that there has been no material change in planning circumstances to justify taking a different view to this issue under the current proposal.

Retail provision

On ensuring the vitality of town centres, paragraph 23 of the NPPF states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. It states that local planning authorities should:

- Recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
- Define the extent of town centres and primary shopping areas;
- Promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
- Allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, cultural community and residential development needed in town centres;
- Recognise that residential development can play an important role in ensuring the vitality of centres and encourage residential development on appropriate sites; and
- Where town centres are in decline, authorities should plan positively for their future to encourage economic activity.

Paragraph 24 states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

These principles are the same as those previously contained within PPS4 on 'Sustainable Economic Growth.'

Policy S1 of the Local Plan also sets out the sequential test in respect of retail provision.

The whole of the application site is within the town centre defined in the Local Plan. For this reason, a Retail Impact Assessment examining the impact of the retail element of the proposal on the vitality and viability of Farnham and nearby centres is not required. It is not necessary to investigate the 'need' for additional retail floorspace or to carry out any sequential test as to the suitability of the site because the site is located within the town centre.

This is the same approach as taken in respect of the 2009 permission, which the Council accepted.

However, the applicants submitted a Retail Impact Statement with the 2008 application. The Statement concluded that the development would enhance Farnham Town Centre and its overall retail and leisure offer; that it would claw back people and trade that currently travel elsewhere; and that there was no evidence to suggest that existing shopping and leisure provision within the town is vulnerable to competition from the proposal.

The retail element of the scheme includes approximately 6,940sqm of retail floorspace made up of 21 retail units. There are two large format units, one as the focal point to the development on the East Street frontage and the other faces the town square. The other units are of a range of sizes some with first floor use.

The scale of food and drink uses in the context of the development as a whole is considered to accord with Policy S6 of the Local Plan. The addition of a multi-screen cinema accords with the mixed use development approach and, in combination, the uses complement each other and the rest of the town centre.

Farnham Town Centre is an established and successful retail location. The proposals seek to reinforce East Street as an extension to the core shopping area through the introduction of suitably sized retail units for local and national operators. It is considered that the development would have a positive effect on the town centre as a whole.

Marks and Spencer has recently signed-up as one of the key tenants of the development.

Policy CS11 of the emerging Core Strategy states that Waverley will continue to foster a healthy retail and service economy providing a good range of goods and services. In addition, it states that measures to improve the town centres within the Borough, including appropriate development, will be encouraged provided they help them to adapt and reinforce their role in meeting particular needs and acting as a focus for a range of activities.

Paragraphs 11.21 to 11.25 of the Core Strategy relate specifically to Farnham. These state that Farnham has a good range of shops, including a high proportion of independent and specialist traders and a good range of cafes, restaurants and leisure facilities, which help the evening economy of the town. The Town Centre has major anchors at either end, in Waitrose and Sainsbury's.

In making reference to The 2008 Town Centre Retail Study, this concluded that Farnham was performing 'extremely well', with excellent convenience store provision and although limited, the most extensive comparison goods offered in Waverley. Paragraph 11.34 of the Core Strategy states that this would be further enhanced by the mixed scheme permitted at East Street. It also states that the East Street end of the town is weaker and in need of

strengthening and that the East Street development has the potential to lift the vitality of the eastern end of the town. Paragraph 11.25 goes on to state that the development at East Street would go some way to satisfying a need for an expansion in its retail offer and recommends the extension of the shopping area shown in the 2002 Local Plan to include the East Street site.

There are likely to have been some changes in retail provision of the town centre since the consideration of the 2008 application. However, as explained in the submitted Environmental Statement, levels of vacancy in the town centre are half of the national average and this suggests that there is unlikely to be any significant variation in the information collected regarding provision. Investment and retail provision associated with the development will be beneficial in this respect.

The previous application WA/2008/0279 was referred on to the Secretary of State under the Shopping Direction 1993. This Direction was cancelled and replaced by a new Shopping Direction issued in April 2009. The criterion for the referral of retail development to the Secretary of State was revised. In essence, the new Direction only requires new retail development of a certain size to be referred on if it relates to new development or extensions outside of town centres. In this case, as the site falls within the town centre, the current application does not need to be referred to the Secretary of State.

It is noted that Rushmoor BC have raised objection to the application. However, as explained above, the site is within the Town Centre Area of Farnham as defined in the Local Plan. The referred to Policy TC3 relates to out of centre shopping centres and their extension and would not appear to be relevant to this case.

There have been no material changes to policy since 2008 to have any potential implications for the consideration of this proposal. The basic current planning policy stance of enhancing consumer choice for shopping, leisure and local services remains, as does the sequential approach of taking town centres first, then edge of centre before considering out-of-centre locations.

The sentiments of the NPPF are supported by Policies TC1, TC3, S1 and S6 of the Local Plan, Policy TC2 of the South East Plan and Policy CS11 of the emerging Core Strategy.

Housing

On delivering a wide choice of high quality homes, paragraphs 47 to 55 of the NPPF refer to housing delivery and effectively replace policies previously contained in PPS3 on 'Housing.'

Paragraph 47 of the NPPF states that to boost significantly the supply of housing, local planning authorities should ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area and to identify and update annually a supply of specific deliverable sites and broad locations for growth.

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 52 states that the supply of new homes can sometimes be best achieved through planning for larger scale development.

The housing element of the proposal is considered to accord with national, regional and local planning policy and advice, and the scheme as a whole makes a valuable contribution to affordable housing provision.

The residential element of the proposal includes the upper floors above retail units as well as individual buildings D4, D8 and parts of D14 and D15. A total of 239 residential units would be provided, the net figure being 235 after allowance for demolition of 4 existing or vacant units.

The proposed mix would be as follows:

Type	Affordable		Total	Private	Overall Total
	Rent	Shared Ownership			
1 bed flat	17	15	32	60	92
2 bed flat	19	21	40	86	126
3 bed flat	0	0	0	21	21
Total	36	36	72	167	239

The 2009 permission was assessed within the context of the adopted Surrey Structure Plan 2004, the draft South East Plan 2008, the 'saved policies' of the adopted Local Plan 2002 and the advice contained within PPS1, PPS3 and PPS6. Policies H1 and H2 of the Local Plan were not included in the saved policies Direction issued in September 2007. The additional housing requirement for Waverley was set out in the Panel Report to the draft South East Plan with the figure being increased from 230 to 250 d/pa within provision for at least 5,000 net additional homes in the period 2006 to 2026. This was carried forward into Policy H1 of the South East plan 2009.

Policy CS2 of the emerging Core Strategy states that the Council will make provision for at least 5,060 net additional homes in the period 2006 to 2028, equivalent to 230 d/pa.

The Council can demonstrate a supply of specific deliverable sites sufficient to provide five years worth of housing, with an additional buffer of 5%, as required by the NPPF. This is currently measured against the South East Plan housing target.

A significant proportion of the supply of deliverable housing sites comes from unimplemented planning permissions and the East Street site represents the single largest component of this source of supply.

The current application, as with the planning permission 2009, needs to be assessed against a background of increased housing provision within the Borough. The scheme would thus continue to make a significant contribution towards meeting the increasing local housing targets consistent with the thrust of national, regional and local planning policy.

The proposal would have a net site density of 103.6dpha. The relatively high density of the development is justified by the sustainable and accessible location of the development and the fact that it comprises flats rather than family housing.

91% of the proposed housing mix is in the form of 1 and 2 bedroom units, with the remainder being 3 bedroom units.

Therefore, the proposal would comply with Policy H4 of the Local Plan in terms of density and dwelling size.

The 2002 Planning Brief for the site required the provision of at least 30% of all residential units to be affordable. This is in excess of the 25% level required by Policy H5 of the Local Plan for a development of this scale. Policy H3 of the South East Plan states a figure of 35%. The Surrey Structure Plan 2004 set an objective for new Core Strategy policies to achieve 40% levels across the county. Policy CS5 of the emerging Core Strategy states a requirement of 40% on developments of this scale. In addition, this policy states that in all cases where on-site provision is being made, the mix of dwelling types and sizes should reflect the type of housing identified as being required in the most up to date Housing Needs Survey and SHMA having regard also to the form and type of development appropriate for the site.

Therefore, the highly prescriptive approach in the adopted Local Plan to housing type has been superseded by a more flexible approach in the NPPF and in the emerging Core Strategy.

In terms of market demand, the SHMA 2009 indicates that the housing demand in Waverley is mostly for two or less bedroom homes (57%), although there was a significant demand for four or more bedroom homes (35%).

The household survey 2007, as required by PPS3 at the time, shows that the largest group are childless couples (35.6%).

The proposal would respond to the evidence in the SHMA that there is a demand for smaller units. Officers consider the provision of flats in the proposal to be an appropriate use for this town centre site.

In view of the current status of the emerging Core Strategy, it is considered that greater weight should be given to adopted Local Plan policy.

The Council's Housing Enabling Manager continues to support the housing elements of the proposal. Officers consider that the housing mix and standards are acceptable and would meet appropriate housing needs in the area.

The NPPF and emerging local policy indicate a shift in the type and size of housing that should be provided and that this should be related to current and future demographic and markets trends and the needs of different groups in the community. This is reflected in Policy CS7 of the emerging Core Strategy.

Officers consider that, although there has been a shift in planning policy since the 2009 permission, this would not justify taking a different view to this issue under the current proposal.

Neighbouring residential amenity

The NPPF 2012 identifies within its core land use planning principles that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

The nearest residential properties are situated towards the southern end of the site with flats at Faulkner Court and Homepark House.

The residents of Faulkner Court would be potentially affected by Building D20 and the associated service road and yard to the north-west, and by Building D4C to the north-east. It is acknowledged that the proposal would have some impact upon these residents, particularly in respect of increased noise and disturbance from the use of the service road.

There would be no material impact upon the residents of Homepark House with a large area of open space retained to the north-east.

Under application WA/2008/0279, whilst it was acknowledged that the proposal would be visible to these neighbouring occupiers, it was considered that it would not be materially harmful to their amenity in terms of loss of light, overbearing appearance, impact upon privacy and outlook subject to conditions. The issues of air quality and noise are handled below.

Officers consider that Policies D1 and D4 of the Local Plan conform to the NPPF. It is considered that there has not been any material change in planning circumstances to warrant taking a different view to this issue under the current proposal.

Leisure and community uses

On promoting healthy communities, paragraph 70 of the NPPF states that planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and guard against the unnecessary loss of valued facilities and services.

Policy LT1 of the Local Plan states that the Council will seek to retain leisure facilities where a clear need still exists for those facilities. For the purposes of LT1, the term leisure facilities relates to those uses that fall within Class D2 (Assembly and Leisure) of the Use Classes Order. These uses include a cinema, concert hall, dance hall and areas for indoor or outdoor sport or recreations. The use of a building as a theatre is regarded as sui generis, which is a use on its own.

Policy LT6 of the Local Plan states that permission will be granted for development for leisure and tourism related purposes within the main towns and settlements. Such facilities should be of a scale, character and form appropriate to the surrounding area and which do not harm residential amenities. Appropriate access and parking should also be provided.

Policies CF1 and CF2 seek to retain and provide new community facilities. The Gostrey Centre would be replaced and relocated as part of the proposal.

In addition to the NPPF, Policy CS4 of the emerging Core Strategy states that the Council will resist the loss of key services (including community facilities), unless an appropriate alternative is provided or, evidence is presented that the facility is no longer required and

suitable alternative uses have been considered. It goes on to state that the Council will support the development of new services and facilities.

The provision of a multi-screen cinema, cafes, bars and restaurants together with the ability to hold outdoor events in the town square are considered to represent valuable additions to Farnham's leisure facilities. These are considered to off-set the relocation of the tennis club and loss of the bowls club.

A multi-screen cinema is proposed close to the existing leisure centre. Such a facility was identified in the Waverley Core Strategy 2003-2008. Vue, the proposed cinema operator at the time, confirmed that within Farnham's catchment, a clear deficit in cinema provision was identified. The Odeon has recently signed up as the operator of the cinema and is therefore one of the key tenants of the scheme.

The 2009 permission indicated the provision of a 7 screen cinema with a capacity of 900. The cinema would include a multi-use screen. A licence application was submitted and granted by the Council in August 2011. The licence permission indicates the provision of a 6 screen cinema with a capacity of 752. Details of the internal arrangement of the cinema, submitted with the licence application, appear to have been adjusted with a larger foyer area being provided and the size of the individual auditoriums also being adjusted. These changes have come about as a result of the working-up of the facility by the operator. These changes are considered to raise no material planning issues in respect of the overall scheme. The external parameters remain unchanged.

Brightwell Bowls Club closed in March 2007. It is understood that its members have since joined one of three other clubs in Farnham. Since the 2009 permission, the club building and green have been removed.

The existing tennis courts are to be relocated by the Council to the Riverside development. The relocation of the tennis courts would be accompanied by a new clubhouse and changing facilities under planning permission WA/2007/1967. The facility would therefore maintain a town centre location.

The proposal would involve the removal of the former Redgrave Theatre. The Theatre was built in the early 1970s as an extension to Brightwell House. The demise of the Redgrave Theatre started many years ago and culminated in its closure in 1998.

In relation to the 2009 permission, strong objections were received from the Theatres Trust and Farnham Theatre Association supporters. However, it was concluded at that time there was no planning policy basis for its retention within the scheme and that the Council's established corporate policy over the years has been to support theatre activities in the Borough as a whole. It was noted that the 'Farnham Healthcheck' identified that provision of a cinema was a higher priority for leisure in the town. It was also noted that alternative cultural facilities are now available in Farnham, most notably at The Maltings.

It is noted that the above groups and many local residents continue to object to the loss of some of the existing facilities on the site, in particular the Redgrave Theatre. They argue that there is an established need for such a facility in Farnham and that such a facility could still be incorporated into the scheme.

The principle of the loss of the Redgrave Theatre and the provision of other leisure and community facilities within the scheme were given careful consideration as part of the

2009 planning permission. Whilst officers note the continued concerns expressed on this issue, it is considered that the planning policy position has not significantly changed since the 2009 permission. Planning policies at that time still sought the retention of what could be regarded as community or cultural facilities and that these policies have effectively been carried forward into the NPPF and the emerging Core Strategy.

There have been a significant number of representations received from members/supporters of Farnham Swimming Club. These representations suggest that there is a need for greater capacity and that this could be achieved through the provision of a further swimming pool as an adjunct to the existing Sports Centre as part of this redevelopment scheme. However, the proposal is a time extension application for the same development approved in 2009.

The Council is therefore satisfied that the proposal would not materially conflict with Policies LT1, LT6, CF1 and CF2 of the Local Plan or Policy CS4 of the emerging Core Strategy in relation to leisure and community facility provision.

Officers consider that both the NPPF and the emerging Core Strategy reinforce previous policy objectives which seek the retention and replacement of community and cultural facilities. The Council accepted the loss of the former theatre as part of the 2009 permission. Therefore, officers consider that there has been no material change in planning circumstances to justify taking a different view to this issue under the current proposal.

Heritage

On the historic environment, paragraphs 126 to 141 of the NPPF refer to conserving and enhancing the historic environment. These supersede PPS5 on 'Planning for the Historic Environment.' PPS5 itself superseded PPG15 in 2010.

Paragraph 128 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage asset affected, including its setting.

Paragraph 130 states that where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the asset's conservation. Paragraphs 132 to 136 go on to provide policies in the assessment of proposals where harm would be caused to a heritage asset and the weight that should be given to that harm.

The statutory test for the consideration of applications for listed building consent is contained in Section 16 Planning (Listed Buildings and Conservation Areas) Act 1990 as follows:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.”

Further Section 70 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering proposals for development within or affecting Conservation Areas, local planning authorities should exercise their functions:

“...with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

The only Listed Building within the site is Brightwell House and the attached former theatre. Brightwell House dates from the 19th Century. Some of the former garden walls remain in situ and the separate Brightwell Cottage further to the south-east is a Building of Local Merit (formally Locally Listed Building). The application site is not within Farnham's Conservation Area although elements of the site are in close proximity.

Listed Building Consent WA/2008/0280 and subsequent consent WA/2011/1215 addressed the part demolition, extension and alterations to Brightwell House together with the demolition of Brightwell Cottage and associated walls and structures. English Heritage raised no objection these applications. The 2011 consent remains extant. The current application therefore deals with the planning issues.

The current planning application includes the restoration and conversion of Brightwell House with the removal of the former theatre built in the early 1970s. The building would be extended to form restaurant space to the north and west, in a contemporary style.

The contemporary and lightweight extensions and alterations to Brightwell House and the proposed use are considered appropriate and acceptable and would ensure the preservation and enhancement of the Listed Building. The removal of the theatre extension and its replacement by a lightweight subservient structure would be a significant positive element of the scheme.

The new buildings around Brightwell House would create a new setting for the Listed Building commensurate with its role as a focal point of the development.

The character and appearance of the adjacent Conservation Area would be enhanced. No part of the redevelopment falls within the Conservation Area, although there will be some limited views of the development from inside the Conservation Area. Proposed buildings D1 and D14 lie close to the boundary of the Conservation Area.

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

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated asset, authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. It goes on to state that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

In terms of the NPPF, the proposal would involve the removal of a highly unsightly and inappropriate extension to a Grade II Listed Building. This would provide benefits not only to the fabric of the Listed Building, but also facilitate provision of a new Town Square.

The proposal would also secure a long term future for Brightwell House. It would be provided with a beneficial and active use and would become a focal point of the development with the new Town Square adjacent.

Officers consider that the proposal would not cause harm to or the total loss of a heritage asset – that in the form of the retention of Brightwell House. Indeed, the proposal is considered to achieve substantial benefits to Brightwell House and to bring about wider public benefits to the community. Therefore, there is no requirement to consider or secure its optimum viable use.

The Council's Heritage Officer raises no concerns in relation to the impact of the proposal upon the setting of Brightwell House. In his expert view, the proposals satisfactorily preserve, and in many respects, enhance the character and appearance of the Listed Building. It is understood that the building more recently had an ancillary service function to the 1970s Theatre extension.

The proposal would involve the loss of Brightwell Cottage, a Building of Local Merit. This building is somewhat isolated from Brightwell House. It is considered that its loss would be more than outweighed by the improvements to Brightwell House itself and the benefits of the scheme as a whole.

The proposed new buildings lie close to but outside a Site and Area of High Archaeological Importance. The Area includes the group of buildings on the corner of East Street and South Street. Paragraph 128 of the NPPF states that where a site on which a development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. A desk-based assessment was submitted with the 2008 application. It is considered that any archaeological interest in the site can be covered by planning conditions were permission to be granted.

The sentiments of the NPPF are supported by Policies HE1 to HE5, HE8 and HE14 of the Local Plan, Policy BE6 of the South East Plan and Policy CS16 of the emerging Core

Strategy. Officers therefore consider that there has been no material change in planning circumstances to justify taking a different view to these issues under this proposal.

Transport and accessibility

On transport, paragraphs 29 to 41 of the NPPF refer to promoting sustainable transport. They effectively supersede the policy previously contained in PPG13 on 'Transport.'

Paragraph 29 of the NPPF states that transport policies have an important role to play in facilitating sustainable development and that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 30 states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce pollution.

Paragraphs 32 and 36 state that all developments that generate significant amounts of movement should be supported by a Transport Statement or Assessment and Travel Plan.

Paragraph 32 goes on to state that decisions should take account of whether:

- The opportunities for sustainable transport modes have been taken up, depending upon the nature and location of the site to reduce the need for major transport infrastructure;
- Safe and suitable access to the site can be achieved for all people; and
- Improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development

Paragraph 37 states that policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Paragraph 39 refers to the setting of local parking standards and paragraph 40 states that local authorities should seek to improve the quality of parking in town centres.

Paragraph 69 states that proposals should promote safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

(i) Traffic

The primary vehicular access would be from Dogflud Way, so that the majority of cars using the new public car park would not need to go through the town centre, thus helping to limit congestion. This would also provide access for service vehicles. The whole development would be pedestrianised, including part of East Street. A total of 426 car parking spaces would be provided and pedestrian and cycle access throughout the scheme would be maximized.

The site is located within the town centre and is well served by bus services that stop in East Street, South Street and Woolmead Road. Farnham railway station lies approximately 0.6 miles to the south. Sites within town centres are the most sustainable locations for development.

The applicants explain that the proposals for the East Street regeneration in terms of land use and transport include revisions to traffic management arising from the

pedestrianisation of East Street. Travel Plans would be introduced to promote use and awareness of more sustainable options for travel; and management of parking on and off-site is also suggested. The National Policy context of the proposals in relation to transport has been examined with respect to the new land uses on the site and the proposals for traffic management and parking. The applicants consider that their proposals align very closely with national policy in all these respects.

The implications of the application proposals for the future operation of the town centre transport network have been assessed by the applicants. Under the 2008 application, the modelling work was assessed with a future design year of 2012.

The modelling work carried out at that time showed that, subject to the implementation of a number of junction and other transport infrastructure improvements, the network would operate in a satisfactory manner. This would be with an appropriate balance being achieved for pedestrians, cyclists and users of public transport, and drivers, with encouragement being given to the users of alternative modes of transport to the private car.

The junction of The Borough with East Street, Bear Lane and South Street is expected to operate more efficiently owing to the reduction in turning movements and conflict at the junction. It would retain a reasonable level of service even including the pedestrian stage necessary for continuity of pedestrian movements through the town centre.

The site accesses have been shown to operate satisfactorily. The proposed alterations to the junction between Woolmead Road, East Street and Dogflud Way, with the introduction of traffic signal control, would have more than sufficient capacity to accommodate the proposed development. Traffic signalisation of the Union Road/Firgrove Hill junction is also proposed.

The Supplementary Note on Traffic Surveys June 2012 reviews the net changes in development flows to the latest survey data. The updated traffic surveys demonstrate that the Transport Assessment (TA) and Environmental Statement (ES) have used flows which are generally higher than those predicted from more recent surveys, and the TA consequently provides a robust assessment. Therefore, the conclusions of the TA and ES remain valid.

The County Highway Authority has considered the updated traffic surveys and transport assessment submitted with the current application. The County Highway Authority considers that the town centre road network, once modified to include the agreed highway works including junction improvements, can satisfactorily accommodate the proposed development. A more detailed traffic impact assessment is provided later in the report under EIA considerations.

(ii) Parking

Car parking provision was a major point of concern in the responses in respect of the 2009 permission. The concerns relate not only to the reduction in public car parking on site, but also that the new development, which includes a new cinema and a number new retail units, would exacerbate the traffic and car parking situation in the town centre.

The parking provision for the development remains unchanged from the 2009 permission. The parking provision is set out in the attached table:

On Site	Existing	Proposed
Dogflud Way public car park	233	183
South Street public car park	217	212
Total public car parks	450	395
Increase/decrease		-55
Other parking		
Former Cinema Site (East St)	75	0
Gostrey Centre	12	0
Residential		240
Car Club		3
Off Site		
Riverside car park (following implementation of permission WA/2007/1967)	102	300 (+198)

The above table shows that there would be a reduction of 55 public car parking spaces on site as a result of the development. There would be an increase of 198 car parking spaces at the Riverside car park for the duration of the construction phase of the development.

In addition to the above, there is considered to be space capacity in other existing car parks in the town centre and that there is an initiative that would make more efficient use of these car parks.

Existing parking provision in Farnham was investigated in July 2007. The results show that a considerable number of spaces are free throughout Farnham with the lowest occupancy being in the car parks furthest from Central Farnham. This position remains unchanged.

The Transport Assessment states that it is likely that the capacity of the proposed new car park would be exceeded and lead to demand for parking on car parks elsewhere in Farnham. The maximum occupancy of all the car parks in Farnham on completion of the East Street proposals in the 2007 Assessment is consistent with the normal objectives for efficient car park stock management, being in the order of 90% occupancy during the busiest period of the weekday. Approximately twice as much spare capacity would be available on a Saturday. Car parks in close proximity to East Street generally have a lower occupancy rate.

It is therefore considered there will be no adverse impact on the parking situation in Farnham. In addition, a more effective use of a range of car parks within the town would also promote pedestrian trips through the town centre that will assist visitors to be aware of and use shops, services and facilities throughout the town centre, thereby assisting the integration of the scheme with the retail offer of the town centre as a whole.

The Assessment of parking has shown that there would be sufficient parking spaces available even when Dogflud Way car park and the temporary car park at East Street are

taken out of commission during the construction of the development. During weekdays, there is likely to be sufficient capacity for these vehicles on the Riverside and St James car parks and on a Saturday the maximum demand could be satisfied by parking elsewhere in Farnham. In any event, Riverside car park is to be increased by 198 spaces during the construction period.

A total of 243 car parking spaces are to be provided for the residential units. This is on the basis of 1 space per dwelling and 3 spaces for the car club.

The parking to be provided to serve the proposed development was based on the County Council's Parking Strategy March 2003. This was produced in response to the then valid Structure Plan Policies and advice from PPG3 and PPG13. This was heavily based upon restraint led parking for both residential and non-residential land uses.

The County Council issued new Vehicular and Cycle Parking Guidance in January 2012. This revised guidance has been produced in accordance with subsequent revisions to PPSs and PPGs and the draft NPPF dated July 2011. This parking guidance, although not formally adopted by the Borough Council, indicates the provision of 1 car parking space per residential unit within town centre locations. This relates to all size of units.

The Borough Council published its own Draft Parking Guidelines in May 2012. This guidance indicates a higher parking requirement of 1.5 spaces for residential units of 3+ bedrooms within town centre locations. There are 21 3-bedroom residential units proposed in the scheme, representing a possible requirement for some 10 extra parking spaces over and above the 240 provided as part of the 2009 permitted scheme. The number is considered to be insignificant in the overall context of the scheme. The guidelines are at this stage only in draft form and hence carry limited weight.

Overall, the parking provision in the development is considered to accord with this latest parking guidance and the NPPF 2012. The proposal relates to a town centre site and the provision of 1 parking space per residential unit (being mostly 1 and 2 bed flats) would be appropriate and accord with these guidelines.

The guidelines state that the County Council will seek the provision of electric vehicle (EV) charging points within all new developments. The guidance recommends that for flats 20% of available spaces should be fitted with a charging point and for major commercial mixed use development be assessed on their individual merit. This new requirement could be addressed by condition.

(iii) Servicing

Adequate means of servicing commercial uses and residential dwellings have been provided as outlined in the Transport Assessment (TA).

Secure cycle storage would be provided throughout the development for both residents and users of the development. This would be in accordance with the relevant County Council Guidance.

A comprehensive refuse collection strategy has been submitted with the application. These facilities would be provided in various locations throughout the development and in view of the nature of the development, would be provided on a communal basis.

New arrangements for refuse collection for residential dwellings were introduced by the Borough Council in April 2012. The Council's Environmental Services Manager has reviewed the scheme on the basis of the new arrangements and has confirmed that the space provided and the location of the facilities would be acceptable.

(iv) Accessibility

There would be good permeability throughout the scheme. The scheme embraces a number of pedestrian routes and a town square with satisfactory access and appropriate surfaces for all users.

Access through the proposed shop fronts is generally flat at ground level and no steps provided for access. Lifts would be provided in parts of the development where access is required to upper floors of both residential and non-residential land uses.

A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people with disabilities and prevent disability discrimination.

Officers consider the proposal would not discriminate against disability, with particular regard to access.

(v) Convenience/safety of footpath users

Public Footpaths (No.170 and parts of Nos.169 and 171) that currently pass through the site would need to be stopped-up in order to accommodate the proposed development. However, as part of that 2009 planning permission, Borelli Walk along the River Wey would be made a definitive Public Footpath with appropriate connections to the surrounding network. An appropriate Order was therefore made and confirmed.

The Order in relation to confirming Borelli Walk as a Public Footpath under planning permission WA/2008/0279 is no longer appropriate. This is due to the duration of the construction and dismantling of the bridge works under application WA/2012/0911 which will make Borelli Walk temporarily unsafe to use if permission is granted for this current development.

The report on the original application for the bridge (reference WA/2010/1650) authorised the Council to make a new stopping up Order and revoke the previous Order. The necessary Order was made on 12 May 2011 and confirmed on 22 June 2011. The Order has not yet come into effect.

At the conclusion of works Borelli Walk would then be dedicated as an additional public right of way linking to the footpath network in the town. Public rights of way through the site, once completed, would be enhanced and new cycle ways provided.

It is accepted, however, that there would be temporary periods where there will be no footpaths, such as during the construction and removal of the access bridge from the A31.

The County Council Rights of Way Officer has raised no objection to the proposal. The Officer has commented that their initial concerns regarding rights of way affected by this

proposal were addressed after the existing routes were either completely or partly stopped up, with a new alternative route confirmed by the Borough Council.

It is considered that nothing in this current application changes the above position in respect of rights of way.

(vi) Existing Transport Package

The existing planning permission WA/2008/0279 comprises a number of financial contributions to aid traffic movement, reduce congestion and promote sustainable travel. It also requires the developer to undertake a series of highway works. The s106 Agreement requires the contributions for the Park & Stride study and the Town Centre Traffic reduction study.

All of these obligations remain in place and would be carried forward by this extension of time application. The County Highway Authority is therefore confident that the planning obligations secured by the existing S106 Agreement satisfactorily mitigate the impact of the development.

Officers have had regard to the letters of representation which have been received in respect of traffic and car parking issues. Whilst officers note the concerns raised in the letters of representation, the County Highway Authority considers the information submitted and transport assessment to be sufficient in order to assess the likely impact of the proposed development.

In the light of the views of the County Highway Authority, and having regard to revised Vehicular and Parking Guidance and the NPPF 2012, the proposal is considered to be acceptable in highway capacity, safety and policy terms. The proposal would be compliant with Policies M2, M4, M5, M9, M10, M14, M15 and M17 of the Local Plan, Policies T1, T2 and T4 of the South East Plan 2009 and Policy CS3 of the emerging Core Strategy. It is concluded that there has been no significant change in site or planning circumstances since the approved scheme. The proposal would accord with the policies of the Development Plan and the NPPF.

Crime and Disorder

S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area.

This requirement is reflected in paragraph 69 of the NPPF which states that planning decisions should achieve places which promote safe and accessible environments where crime and disorder, and fear of crime, do not undermine quality of life or community cohesion.

The layout of the development with properties facing the site would mean that a good level of natural surveillance would be achieved. Natural surveillance is something that is explicitly promoted by 'Secured by Design', which is an Association of Chief Police Officers' initiative to adopt crime prevention measures in the design of developments.

Officers are therefore satisfied that the development would contribute to both the prevention of crime as well as reducing the fear of crime.

The sentiments of the NPPF are supported by Policy D8 of the Local Plan and Policy CS16 of the emerging Core Strategy.

Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for committee/decision maker.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling, £346,550 per annum for six years for the 239 units proposed in the development. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal.

Infrastructure Contributions

Policy D13 of the Local Plan states that “development will only be permitted where adequate infrastructure, services and facilities are available, or where the developer has made suitable arrangements for the provision of the infrastructure, services and facilities directly made necessary by the proposed development. The Council will have regard to the cumulative impact of development, and developers may be required to contribute jointly to necessary infrastructure improvements”. Local Plan Policy D14 goes on to set out the principles behind the negotiation of planning obligations required in connection with particular forms of new development. At the time of the previous application, guidance upon the content of legal agreements was provided by Circular 05/05. This has now been cancelled. The current tests for legal agreements are set out in Regulation 122 (2) of the CIL Regulations 2010 and the guidance within the NPPF.

The three tests as set out in Regulation 122(2) require s106 agreements to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

The Council adopted a SPD on Infrastructure Contributions in April 2008. The policy requires developments which result in a net increase in dwellings to contribute towards infrastructure improvements in the borough. This was in place at the time of the 2009 permission.

The SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development. However, the PIC is generally appropriate for smaller schemes and is a starting point for more major developments. In this case, in view of the scale and nature of the development, the various contributions

were the subject of negotiations between the Council and the applicant. These formed part of a bespoke legal agreement.

Officers have reviewed the infrastructure contributions. The application is for the same development as that approved under the 2009 planning permission. There are no proposed changes to the contributions sought. The legal agreement and its obligations are considered to meet the tests set out in Regulation 122(2) of the CIL Regulations and the guidance within the NPPF.

The applicant has submitted a draft Deed of Variation which would carry forward the contributions as part of this new application. At the time of writing this report, the applicant has yet to complete the Deed of Variation. An oral report will be made at the meeting.

The proposal would also be in accordance with Policies D13 and D14 of the Local Plan, Policy CC7 of the South East Plan and Policy CS7 of the emerging Core Strategy.

Climate Change and Sustainability

The applicants' Sustainability Statement and appendices explains how sustainability principles are proposed to be met within the scheme throughout the demolition, construction and operational phases of the development.

On meeting the challenge of climate change, paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability to and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Paragraph 96 of the NPPF states that, in determining planning applications, local planning authorities should expect new development to:

- Comply with Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that it is not feasible or viable;
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 99 of the NPPF states that Local Plans should take account of climate change over the longer term, including factors such as flood risk, and changes to biodiversity and landscape.

Policy D3 of the Local Plan relates to the minimisation in the use of non-renewable resources.

Policy NRM11 of the South East Plan requires large scale developments to provide at least 10% of their energy from decentralised and renewable or low carbon sources. This was carried forward from the draft South East Plan 2008. The 2008 draft was in place at the time of the 2009 permission.

The adopted South East Plan and the NPPF 2012 promote the use of Combined Heat and Power (CHP) in large scale developments and this is has been incorporated into the development.

Under planning application WA/2008/0279, it was considered that a better approach was to focus on carbon reduction than the 10% energy reduction through renewable energy measures. The applicants had demonstrated that by investing in a higher specification CHP together with a design approach to control heating and lighting, the proposal would produce a significant reduction in carbon footprint and this was well over and above the Council's normal approach.

The principle of inclusion of the CHP in place of providing renewable energy has therefore been established for this development, including non-compliance with the South East Plan requirement.

Policy CS19 of the emerging Core Strategy states that the Council will seek to promote sustainable patterns of development and reduce the level of greenhouse emissions. This is to be achieved by a variety of means. These include directing most new development to the main developed area areas, building at higher densities where appropriate and supporting opportunities for mixed-use development, the use of sustainable construction techniques, the integration of CHP into larger schemes, making use of Green Infrastructure, and requiring new residential development of 10 or more dwellings to meet Code for Sustainable Homes Level 4.

Although the proposal does not comply with Policy NRM11 of the South East Plan, the principle of using CHP has been established for this development. The proposal does incorporate sustainable development principles and responds positively to national policy guidance. The proposal would accord with Policy CS19 of the emerging Core Strategy.

Biodiversity and nature conservation

The NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The policy objectives are set out at paragraphs 109 to 119 of the NPPF.

Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

Under the National Environment and Rural Communities Act 2006, the Council as local planning authority has a legal duty of care to protect biodiversity.

Policy CS17 of the emerging Core Strategy states that the Council will seek to conserve and enhance biodiversity within Waverley.

The Environmental Statement deals at length with ecological issues. In comparison with planning permission WA/2008/0279, the surveys have been updated.

A development of this size would clearly have some impact on ecological interests on the site. It is considered that with the mitigation measures in place, together with biodiversity enhancement measures, the development would not be likely to have any unacceptable impact upon ecological interests on the site. Further mitigation would include a

Construction Ecological Management Plan, to promote the nature conservation interests of the land within the development site.

Effect on SPAs

Having regard to the distance to the Wealden Heaths SPA and the standing advice from Natural England, it is considered that there would be no likely significant effect on this SPA due to the availability of alternative recreational opportunities in the area to divert people from its use.

The proposal is within 5km of the Thames Basin Heaths (TBH) SPA and a SSSI and therefore, in combination with other development, could have a potentially significant effect on the SPA and SSSI – in particular the interests of protected species.

Under the Habitats Regulations, the Borough Council is the 'competent authority' to consider applications for development which are 'likely to have a significant effect upon a European Site,' of which the TBH SPA is one.

In February 2007, the Borough Council adopted a Mini Mitigation Plan pursuant to its legal obligations under the Habitats Regulations. At the time of 2008 application, the Mitigation Plan was a material consideration in the determination of that application. The applicant entered into a legal agreement to provide a financial contribution, in line with the Mitigation Plan, towards the improvement of access and facilities at Farnham Park.

Since the granting of the 2009 permission, the Council formally adopted an Avoidance Strategy in December 2009. At this time, it was agreed to release an additional 3.45ha of SANG at Farnham Park on the adoption of the Farnham Design Statement. The amount of SANG was therefore increased from 10.9ha to 14.35ha.

Since the original application was approved in August 2009, there is a requirement for an increased SANG tariff and with a new requirement for the applicant to make an appropriate financial contribution towards the Strategic Access Management and Monitoring (SAMM) Project. This is another strand of the strategic protection measures afforded to the Thames Basin Heaths SPA and is in addition to the SANG contribution which the applicant committed to as part of the original 2008 application. The SAMM Project was not up and running at the time the original permission was granted. The project is now agreed and contributions can be taken, having been adopted in December 2009.

The required contribution is £474,694.40, in line with the Council's adopted Avoidance Strategy. This represents an increase on £302,605.90 set out in the 2009 planning permission.

Natural England has raised no objection to the proposal, subject to appropriate SPA contributions.

The applicant has submitted a draft Deed of Variation to the original legal agreement which commits to provide SPA monitoring fees. At the time of writing this report, the applicant has yet to complete the Deed of Variation. An oral report will be made at the meeting.

It is considered that, with the mitigation measures in place the development would not cause any likely significant effect upon ecological interests of the SPA and therefore accords with the NPPF 2012, Policy NRM6 of the South East Plan, Policy D5 of the Local Plan and Policy CS18 of the emerging Core Strategy.

Environmental Impact (EIA development)

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (the 'EIA Regulations') state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment.'

The proposed 2008 scheme was subject to EIA. For the Council to grant an extension of time it is necessary to determine whether the conclusions of the EIA as reported in the original ES remain valid, or whether further information and/or assessment is required.

The environmental impact of the main East Street development has been addressed through a comprehensive ES submitted with planning application WA/2008/0279. The impact was further assessed in detail as part of the separate temporary bridge application WA/2010/1650. ES Addendums were submitted in respect of both applications.

Government Guidance issued in 2009 on 'Greater Flexibility in Planning Permissions', advises that in the majority of cases where EIA was carried out on the original application, further information to make the environmental statement satisfy the requirement of the EIA regulations is unlikely to be required. It goes on to advise that where it is necessary to update environmental information, provide new information or alter the proposed mitigation measures, this can normally be done by means of a supplementary ES.

The applicant has carried out a review of the previous ES and has, where required, submitted new information and survey work.

The review has concluded that there has been no material change in respect of landscape/visual impact, heritage, geology/contamination and archaeology. Although some buildings and structures have been demolished since 2008, there has been no change in respect of the overall land use, topography or condition of the site. The baseline information previously submitted in respect of these topics therefore remain valid.

The environmental issues that have been most significant relate to traffic, air quality, noise and hydrology/flood risk and ecology. Traffic is also considered under the 'Transport and Accessibility' section of the report.

On conserving and enhancing the natural environment, paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes;
- Recognising the wider benefits of ecosystem services; minimising impacts on biodiversity and providing net gains in biodiversity where possible;
- Preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and
- Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 111 of the NPPF states that planning decisions should encourage the effective use of land by using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Paragraphs 120 to 125 set out policies to mitigate and reduce to a minimum the adverse impacts of development on health and quality of life. Such effects include ground pollution, contamination, instability, lighting, noise and air quality.

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in AQMAs is consistent with the local air quality action plan. The site is within an AQMA Buffer Zone.

On flood risk, paragraph 99 of the NPPF states that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.

Paragraphs 100 to 104 set out flood risk considerations and incorporate the Sequential and Exception Tests previously contained in PPS25: Development and Flood Risk.

In particular, paragraph 100 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 102 states that if, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- It must be demonstrated that the development provides wider sustainability to the community that outweighs flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Whilst Policy CS21 of the emerging Core Strategy followed the previous advice set out in PPS25, the policy tests and objectives are considered to be consistent with the NPPF.

The main conclusions of the ES and the officers' response to them are set out below:

(i) Traffic

Transport Assessments (TAs) were submitted as part of planning applications WA/2008/0279 for the main East Street site and WA/2010/1650 for the temporary construction bridge. Further information and an assessment were submitted in respect of application WA/2010/1650.

The original traffic surveys were conducted in 2006. Due to the length of time that has elapsed, further surveys were carried out in December 2011 and additional traffic counts provided by Surrey County Council (SCC).

A Supplementary Note has been prepared to support the original TA submitted in 2008. This Note was subsequently updated following additional traffic survey data collected in May 2012. It is considered that the new data are more representative of background traffic levels as they have not been gathered within the pre- Christmas period in December 2011.

The Supplementary Note includes a consideration of traffic which may divert from the A31 during the construction phase, when an eastbound lane of the A31 will be closed. This is considered separately under application WA/2012/0911.

The County Highway Authority has given careful consideration to the planning application and specifically the Supplementary Note on Traffic Surveys produced by RPS dated 6 June 2012 on behalf of Crest Nicholson. RPS have recognised that there a couple of minor typographical errors and these have been corrected by way of an addendum to the main report.

The County Highway Authority explains that the purpose of the Report is to demonstrate whether, from an environmental perspective, there have been any material changes in traffic conditions in Farnham. In order to test the impact of the development against the background traffic levels, the increased impact has been considered against 2012 traffic levels and compared to the traffic levels considered by the original planning application. The results are set out in table 4 of the applicants' report.

Table 4 identifies the latest 2012 traffic flows together with the increased or decreased traffic volumes anticipated by the development. The impact of these development flows has been demonstrated as percentage changes to the 2012 flows and is taken in the morning and evening peak hours as well as the daily flows (AADT – Annual Average Daily Traffic).

From an environmental perspective, guidelines state that traffic forecasting '*is not an exact science*' and that '*accuracies of greater than 10% are not achievable*'. The County Highway Authority go on to state that '*projected changes in traffic of less than 10% create no discernible environmental impact*'. The Authority has therefore considered increases above this level.

The development would create a significant additional impact on the A325 Woolmead Road, not because of high development traffic or changes in background traffic levels since 2006, but because of the re-routing of East Street traffic. As a result, the significance of the increases has already been accepted by the original planning permission.

In regard to other roads in the town, all of the increases would remain below 10% with the exception of the A325 Guildford Road where there would be an increase of 11% and 18% in the morning and evening peak hours respectively. The data have been interrogated further by comparing the 2012 flows on those roads with the original planning application data. This reveals that the comparative flows have decreased in the period 2006-2012 by 17% and 28% in the peak periods respectively. Given that the background flows are lower, it is logical that in percentage terms the development traffic would have a corresponding higher percentage impact than those predicted by the original planning application. The fundamental issue is that despite a higher percentage impact, the actually background

flows have decreased meaning that the overall level of traffic phasing along Guildford Road would now be less than that considered by the original planning permission.

The County Highway Authority has also looked at the other traffic flows set out within the report to consider whether any changes to background traffic flows that might materially affect the traffic modelling that was carried out as part of the original planning permission.

Tables 1-3 of the Report notes some significant changes in traffic flows over the 2006-2012 period resulting mostly in decreases in traffic flow. Nationally, traffic flows have also decreased, particularly on urban roads. There can be no firm reason as to why this might be the case, other than the downturn in the economy over that period and increased vehicle fuel prices. The decreases clearly mean that the overall traffic flows in Farnham are lower than they were in 2006, meaning that the existing roads are better able to accommodate the additional flows generated by the development.

The County Highway Authority notes that there are some unexpected increases in traffic flows on some of the roads within Tables 1-3 and for robustness, the Authority has sought, through discussions with RPS, to understand the reasons for these changes. These relate to the following:

South Street

The Table notes an increase in daily (AADT) vehicle flows on South Street of 27%. In contrast the increase in the morning and evening peak hours are much lower at 10% and 1% respectively. The applicant has supplied further details of the traffic flows in South Street across the whole day, hour by hour and this shows that the daily increase is brought about by increased flows during traditional off peak periods. The evening peak remains to have the highest flows, albeit only 1% higher than 2006 levels, whereas the lunchtime period has increased to exceed the morning peak period. It should be noted that these off peak increases do not breach those of the evening peak period and as a result, the traffic modelling carried out for the purpose of the original planning consent would still be capable of accommodating this increased off peak flow.

Castle Street

The 2012 traffic flows when compared with the 2006 data indicate some significant increases in traffic flow. However, the two sets of data are not directly comparable due to survey location and method of counting (automatic traffic counts versus manual counts). Because of this, the applicant has compared their 2012 ATC survey with other survey data taken in 2004, both on Folly Hill. This exercise reveals that the combined north and south bound increase in flows is 8.5% over that period, made up by a 12% northbound increase and a 5% southbound increase. It is the southbound increase that is the more important due to traffic exiting left from Castle Street into the Borough. This traffic represents an increase of just 5% over 2004 levels and is not considered significant.

The Borough/East Street Junction

The County Highway Authority has further considered other predicted increases in respect of those set out in Table 5 where flows taken in 2010 by Surrey County Council have been measured against the original planning application data. This table indicates increases in turning movements on the entry arms of the junction. There are increases of up to 25% (East Street left turn) at the junction which is considered further below.

For those vehicles turning left from The Borough, the increase only affects the evening peak period with a 16% increase. The 2010 flow for this movement, however, remains

lower than that observed in 2006 in the morning peak hour. The increase would not therefore adversely affect the original transport modelling.

For vehicles turning right from The Borough in the evening peak hour, the increase is 13%. In terms of actual flow it represents the highest flow in both 2006 and 2010 scenarios for each of the peak periods and on Saturdays. It represents an increase of just 14 vehicles and 4% when compared with the morning peak hour flows. The increase would not therefore adversely affect the original transport modelling.

It is also possible to look at the West Street traffic flows, which broadly speaking, feed into The Borough. Flows on West Street between 2006 and 2012 indicate a 4% reduction, and between 2006 and 2010 on West Street (east of Downing Street), the Saturday figures are reduced by 24%-26%. Whilst not directly comparable, both sets of data provide alternative indications that traffic flow to the west of the town has reduced.

The applicants' report notes that the increased flows through The Borough/East Street junction could be due to a reduced pedestrian crossing demand. There are no data to support this assumption and the County Council Traffic Signals team has confirmed that the signal timings have not altered since 2006. If the pedestrian crossing is being used less often, vehicles will gain more 'green time' allowing greater flows through the junction. Given the other reductions in traffic flow to the west of the town and the much lower (5%) increase in traffic emerging from Castle Street into The Borough, the County Highway Authority is content with this assumption.

The County Highway Authority notes that, whilst there have been some quite high increases in traffic flows on some of the roads in the town, the data reveal that these are either (i) outside of the traditional morning and evening peak hours, or (ii) are less than the highest flows recorded for the same point on the road network during other peak periods, or (iii) are less than those recorded in the original surveys.

Fundamentally, however, the report indicates two key points:

- Firstly, when measured against 2012 flows, the development impact remains at a level that is in compliance with the relevant guidelines, and below the threshold at which the environmental impact is deemed 'discernible'; and
- Secondly that the supporting traffic flows information demonstrates that on average the amount of traffic using the town centre road network has decreased since 2006, (-7% daily, -4% in the morning peak and -7% in the evening peak).

The County Highway Authority concludes that, whilst there have been increases in traffic at certain times of the day on some roads in Farnham, there have also been overall daily reductions. For the reasons states above, the Highway Authority considers that the town centre road network, once modified to include the agreed highway works, can satisfactorily accommodate the proposed development. It is considered that the development would not have a significant effect in EIA terms.

(ii) Air quality

The site is within an Air Quality Management Area (AQMA). The Council's air quality monitoring in Farnham Town Centre has shown that there are high NO₂ concentrations in Farnham. Objectors are concerned that this will be exacerbated by the proposed development.

Under planning application WA/2008/0279 the applicants submitted an Air Quality Report. That Report concluded that the development proposals had been designed to either avoid or control adverse environmental effects, or to provide measures to alleviate or compensate for them where they would occur through appropriate mitigation measures. The likely effects of the proposed development on people as well as on the built and natural environment were acceptable.

In the assessment of the 2008 application, further key points were made. These were that the provision of residential development in the town centre would reduce the reliance of the private car; that the overprovision of public car parking could encourage more private cars into the town; and that there is a clear planning policy preference to locate new residential development close to essential services and more sustainable locations. These key points are considered to be equally relevant in the consideration of the current proposal.

Under planning application WA/2010/1650 (the Bridge application) the applicant submitted an Air Quality Report. This supplemented the original ES submitted under planning permission WA/2008/0279. The summarised comments of that report are set out elsewhere on this agenda at Item A2.

The Air Quality Report submitted in relation to the 2010 Bridge application was clarified by the Regulation 19 Request Response during the consideration of the application. Under planning application WA/2010/1650 the agent submitted an Air Quality Report. The report supplemented the original ES submitted under planning permission WA/2008/0279. The summarised comments of that report are set out elsewhere on this agenda at Item A2.

Having regard to the time period which has elapsed since the original baseline air quality data were collected, in late 2007/early 2008, the applicant has submitted a Review of the ES Baseline Information and Assessments in support of the current application. The review takes account of the changes in traffic flows on the local road network and the changes to the baseline air quality conditions which have occurred since the original data were collected.

The report concludes that:

- There have been no changes to the boundaries of the AQMA;
- A review of current baseline air quality conditions indicates that ambient pollutant concentrations are likely to be higher than those adopted in the 2008 air quality ES. There have also been changes in vehicle emissions factors and the estimation of NO₂ from NO_x;
- The results of recent traffic surveys indicate that traffic flows have reduced on some road links; however there is evidence of a potentially significant increase on one road link (Woolmead Road) within the study area;
- Changes in the recommended approach to assessing air quality may affect the conclusion of the original assessment;
- Taking into account the above, the percentage changes in pollutant concentrations with and without the development are still considered to be negligible and as such the use of revised baseline traffic does not alter the findings of the original assessment.

In April 2012, prior to the submission of the current application, the Environmental Health Service at Waverley Borough Council requested that the new Air Quality ES should be updated to take into consideration the following key issues:

- An update of the model verification exercise due to the use of old emission factors to estimate the correction factor;
- An update of the operational effects of the proposed development;
- Consideration of the effects of the construction and removal of the temporary access road which would result in diversion of traffic through the town centre and interference of traffic on the A31; and
- Consideration of the effects of both the removal of the access road and the partial completed operation of the proposed development.

In response, an Air Quality Assessment – Response to EIA Queries (01 June 2012) was also submitted in support of the current application.

The report concludes that:

- The assessment has considered the air quality effects due to the operation of the proposed development and the construction and removal of the temporary access road as requested by Waverley Borough Council's Environmental Health Officer. In addition, the suitability of the proposed development site for its intended use in the context of air quality has also been considered.
- Based on the results of the dispersion modelling and using professional judgement, the overall significance of air quality effects of the development and the removal and construction of the temporary road is considered to be 'negligible' to 'slightly adverse' and the site is deemed suitable for its proposed future use in the context of air quality.

Under planning application WA/2008/0279 the Council, having regard to the specialist views of the Council's Environmental Health Officer, considered that there was no objection, in principle, on air quality grounds.

In respect of the current application, the Council's Environmental Health Officer has confirmed that the consultant's conclusions are based on currently available air quality data, using a verified modelling process, in accordance with DEFRA requirements. It is acknowledged that any modelling process will carry a level of uncertainty and the developer's assessment recognises this. Having regard to certain clarifications obtained in respect of the Air Quality Assessment June 2012, the Council's Environmental Health Officer has raised no objection to the current application. The Officer is also satisfied that detailed information/clarification and mitigation measures can be sought through a Method of Construction Statement (Working Method Statement) controlled by condition. It is concluded that the proposed development would have insignificant impacts on air quality.

Having regard to the updated ES information, the comments of the Council's Environmental Health Officer and subject to the inclusion of conditions, officers consider that the development would be acceptable on air quality. The proposal would not have a significant environmental effect in isolation or in combination with the associated Bridge scheme. The proposal is therefore considered to accord with relevant policies of the Development Plan, which comply with the NPPF. There has been no material changes in planning circumstances which would justify taking a different view to this issue under the current proposal.

(iii) Noise

The Review found that whilst there was a general decrease in traffic numbers and an increase on one link only (Woolmead Road), there would be no effect on the recommended mitigation measures.

However, the Review found that Woolmead Road would now experience a noise change of minor adverse significance during the peak hour, where none had been identified before. Existing residential properties on Woolmead Road and Bear Lane might, therefore, be adversely affected although this is not considered to be significant in EIA terms.

Changes to the traffic data as measured by the updated traffic counts around Farnham would not change the impact of the temporary construction access. This access is solely for the use of construction vehicles directly from the A31 Farnham By-Pass.

(iv) Hydrology/flood risk

Under the 2009 planning permission, the Environment Agency agreed that the site is located in Flood Zone 2, and the site remains within Groundwater Source Protection Zone 3.

A Flood Risk Assessment (FRA) was submitted in respect of the 2008 application.

The ES Addendum produced in 2008 (during consideration of the 2008 application) was necessary following reclassification of part of the site into Flood Zone 3a and the requirement for a more comprehensive flood mitigation strategy. The flood risk level was raised from 63.5m above Ordnance Datum to 64m.

In response to this raised flood level, changes were made to the scheme design (under application WA/2008/0279). The balancing ponds were replaced with a grassed amphitheatre and associated underground storage cells. Living roofs on a number of buildings were also incorporated into the design to provide sufficient attenuation to meet the flood alleviation requirements for the site.

As part of NMA application NMA/2012/0025, an additional basement area was incorporated under Building D20. Subject to construction design, this amendment was considered acceptable by the Environment Agency.

In the consideration of the 2010 bridge application (reference WA/2010/1650), the Exception Test was applied. The new bridge and access were considered to be temporary and were essential to deliver a scheme with planning permission (reference WA/2008/0279). It was considered that the approved scheme would deliver community and sustainability benefits. The FRA demonstrated that the development would be safe without increasing flood risk elsewhere.

The Environment Agency considered that proposal to be acceptable and that there was no objection on flood risk grounds. The current scheme remains the same as that approved under the 2009 planning permission, with the exception of the basement added under Building D20 as part of the 2012 NMA application.

The Environment Agency has confirmed that it has no objection to the application, noting the application is for a new planning permission to replace extant permission WA/2008/0279. The Agency has confirmed that the Flood Levels from the Upper Wey have not changed since 2006 and request that the planning conditions previously proposed be retained.

(v) Ecology

A Phase 1 Habitat Survey was completed in June 2006. Since then, the Conservation of Habitats and Species Regulations 2010 (the 'Habitat Regulations') have consolidated all the various amendments made to the Habitats Regulations 1994 and the Natural Environment and Rural Communities (NERC) Act enacted. The NERC Act 2006 enforces Natural England to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Phase 1 Habitat Survey enabled the identification of a small section of the River Wey to be the only valued ecology feature within the site boundary. No records of protected species were identified anywhere within the site, although some potentially suitable habitat was available in the area.

The most recent surveys were completed in 2007 to check for bat activity. However, none was observed.

Subsequent field surveys were undertaken in 2009 and 2010 in respect of planning application WA/2010/1650 for the temporary bridge. These surveys affirmed the results of the earlier surveys.

There is the possibility that some species may have inhabited the site since the last surveys. A site walkover of the site was carried out in January 2012. The walkover confirmed that the habitats present are the same as those identified in the 2006 survey and that the site continues to be of low overall ecological value. The evidence is that there has been no material change, and therefore the results of the earlier ES remain valid.

A number of recommendations, including possible further survey work are raised in the site walkover, particularly in respect of bats and their roosts, and water voles and otters on the River Wey.

The applicant has made the point that the Habitats Regulations 2010 does not change the position regards conditioning the need for surveys as part of the planning permission. It is argued that the need to undertake presence/absence surveys prior to planning permission predates the 2010 Regulations, in that it was clearly set out in PPS9 and PPG9 before that. PPS9 is now superseded by the NPPF.

The applicant has also made the point that it is important to recognise the clear difference between undertaking surveys to inform the EIA and undertaking pre-construction surveys. The former were undertaken prior to the assessment and have been reaffirmed since.

The required conditioned pre-construction surveys and measures included in planning permission WA/2008/0279 can therefore be applied in any new permission granted. This would negate the need for further survey work at this time. In view of the 5 year extension

of time sought by the applicant, any further survey work undertaken would also be more up to date and relevant at the time of the implementation of the scheme.

Officers consider that the approach taken in respect of ecology is acceptable.

Natural England has raised no objection to the proposal. It states that it expects the local planning authority to assess and consider the possible impacts resulting from the proposal on protected species and local wildlife sites and to consider securing measures to enhance the biodiversity of the site.

The Surrey Wildlife Trust has reported that RPS's Ecological Verification Walkover Survey dated January 2012, submitted as part of the Review of Environmental Statement Baseline Information and Assessments document dated 4 May 2012, provides a satisfactory indication of the status of protected and important species on the proposed development site and the likely effect upon them.

The Trust recommends that the applicant be required to undertake the Recommendations in the Report. These include the need for updating survey work prior to the construction of any development. The Trust recommends that the development may offer some opportunities to restore or enhance biodiversity and such measures would assist the Council in meeting the above duty and also help offset any localised harm to biodiversity caused by the development process. A number of recommendations are made and these could be included within any future Ecological Management Plan for the site, to be controlled by condition.

The Trust makes recommendations in respect of the applicant's requests for changes to the conditions. However, it recommends that the Ecological Management Plan should remain unchanged and that it will be important that this plan is finalised prior to the commencement of works, with actions appropriately scheduled to fit in with the different phases of the development.

(vi) Contamination

A walkover survey was undertaken in 2006 which formed part of the 2009 planning permission. The survey identified a single pollution incident. No further incidents are highlighted by the Environment Agency to have occurred in the vicinity of the site since that date. It is therefore concluded no significant effects are likely to have occurred in the interim period and therefore no further work is deemed to be necessary in order to validate the assessment.

The Council's Environmental Health Officer has raised no objection to the application and has raised no objection to the suggested re-wording of the contaminated land conditions imposed on planning permission WA/2008/0279.

(vii) Archaeology

An archaeological desk-based assessment was conducted in 2006. This formed part of the 2009 planning permission. The baseline data indicated that it is possible that buried archaeological remains survive on the proposed site. Although recent and past activity would have affected the survival of potential archaeological remains, the potential impact of these works would have been negligible.

The applicants have explained that the baseline information in relation to site archaeology is very unlikely to have changed since the assessment in 2006, and therefore the assessment of significance of effects upon these resources still remains valid at this stage.

The County Archaeologist has suggested that a qualified revisiting of the baseline information would have been useful and comment that further data has been added to the County Historic Environment Record in the intervening period. There has been no new archaeological or cultural heritage submission by the applicants. The County Archaeologist therefore recommends that their comments in respect of the 2008 application remain valid and that the two previously recommended conditions be carried forward to any new planning permission that may be granted.

(viii) Cumulative Effects

The cumulative effects of the Riverside and new bridge developments with the East Street (Brightwells) development have been assessed by the applicant.

The applicant has explained that, from an EIA point of view, an inter-relationship may exist between the proposed East Street development and the Riverside and new bridge developments. It is further explained that both developments have been previously assessed as advance works that are required to facilitate the construction of the main East Street development.

In respect of Riverside, this was assessed in the 2006/2008 as a committed development at that time and was reported upon in both the ES and TA submitted with the original 2008 planning application. The TA concluded that the Riverside proposal would not be significant in traffic terms, noting the loss of parking at East Street could be accommodated elsewhere in Farnham. The situation would be eased further with construction of the Riverside car park. The Riverside development therefore effectively acts to replace the car parking and tennis courts lost at the East Street site. Therefore, from an environmental perspective, the applicant argues that the resultant change in traffic flow volumes would not be high enough to warrant further consideration, thus no cumulative effect.

With regard to the temporary bridge construction, the applicant argues this is not a 'separate development' or 'other project', but a necessary requirement for construction of the East Street development, and a condition of planning permission WA/2008/0279. As this may have a temporary construction effect, it was fully assessed as part of the separate planning application WA/2010/1650. The individual assessments considered the new bridge both on its own and as part of the main East Street development and were considered acceptable by the Council. There has been no change to these development proposals.

In relation to the Transport Assessment submitted with the 2008 application, account was taken for committed developments within the area. These developments included the Farnham Hospital site, the Riverside Car Park and a planned urban extension to Aldershot.

Officers have had regard to the new information contained within the supporting letters dated 25 January and 25 May 2012, the Review of the Environmental Statement Baseline Information and Assessments, the new EIA Regulations 2011 and the comments of statutory consultees.

It is considered that the review of the ES has adequately explained the environmental implications of the proposed development and the proposed mitigation measures are acceptable. Officers are therefore satisfied that the likely cumulative effects of these various developments have been satisfactorily addressed.

It is considered overall that the proposal would not have any significant environmental effects and would be comply with the NPPF and the relevant policies of the Development Plan in respect of environmental impact.

Legal agreements

In order to conform with Section 106 of the Town and Country Planning Act 1990 (as amended), and to reflect the fact that extension of the existing permission would result in a new planning permission being issued, a Deed of Variation to the existing legal agreement is required.

The original legal agreement secured a number of planning and highway benefits. These benefits included the provision of affordable housing; the provision and maintenance of open space, town square etc; the funding and making of highway orders and further transport studies; off-site highway works; Travel Plans; Thames Basin Heaths SPA mitigation contribution; and various financial contributions towards sport and leisure, infrastructure (education, CCTV, open space), and in lieu of on-site provision of children's playspace.

A draft Deed of Variation was submitted with the current application. The legal agreement has been reviewed by officers, in conjunction with the County Council. With the exception of a change to the SPA monitoring fees, there are no changes in circumstances justifying any other changes to the agreement and its provisions.

Conditions

As part of the application, the applicant has suggested changes to the wording of some of conditions attached to the 2009 planning permission. The applicant has suggested that some of the existing conditions are poorly drafted and that re-wording would facilitate practical phasing of construction and occupation of the development and provide a realistic timetable for the submission of detailed matters prior to works or other key stages of the development taking place.

The term 'prior to commencement' is used in many of the conditions. This term places a requirement on the developer to provide detailed information up-front, requiring a significant amount of work prior to any work commencing on site. In practice, for certain information, no harm to interests of importance would arise if such detailed information was provided at a later stage.

The applicants have indicated that the proposal would be for a phased development. Proposed Condition 2 requires the applicant to submit for approval a phasing plan for the development. The Local Planning Authority would therefore have control over the timescales for the construction of the development. The Authority would also have the power to serve a completion notice.

Officers have given careful consideration to the suggested re-wording of the conditions by the applicant. Conditions should comply with Government advice set out in Circular 11/95. Many of the suggestions made are considered to be reasonable and acceptable. The recommended conditions have therefore been re-worded accordingly.

Representations

Officers have noted the significant number letters of objection that have been received in response to the application. Many of the letters of representation comprise proformas. These representations also include the comments made by the Farnham Town Council, the Farnham Society, the Farnham Theatres Association and the Theatres Trust.

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

Many of the points made were raised in respect of the original 2008 planning application and were fully addressed and taken into account in the assessment and approval of that application. Officers have taken into account the NPPF, the relevant policies of the Development Plan and the current economic climate. However, officers conclude that there have been no changes in planning circumstances to warrant a different decision under the current application.

Conclusion

The application seeks to replace planning permission WA/2008/0279 for a major redevelopment of a site in Farnham Town Centre.

The proposal is in the form of a time extension application. The Government's Guidance on 'Greater Flexibility for Planning Permissions' advises that local planning authorities should take a positive and constructive approach towards applications which improve the prospect of sustainable development taken forward quickly and that, unless circumstances have changed significantly since the original grant of permission, a new permission should be granted.

A thorough review of the proposals has been carried out, taking into account the changes in circumstances that have taken place since the 2009 planning permission.

Since the time of the previous application, there has been some change in site circumstances and there has been a material change in planning policy with both the adoption to the South East Plan 2009, the publication of the NPPF 2012 and the publication of emerging local policy in the form of the Core Strategy.

The NPPF states a clear presumption in favour of sustainable development and it makes clear that development proposals that accord with the Development Plan should be approved without delay. The NPPF is a highly material consideration in the assessment of this application.

It is considered that Government and emerging local policy actively promote the type of development proposed for extension by this application. Indeed, the proposed development is considered to fully accord with the policy objectives of the NPPF.

The proposed development is considered to be acceptable for this site and location in terms of its layout, scale, form, height and appearance, traffic and car parking implications, and overall the development would positively contribute to the local townscape.

It is considered, for the reasons set out in the above report, that the change in circumstances since the time of the 2009 permission, do not lead officers to reach a different conclusion on the merits and acceptability of the proposal.

In view of current economic circumstances, it is considered that a five year permission, rather than the default three year permission, is acceptable and appropriate in this case.

The application should therefore be supported and an extension of the time limit for implementation should therefore be granted subject to conditions.

Recommendation

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 views of outstanding consultees and the conclusion of appropriate legal agreements, permission be GRANTED subject to the following conditions:

1. Condition

The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason

To comply with the provision of Section 91(1) of the Town and Country Planning Act, 1990 (as amended).

2. Condition

Prior to the commencement of any development, details shall first be submitted to and approved in writing by the Local Planning Authority of a Programme of Phased Implementation for the permission hereby granted. The development shall thereafter be carried out in accordance with the agreed Phasing Programme unless otherwise first agreed in writing by the Local Planning Authority. The phasing plan shall indicate the timing of construction of the scheme phases, including the provision of associated external works (such as parking and landscaped areas), commensurate with the phases and associated areas/ uses being brought into use.

Reason

To ensure the proper and effective development of the site in the interests of the amenity of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

3. Condition

The plan numbers to which this permission relates are:

- Site Boundary Plan: TPN-MP-102
- Demolition Site Plan: TPN-MP-101
- Materplans: TPN-MP-001A, 005 to 011, 014 to 020, 023 to 030, 032 and 034, 040 to 042, 045 to 052, 055 to 065
- Landscaping: 1005/100 and 102d, 103c, 104a, and 105a, and 6021/001

- Building D1: TPN-D1-001 to 004, 050 to 057
- Building D4A: TPN-D4-100, TPN-D4A-001 to 003, 050 to 053 and 055 to 056
- Building D4B: TPN-D4B-001 to 005, 050 to 052, 054 to 055
- Building D4C: TPN-D4C-001 to 005, 050 to 052, 054 to 055
- Building D6: TPN-D6-001 to 005, 050 to 055, 060 to 061
- Building D8: TPN-D8-001 to 007, 050 to 055, 058 to 062
- Building D10: TPN-D10-001 and 002
- Building D12: TPN-D12-001 to 005, 007, 010 to 014, 050 to 057
- Building D15: TPN-D15-001 to 002, 050, 052 to 056
- Building D20: TPN-D20-001A, 002 to 006, 010A, 050A to 053A, 054 to 056, 058A and 059A
- Building D21: TPN-D21-001 and 002, 050 to 053, 055
- Site Sections: TPN-ss-001 to 010.

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.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy D1 and D4 of the Waverley Borough Local Plan 2002.

4. Condition

Before the first occupation of dwellings within each phase (as identified in the phasing plan to be approved under Condition 2), the residential car parking spaces for that phase shall be constructed and fully provided as shown on the phasing plan. Thereafter they shall be permanently maintained in a condition allowing their use for the parking of vehicles and shall be used for that purpose only.

Reason

To ensure that adequate provision is made and maintained within the development for the parking of vehicles clear of existing or proposed highways in order to maintain the free flow of traffic and in the interests of highway safety, in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002 and Policy T4 of the South East Plan 2009.

5. Condition

Within six months of the commencement of the appropriate phase of development as agreed under Condition 2 above, the arrangements for the provision and future maintenance of the open space and amenity areas of that phase of development where appropriate as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in accordance with the Programme of Phased Implementation under condition 2. Such a scheme shall provide for a maintenance period of not less than 10 years from the final laying out of those areas.

Reason

To secure the long term provision of the open space and amenity areas, in accordance with Policies BE1 and H10 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

6. Condition
Before construction of the appropriate phase of development as agreed under Condition 2 above, details of the existing and proposed ground levels of the development in relation to any adjacent building and road shall be submitted to and approved in writing by the Local Planning Authority. Such details must be sufficient to clearly identify the completed height of the development in relation to the adjacent development.

Reason

To ensure that a satisfactory relationship results between the new development and adjacent buildings or public areas, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

7. Condition
Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2 above, samples of the materials to be used in the construction of the external surfaces of the development within that phase, including the surface materials for public spaces, hereby permitted have been submitted to and approved in writing by the Local Planning Authority if thought fit. Development shall be carried out in accordance with the approved details.

Reason

To ensure that the materials used in the construction of the development harmonise with its surroundings, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

8. Condition
Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the commencement of the appropriate phase of development as agreed under Condition 2 above, details of all proposed gates, railings, walls, fences, or similar structures for the residential amenity areas for that phase shall be submitted to and approved in writing by the Local Planning Authority. Such gates, railings, walls, fences or similar structures as may be approved by the Local Planning Authority shall be erected before the occupation of the last dwelling unit is occupied. These means of enclosure shall thereafter be maintained to the satisfaction of the Local Planning Authority.

Reason

To ensure an appropriate standard of privacy and visual amenity in the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

9. Condition
Prior to the commencement of the appropriate phase of development as agreed under Condition 2 above, the details of the strategy for bringing into use the public car parking provision to serve the non-residential elements of the proposal on a phased basis shall be submitted to and approved in writing by the Local Planning Authority. The non-residential elements within each phase shall not be occupied (for the purposes of this condition, this amounts to the unit having been fully fitted-out and trading) prior to the public car parking spaces shown on the approved plans having been laid out in accordance with the approved strategy. Those public car parking spaces shall thereafter be made available and subsequently maintained for that purpose at all times.

Reason

To ensure that adequate areas are provided for the parking of cars clear of the highway in the interests of maintaining the free flow of traffic and safety on the highway, in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002 and Policy T4 of the South East Plan 2009.

10. Condition

The first phase of development as agreed under Condition 2 above, shall not commence until the Riverside Car Park has been laid out to provide approximately 200 additional spaces, as approved under planning permission reference WA/2007/1967, to the satisfaction of the Local Planning Authority.

Reason

To ensure that adequate provision is made for car parking, in accordance with Policy M14 of the Waverley Borough Local Plan 2002 and Policy T4 of the South East Plan 2009.

11. Condition

Before the first occupation of commercial units within each phase (as identified in the phasing plan to be approved under condition 2), provision shall be made within the site for cycle storage which will, when the development is complete, result in a cumulative minimum of 96 cycle stands across the scheme. For the purposes of this condition, 'occupation' amounts to the unit being fully fitted-out and trading. The development shall be carried in accordance with the agreed details and thereafter be retained and maintained.

Reason

To ensure that adequate provision is made for cycle storage and to encourage cycle use in the interests of sustainable development, in accordance with Policy M5 of the Waverley Borough Local Plan 2002.

12. Condition

No work to any shopfront or bar/restaurant front shall commence until a planning application including full detailed plans showing the design and external appearance of the front elevation including fascia has been submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the visual appearance of the area is not detrimentally affected and because these details were not considered as part of this application, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

13. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the use of those parts of the ground and first floor premises in buildings D4A, D8 and D12 as shown on the submitted plans for cafes, bars and restaurants shall be for uses within Use Class A3 and A4 of the Town and Country Planning Use Classes Order 1987 only.

Reason

To ensure that the development is occupied for the purposes applied for and to comply with Policy S6 of the Waverley Borough Local Plan 2002.

14. Condition

Within one month of the commencement of any works to fit out any of the premises referred to in condition 13 above details of any equipment to be installed, which shall include an odour neutralizer plant, shall be submitted to and approved in writing by the Local Planning Authority. None of the said premises shall be occupied prior to such approved measures having been implemented. The odour neutralizing plant shall be operated in a manner, which will effectively suppress the emission of fumes or smell from the premises, as long as the use continues.

Reason

To ensure that the occupiers of the nearby residential properties are not adversely affected, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

15. Condition

Prior to basement excavations within the appropriate phase of development as agreed under Condition 2, final details shall be submitted to and approved in writing by the Local Planning Authority showing the provision for the disposal of both foul and surface water emanating from this development for the appropriate phase. Provision for the disposal of surface water shall be made at the initial stage of development of the phase and no impermeable drained area shall be created on the site prior to such approved provision having been completed and operational or suitable temporary arrangement provided. No building on the site for the appropriate phase shall be occupied prior to approved facilities for the disposal of foul drainage having been completed.

Reason

To ensure that adequate provision for the drainage of the development is made, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

16. Condition

By phase, no building shall be occupied until the foul sewage disposal works and the surface water drainage works for that phase have been completed in accordance with the submitted and approved plans agreed pursuant to Condition 15.

Reason

To ensure that adequate provision for the drainage of the development is made, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

17. Condition

No development shall begin until details of a scheme (Working Method Statement) to control the environmental effects of the demolition and construction work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i control of noise;
control of dust, smell and other effluvia;
- ii control of surface water run-off;
- iii site security arrangements including hoardings;
- iv proposed method of piling for foundations;
- v construction and demolition working hours;

- vi hours during the construction and demolition phase, when delivery vehicles or vehicles taking away materials are allowed to enter or leave the site.

Save for minor revision thereto as shall be approved in writing by the Local Planning Authority, the development shall be carried out in accordance with the approved scheme.

Reason

To ensure that 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.

18. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, a scheme for protecting the proposed dwellings within that phase from noise generated by the commercial uses on the lower or same floor and the public and residents' parking area shall be submitted to and approved in writing by the Local Planning Authority. None of the permitted dwellings shall be occupied prior to completion of such works unless agreed beforehand in writing by the Local Planning Authority.

Reason

To ensure that acceptable noise levels within the dwellings and the curtilages of the dwellings are not exceeded, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

19. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, a scheme to provide sound attenuation between dwellings within that phase to a standard equivalent to that prescribed in the Building Regulations 1991 Regulation E, or to such standard as may be agreed in writing by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that noise disturbance between properties is kept to an acceptable level for the benefit of the future occupiers, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

20. Condition

No part of the development within the appropriate phase agreed under Condition 2, with the exception of buildings D12, D14 and D21 hereby permitted, shall be occupied prior to the approved insulation works resulting from the scheme required by Condition 19 above having been fully provided.

Reason

To ensure that noise disturbance between properties is kept to an acceptable level for the benefit of the future occupiers, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

21. Condition

Before construction of the appropriate phase of development as agreed under Condition 2, a scheme indicating the provision to be made for disabled people to gain access to all the buildings and in the public spaces within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied prior to such approved measures having been implemented. Such approved measures thereafter must be retained and maintained.

Reason

To ensure that adequate access arrangements are made to the development for disabled and less mobile persons, in accordance with Policy D9 of the Waverley Borough Local Plan 2002.

22. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, a scheme shall be prepared and submitted to and approved in writing by the Local Planning Authority for the collection and disposal of litter in the public spaces of that phase of development including the design and siting of litterbins. No commercial unit shall be occupied prior to the approved scheme having been implemented.

Reason

In the interests of the environment and to assist in maintaining the clean appearance of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2002.

23. Condition

Prior to commencement of works a method of works statement indicating the sequence of demolition and reconstruction together with measures for temporary structural support during works shall be submitted to the Local Planning Authority for approval. The approval of the Local Planning Authority in writing shall be obtained prior to commencement of works and such approved measures shall thereafter be adhered to during construction works.

Reason

To maintain the integrity and the character of the building, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

24. Condition

No trees other than those shown to be felled shall be removed from the site except with the prior permission in writing of the Local Planning Authority.

Reason

In the interests of visual amenity, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2002.

25. Condition

Prior to the appropriate phase of development as agreed under Condition 2 and before any felling of any tree or other alteration of the existing condition of the site

within that agreed phase takes place, a scheme of tree protection, including ground protection, in line with BS 5837 2012 (or latest version) "Trees in relation to design, demolition and construction - Recommendations", shall be submitted to and approved in writing by the Local Planning Authority. Design details of the proposed physical means of protection, as indicated through drawings and/or descriptive text, should be included on the tree protection plan. Where relevant such scheme shall also take "off-site" trees into consideration.

Reason

To ensure the protection of existing trees from damage during construction works and in the interests of the visual amenity and character of the locality, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

26. Condition

Prior to the appropriate phase of development as agreed under Condition 2 and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, a method statement shall be submitted to and approved in writing by the Local Planning Authority, detailing:

- a) the method of demolition of structures and removal of surfaces near trees,
- b) roads, paths and cycleway and hard surface construction,
- c) boundary treatment,
- d) position and installation of new surface and utility runs,
- e) site set-up including the position of all site huts, material storage areas, cement mixing and plant and equipment storage areas.

This statement must include arrangements for supervision by relevant professionals and the method statement shall be implemented and adhered to at all times during the construction process.

Reason

To safeguard the existing trees and/or hedges in the interests of the visual amenity and character of the locality, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

27. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area, in the appropriate phase of development as agreed under Condition 2, and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within the protected zone around retained trees and hedges shall be submitted to and approved in writing by the Local Planning Authority, and thereafter adhered to.

Reason

To safeguard the existing trees and/or hedges in the interests of the visual amenity and character of the locality, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

28. Condition

Prior to basement excavations in the appropriate phase of development as agreed under Condition 2, and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, details of the layout, including depths or height, of all foul and surface water drains, soakaways (including capacity), all underground and overhead cables including telecommunications, electrical and cable TV, gas mains together with any associated plant and equipment showing their relationship to existing and proposed trees shall be submitted to and approved in writing by the Local Planning Authority and thereafter adhered to.

Reason

To ensure that the services proposed and the retained and proposed trees and shrubs are compatible in the interests of amenity and character of the area, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

29. Condition

The burning of materials must be approved in advance in writing by the Local Planning Authority, and shall not take place within 10m of the furthest extent of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason

To protect the health of trees to be retained, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

30. Condition

Prior to basement excavations in the appropriate phase of development as agreed under Condition 2 and before any felling or other alteration of the existing condition of the site within that agreed phase takes place, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.
3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The spaces referred to above and access routes to them to be a minimum of 8m away from mature trees or as may otherwise be agreed in writing by the Local Planning Authority.

Reason

To ensure the protection of trees and hedgerows to be retained, and in particular to avoid unnecessary damage to their root systems, in accordance with Policies D1 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

31. Condition

Within six months of the commencement of the appropriate phase of development as agreed under Condition 2, a detailed landscaping scheme including the species and position of all proposed trees and hedges, plant sizes, planting distances, numbers and provisions for maintenance of the trees and shrubs, and showing areas to be grass seeded or turfed has been submitted to, and approved in writing by, the Local Planning Authority and thereafter adhered to.

Reason

In the interests of the visual amenity and character of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees, in accordance with Policies D4 and D7 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

32. Condition

All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant parts of appropriate British Standards or other recognised codes of good practice. To be carried out prior to the occupation of any part of the development or in accordance with a timetable of phasing to be first agreed in writing with the Local Planning Authority. Any trees or plants which, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, in accordance with Policy D4 of the Waverley Borough Local Plan 2002.

33. Condition

The landscaping scheme shall be implemented in the first planting season (October - February) following the occupation of the first building or in the case of phased development in accordance with a timetable submitted to and approved in writing by the Local Planning Authority, before the first building is occupied.

Reason

In the interests of the visual amenity and character of the locality, in accordance with Policy D4 of the Waverley Borough Local Plan 2002.

34. Condition

Concurrent with the details required by the above conditions and within six months of works commencing a landscape management plan, including a maintenance schedule indicating proposals for the long-term management of landscape areas, other than small, privately-owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in its entirety.

Reason

To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal, public, nature conservation

and historical significance, in accordance with Policy D4 of the Waverley Borough Local Plan 2002.

35. Condition

No development shall take place until a detailed scheme showing the scope and arrangement of foundation design and all new groundworks, which may have an impact on archaeological remains, has been submitted to and approved in writing by the Local Planning Authority, the scheme to include arrangements for monitoring by the Council.

Reason

The site is of potential archaeological importance and it is therefore important to control ground disturbance and that the development is carried out in a manner for which an archaeological mitigation strategy has been designed and agreed. in accordance with Policy HE14 of the Waverley Borough Local Plan 2002.

36. Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason

It is possible that minor items or features of archaeological interest will be disturbed in the course of development and they should be rescued or recorded before they are lost, in accordance with Policy HE14 of the Waverley Borough Local Plan 2002.

37. Condition

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

- (a) Temporary access from and to A31 Farnham Bypass (Eastbound only), subject to planning permission being obtained;
- (b) Parking for vehicles of site personnel, operatives and visitors;
- (c) Loading and unloading of plant and materials;
- (d) Storage of plant and materials;
- (e) Programme of works (including measures for traffic management and access/junction, Highways works scheduling);
- (f) Provision of boundary hoarding behind any visibility zones
- (g) The location of wheel washing facilities within the site, such that no extraneous matter is carried onto the A31;
- (h) The provision of a suitably sized vehicle parking, turning and compound within the construction site to provide adequate space for the queuing and management of exiting vehicles;
- (i) 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;
- (j) 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 A31;
- (k) 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;

- l) The provision of a hard standing within the existing verge on the eastbound A31 Farnham by-pass between South Street and the proposed access for the safe positioning of a mobile speed enforcement vehicle;
- (m) The re-positioning, if necessary, of the gates on the proposed access road;

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

Reason

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

38. Condition

Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as shall have been agreed in writing with the Local Planning Authority, in order that the public highway be kept reasonably clean and to prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

Reason

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

39. Condition

Before the first occupation of the units within each phase (as identified in the phasing plan to be approved under Condition 2), space must be laid out within the site in accordance with plans to be submitted to and approved in writing by the Local Planning Authority (under condition 2 provisions) for a maximum of 426 car parking spaces and 240 secure, undercover cycle spaces for residential use, and a further 96 publicly available cycle parking spaces, and for the loading and unloading of service vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. All such approved parking/turning areas shall thereafter not be used for other than their designated purposes and shall be maintained thereafter.

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.

40. Condition

Before the first occupation of the units within each phase (as identified in the phasing plan to be approved under Condition 2), such measures for the management and use of the proposed parking shall be implemented as per details which shall have been submitted to and approved in writing beforehand by the Local Planning Authority. Only the approved measures shall be implemented.

Reason

In the interests of public safety in accordance with Policy M2 of the Waverley Borough Local Plan 2002.

41. Condition

Prior to basement excavations, a drainage strategy detailing any on- and/or off-site drainage works in relation to the agreed phase shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the appropriate sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

42. Condition

Before any demolition works take place and development commences further bat surveys and emergence surveys must be carried out, as recommended in the Phase I Habitat Survey Report 2006 and the Ecological Verification Walkover 2012, and any mitigation must be carried out prior to any demolition works taking place or development commencing.

Reason

In the interests of ecology and the terms of the application and in accordance with Policy D5 of the adopted Waverley Borough Local Plan 2002 and Policy NRM5 of the South East Plan 2009.

43. Condition

There shall be no light spill into the watercourse or adjacent river corridor habitat. To achieve this, and to comply with sustainability, artificial lighting should be directional and focused with cowlings to light sources in close proximity to the river corridor.

Reason

Artificial lighting disrupts the natural diurnal rhythms and night time migration behaviour of a range of wildlife using/inhabiting the river and its corridor habitat and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002 and Policy NRM5 of the South East Plan 2009.

44. Condition

Prior to basement excavations in the appropriate phase of development as agreed under Condition 2:

- (a) a written desk top study shall be carried out by a competent person appointed by the developer and approved in writing by the Local Planning Authority if thought fit, which shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information; and using this information, a diagrammatic representation (conceptual mode) for the site of all potential contaminant sources, pathways and receptors. The desk top study shall be

submitted to and approved in writing by the Local Planning Authority if thought fit;

- (b) should it be required, based on the information obtained by the desk top study, a site investigation shall be carried out by a competent person appointed by the developer and approved in writing by the Local Planning Authority if thought fit, to determine the nature and extent of any contamination. The investigation shall be carried out in accordance with a protocol, which shall be submitted to and approved in writing by the Local Planning Authority if thought fit.
- (c) a written report of the site investigation shall be prepared by a competent person appointed by the developer and approved in writing by the Local Planning Authority if thought fit. The report shall include the investigation results and details of a remediation scheme to contain, treat or remove any contamination, as appropriate. The report shall be submitted to and approved in writing by the Local Planning Authority if thought fit;
- (d) the accepted remediation scheme shall be fully implemented in relation to the relevant phase, as appropriate); and
- (e) a completion report and certification of completion shall be provided to and approved in writing by the Local Planning Authority if thought fit stating that remediation has been carried out in accordance with the accepted remediation scheme and the site is suitable for the permitted end use.

Reason

To ensure that any contamination of the site is properly dealt with to avoid any hazard, in accordance with Policy D1 of the Waverley Borough Local Plan.

45. Condition

If during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a written addendum to the original remediation scheme and such additional measures as the approved addendum specifies have been carried out. This addendum to the scheme must detail how this unsuspected contamination shall be dealt with.

Reason

To ensure that the development adequately deals with any contaminated land or water found during the development, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

46. Condition

Notwithstanding that such measures may not require express planning permission no sound reproduction or amplification equipment (including public address systems, tannoys, loudspeakers, etc), designed to be audible outside buildings constructed within the permission, shall be installed or operated on the site.

Reason

In the interests of protecting the local residents from unreasonable noise levels, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

47. Condition

The service yards shall not be used other than between the hours of 06.30 to 22.00 Mondays to Fridays, and 06.30 to 20.00 on Saturdays, and 09.30 to 16.30 on Sundays and Bank or Statutory Holidays.

Reason

In the interests of the amenities of adjoining residents and to limit noise disturbance, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

48. Condition

All plant, machinery and equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise coming from it does not at any time, increase the ambient equivalent continuous noise level as measured according to British Standard BS4142:1997 at any adjoining or nearby residential property.

Reason

In the interests of protecting the local residents from unreasonable noise levels which would be detrimental to the residential character of the area, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

49. Condition

Details, including acoustic specifications, of all fixed plant, machinery and equipment associated with air moving equipment, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and approved in writing by the Local Planning Authority before installation and thereafter such installations/items shall not be operated or maintained other than in accordance with manufacturer's instructions and in accordance with the approved scheme.

Reason

To ensure that the industrial use hereby approved remains an acceptable use in or adjacent to this residential area, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

50. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area in the appropriate phase of development as agreed under Condition 2, a full detailed scheme for insulating Block D8a from traffic noise from the surrounding road network (South Street/East Street/Dogflud Way) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such works as are necessary to ensure compliance in general terms with PPG24 (Planning and Noise). Thereafter, the development shall not be carried out other than in accordance with such approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason

To protect the occupants of the new development from noise disturbance, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

51. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area in the appropriate phase of development as agreed under Condition 2, a fully detailed scheme for insulating Blocks D4c, D8 and D6 from noise and vibration from the adjacent and nearby commercial premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such works as are necessary to ensure compliance in general terms with (Planning and Noise). Thereafter, the development shall not be carried out other than in accordance with such approved scheme which shall be completed before any part of the accommodation hereby approved is occupied, unless the Local Planning Authority otherwise agrees in writing.

Reason

To protect the occupants of the new development from noise disturbance, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

52. Condition

Suitable ventilation and filtration equipment shall be installed to suppress and disperse fumes and/or smell created from the A3 uses and any other ancillary cooking activities or catering operations (e.g. in the cinema) on the site. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to fit out of the development or conversion works. The details to include outlet height, which in general should be at least 1m above ridge height of the nearest building. The approved equipment for any such use/operation shall be installed and in full working order prior to the fit out and thereafter it shall be operated and maintained in accordance with the manufacturer's instructions for as long as such use/operation takes place.

Reason

To ensure that the use has adequate ventilation equipment to ensure that neighbouring properties are not unreasonably polluted by odours from the use, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

53. Condition

Prior to the commencement of the appropriate phase of development as agreed under Condition 2, details of the equipment for venting the underground car park area shall be submitted to and approved in writing by the Local Planning Authority. The approved equipment shall be installed and in full working order prior to the commencement of use of the underground car park area and thereafter it shall be operated and maintained in accordance with manufacturer's instructions.

Reason

To ensure that neighbouring properties are not unreasonably polluted by odours from the use and that operators are also protected from potential harmful fumes and protect the users of the car park, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

54. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, details of facilities to be provided for the storage of refuse bins and recycling containers within the site within that phase shall first have been submitted to and approved in writing by the Local Planning Authority. No part of the development in that phase shall be occupied until the facilities have been provided in accordance with the approved details such approved facilities shall be thereafter be permanently retained and maintained.

Reason

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy D1 of the Waverley Borough Local Plan and Policy CC6 of the South East Plan 2009.

55. Condition

Prior to the commencement of the appropriate phase of development as agreed under Condition 2, details of any external floodlighting of the site within that phase shall be submitted to and approved in writing by the Local Planning Authority. Any floodlighting that is permitted shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason

To protect the appearance of the area and to protect local residents from light pollution, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy CC6 of the South East Plan 2009.

56. Condition

No development shall take place until the design and construction details of the proposed shared use cycleways are agreed with the County Highway Authority.

Reason

To ensure that proper arrangements are made in the interests of highway safety, in accordance with Policy M2 of the Waverley Borough Local Plan 2002.

57. Condition

That no development take place until cycle routes are legally defined, linking the development site with South Street at Borelli Walk, Brightwells Road and with the proposed cycleway at Hatch Mill.

Reason

To ensure that proper arrangements are made in the interests of highway safety, in accordance with Policy M2 of the Waverley Borough Local Plan 2002.

58. Condition

All the residential units shall achieve at least Code Level 3 of the Code for Sustainable Homes. Details of how the scheme shall meet this level (or above) including a timeframe to complete the process shall be submitted to and approved in writing by the Local Planning Authority. The post construction review document and final certification showing that at least Level 3 has been achieved shall be submitted to the Local Planning Authority in accordance with the timeframes specified.

Reason

To ensure that the sustainable energy principles of the scheme are delivered, in accordance with the National Planning Policy Framework 2012.

59. Condition

All the retail units shall meet at least a "very good" standard of BREEAM. Details of how the scheme shall meet this level (or above) including a timeframe to complete the process shall be submitted to and approved in writing by the Local Planning Authority. The post construction review document and final certification showing that at least "very good" has been achieved shall be submitted to the Local Planning Authority in accordance with the timeframes specified.

Reason

To ensure that the sustainable energy principles of the scheme are delivered, in accordance with the National Planning Policy Framework 2012.

60. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, details of the Combined Heat & Power (CHP) plan, community heating system and private wire network and associated equipment including a timeframe for installation for that phase shall be submitted to and approved in writing by the Local Planning Authority if thought fit. These shall be operational in accordance with the agreed timeframe unless otherwise agreed with the Local Planning Authority. If the CHP plant is removed it must be replaced with an alternative renewable energy technology or low carbon technology that achieves at least a 227 tonnes CO₂/yr saving.

Reason

To ensure that the sustainable energy principles of the scheme are delivered, in accordance with the National Planning Policy Framework 2012.

61. Condition

The development must not be constructed other than in accordance with the Sustainability Statement and its associated annexes unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that the sustainable energy principles of the scheme are delivered, in accordance with the National Planning Policy Framework 2012.

62. Condition

Before construction above the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, details shall first be submitted to and approved in writing by the Local Planning Authority of a long-term management plan for the maintenance of all voids for the lifetime of the development. The approved details shall be carried out and thereafter complied with.

Reason

To ensure voids do not become blocked and cause increased flood risk to the development and surrounding area and in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

63. Condition
All floodplain compensation works shall not be carried out other than in accordance with calculations in the revised Flood Risk Assessment and the proposed levels and contours plan from addendum August 2008 plans as submitted by the applicant (Ref. 13512.TPN-M-024).

Reason

To ensure ground levels and consequent flow paths for the submitted compensation scheme are maintained and the designated flood storage areas are kept free-filling and free-draining and in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

64. Condition
All flood compensation storage works as specified in the Flood Risk Assessment Appendix F shall be completed prior to the occupation of any buildings located within the 1 in 100 year plus climate change flood extent (up to 64m AOD(N)). Those works are to be implemented in accordance with a Programme of Works to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.

Reason

To ensure the development does not result in the increased risk of flooding at any stage during construction and in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

65. Condition
The end of building D4 shall be constructed with underfloor voids. The voids shall be constructed such that the openings extend from the ground level to 300mm above the 1 in 100 year plus climate change level of 64m AOD(N) and have a total width of at least 1000mm, or 20% of the length of the wall (whichever is greatest).

Reason

To prevent the increased risk of flooding due to impedance of flood flows and reduction of floodwater storage capacity and in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

66. Condition
The surface water drainage system shall not be constructed other than in accordance with the calculations and drawings as submitted in Appendix H of the Amended Environmental Statement dated 5 August 2008.

Reason

To ensure the development does not increase the risk of surface water flooding and in accordance with Policy D1 of the adopted Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

67. Condition
The permanent cycle/footbridge shall be a clear spanning structure that will not impede the river corridor, in accordance with drawing no. G11939/G/SK10'A'. It shall be a maximum 2.5m wide with gaps in the timber deck of minimum width of 2cm, as advised by the Environment Agency.

Reason

To maintain a continuous buffer strip to provide a corridor for the passage of wildlife and reduce the amount of shading of the channel and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002.

68. Condition

A buffer zone minimum 8m wide alongside the River Wey shall be established in accordance with details, which shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

Reason

To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002.

69. Condition

Before construction of the appropriate phase of development as agreed under Condition 2, details of an Ecological Management Plan shall first be submitted to and approved in writing by the Local Planning Authority. This scheme shall outline the detailed design of all ecological mitigation; compensation and enhancement measures listed within the Environment Statement dated January 2008 relevant to the agreed phase of development and shall take into account the recommendations of the Surrey Wildlife Trust as set out in their letter dated 9 July 2012. This shall include design plans and layout, materials, timings, methods of construction and species lists for planting. The development and works shall be undertaken in accordance with the approved details.

Reason

To protect, conserve and enhance the natural features of importance for biodiversity across the site and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002, Policy NRM5 of the South East Plan 2009 and the National Planning Policy Framework 2012.

70. Condition

There shall be no new development including no hardstanding or fences within a buffer 8m wide alongside the River Wey.

Reason

To maintain the character and value of the watercourse and provide undisturbed refuges for wildlife using the river corridor and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002.

71. Condition

There shall be no storage of materials within 8m of the River Wey unless otherwise first agreed in writing with the Local Planning Authority in consultation with the Environment Agency. This must be suitably marked and protected during development, ideally with fencing erected on the landward side of the buffer zone, and there shall be no access during development within this area unless first agreed with the Local Planning Authority in consultation with the Environment Agency. There shall be no fires, dumping or tracking of machinery within this area.

Reason

To reduce the impact of the proposed development on wildlife habitats upstream and downstream, including bankside habitats and in accordance with Policies D1 and D5 of the Waverley Borough Local Plan 2002.

72. Condition

No other alterations shall be made to the basement hereby approved, including pathways (such as service pipes and ducts) without the prior written permission of the Local Planning Authority.

Reason

In order to prevent the increased risk of flooding in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

73. Condition

Before construction above the the ground floor slab level or above the suspended ground floor slab dpc level where over a basement area of the appropriate phase of development as agreed under Condition 2, details of the number and location of vehicle charging points within that phase, shall be submitted to and for the approval of the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason

In order to meet sustainability policy objectives in relation to transport, in accordance with the National Planning Policy Framework 2012.

SUMMARY OF REASONS FOR GRANTING PERMISSION

The development hereby granted has been assessed against Policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D13, D14, C2, C5, C10, C11, C12, BE1, HE1, HE2, HE3, HE4, HE5, HE8, HE10, HE14, H1, H4, H5, H10, CF1, CF2, S1, S6, S7, TC1, TC2, TC3, TC8, TC9, TC12, TC13, TC14, TC15, TC16, LT1, LT6, LT8, LT11, M1, M2, M4, M5, M6, M7, M9, M10, M14, M15, M17 of the Waverley Borough Local Plan 2002; Policies CS1, CS2, CS3, CS4, CS5, CS7, CS9, CS11, CS14, CS15, CS16, CS17, CS18, CS19 and CS21 of the Pre-Submission Core Strategy 2012; Policies CC1, CC2, CC3, CC4, CC6, CC7, CC8, CC9, H1, H3, H4, H5, T1, T2, T4, NRM1, NRM2, NRM4, NRM5, NRM6, NRM9, NRM10, NRM11, NRM12, W2, C2, C4, BE1, BE4, BE6, TC1 and TC2 of the South East Plan 2009 (subject to the letter to Chief Planning Officers from the Secretary of State dated 27/5/10 regarding abolition of Regional Spatial Strategies); the NPPF 2012; regard has been had to the Review of Baseline Data in respect of the Environmental Statement; regard has been had to the response of consultees and third parties; and other material considerations. The proposal seeks to replace planning permission WA/2008/0279 for a major redevelopment of a site in Farnham Town Centre and is in the form of a time extension application. The Government's Guidance on 'Greater Flexibility for Planning Permissions' published in 2010 advises that local planning authorities should take a positive and constructive approach towards applications which improve the prospect of sustainable development taken forward quickly and that unless circumstances have changed significantly since the original grant of permission, a new permission should be granted.

The NPPF 2012 states a clear presumption in favour of sustainable development and it makes clear that development proposals that accord with the Development Plan should be approved without delay. The proposed development is considered to be acceptable for this site and town centre location in terms of its layout, scale, form, height and appearance, traffic and car parking implications, and that overall the development would positively contribute to the local townscape. The environmental effects of the development are considered acceptable and that any adverse effects would not be significant and are considered to be outweighed by the social and economic benefits of the scheme. Since the granting of the 2009 permission, there has been some changes in site circumstances and in planning policy with both the adoption to the South East Plan 2009, the publication of the NPPF 2012 and the publication of emerging local policy in the form of the Core Strategy. The changes in circumstances are not considered to be significant. It is considered that Government and emerging local policy actively promotes the type of development proposed in this time extension application. It is considered, for the reasons set out in the above report, that the changes in circumstances since the time of the 2009 planning permission, do not lead the Council to reach a different conclusion on the merits and acceptability of the proposal. Subject to appropriate mitigation measures in accordance with the Thames Basin Heaths Avoidance Strategy 2009, it has been concluded that the proposal would not have a significant effect upon the integrity of the SPAs. The applicant has agreed to an appropriate negotiated contribution in respect of infrastructure. The proposal is EIA development. It is considered that the Review of the Environmental Statement has adequately explained the environmental implications of the proposed development and the proposed mitigation measures are acceptable. The Council is satisfied that the proposal would not have significant effect in EIA terms. It has therefore been concluded that the development would not result in any harm that would justify refusal in the public interest.

Informatives

1. 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 the Council. Contact EHO Regarding Food Safety matters.
2. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.
3. The permission hereby granted should not be construed in any way as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the County Highway Authority.
4. The developer is advised that it is an offence to allow materials to be carried from the site and deposited on or cause damage to the highway from uncleaned wheels or badly loaded vehicles. The County Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980, Section 131, 148, 149).

5. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency will be required for the construction of this bridge. For this consent we will require a further water vole survey prior to works commencing and a detailed method statement including pollution prevention measures.
6. The applicants are advised that the permission hereby granted does not include a "balancing pond".
7. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
8. 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.

9. You are advised to contact the Environmental Health Section of the Environment and Leisure Department in order to ensure that all regulations, licencing etc, is carried out in order to comply with the requirements of the Health and Safety at Work Act 1974.
10. The Local Planning Authority shall be informed, in writing (for the attention of the Planning Obligations Officer), of the proposed commencement date of development a minimum of 14 days prior to that commencement date, in accordance with Section 4.1.2 of the Unilateral Undertaking.
11. The applicant is advised that payment of the Planning Infrastructure Contribution within 28 days of commencement of work should be marked for the attention of the Planning Obligations Officer (cheques should be made payable to Waverley Borough Council), in accordance with Section 6.1 of the Unilateral Undertaking.

Please note that this is a requirement of the agreement and no invoice will be sent at this stage.

12. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk