

**JOINT PLANNING COMMITTEE**  
**1 AUGUST 2012**  
**UPDATE SHEET**

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Correspondence received and matters arising following preparation of the agenda

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**Item A1**  
**WA/2012/0912**  
**Land at East Street, Farnham**

**Responses from Consultees**

Thames Water Authority – No comments received (In respect of approved application WA/2008/0279), recommended that a ‘Grampian style’ condition should be imposed requiring a drainage strategy to be submitted and agreed before work commences. This is covered by condition 41.

Health and Safety Executive – No comments to make on the application

East Hants DC – No comments received

Guildford BC – No comments received

In addition to its formal response to the application, two additional letters have been received from the Environment Agency responding to third party concerns. These concerns relate to the following:

- (i) the need for a review of the flood model used in previous applications;
- (ii) the difference in ground/building levels between the proposed development, including the main vehicular access from Dogflud Way, and the adjacent Leisure Centre building and the possible need for additional ramping and implications for flooding;
- (iii) whether sufficient account has been taken of any changes to potential contamination of the site since the previous application, and
- (iv) whether sufficient information has been submitted in respect of the Environmental Statement (ES).

**Response:**

In response to point (i), the Environment Agency has responded by confirming that a review of the flood model was not required and that the Agency is satisfied that an appropriate flood level was used when the flood compensation scheme was being prepared.

In response to point (ii), officers consider the submitted plans to be sufficiently clear. The submitted plans indicate the proposed levels of the development, the need for some levelling and re-grading work, and that there would be a need for slopes/ramps in the vicinity of the access to the site and Buildings D8 and D4B. Conditions require

final details of the proposed ground levels of the development in relation to any adjacent building and road to be submitted to and for the approval of the Local Planning Authority.

In response to point (iii), reference is made to 2011 contamination report published for the former Farnham Gasworks, which falls within the application boundary. As indicated by the Environment Agency, the findings of this report should be incorporated into the contamination remediation strategy. The Agency has commented that the conclusion from the report suggests that there would not be any significant impacts on controlled waters. In any event, safeguarding conditions are recommended in respect of contamination issues.

In response to point (iv), officers are satisfied that sufficient information has been submitted in order to assess the likely environmental effects of the development and to come to a decision on the application.

### Additional representations

2 letters of support:

1. Complement and enhance the town;
2. Give the town variety, life and choice;
3. Redevelopment long overdue;
4. Traffic congestion would be no worse than at present;
5. Theatre closed due to lack of interest;
6. Construction bridge would reduce HGV vehicles through town;
7. Mixed use with a good deal of housing to be welcomed.

A total of 517 further representations have been received raising objection to the application. These include two sets of proforma letters, with one bundle of 413 letters and one bundle of 77 letters, 26 individual letters and one letter from the Farnham Society.

The main grounds are as follows:

1. Objected to application WA/2008/0279 on a number of grounds and still stand;
2. Changes to general economic situation and retail environment and consider scheme to be inappropriate for Farnham;
3. Current residential market is such that there is little demand for small flats;
4. Affect other retailers in the town;
5. Traffic model used is flawed with concerns over Royal Deer Junction;
6. Existing pollution levels worsened by proposal;
7. Proposed changes to phasing plan could imply a longer construction period;
8. Lack of available and conveniently located central car parking;
9. Fails tests of sustainable development in NPPF;
10. Conflicts with Policies CS5, CS7 and CS11 of the emerging Core Strategy;
11. Visually unacceptable for Farnham;
12. Scheme involves demolition of Marlborough Head, Redgrave Theatre and Brightwell House;
13. Question application and information submitted meets EIA Regulations;
14. Scheme not account for difference in levels between main Dogflud access and Leisure Centre and may affect flooding and accessibility;

15. Design detailing could be improved;
16. Additional car parking could be provided by adding an additional floor to the Sainsbury's car park;
17. Add to traffic, congestion and pollution in the town;
18. Has been a material change in policy and circumstances since the 2008 application;
19. Overlarge and poorly designed development.

**Officers' response to representations:**

Many of the matters raised have already been handled in the main report.

However, officers wish to respond to some of the matters raised:

In respect of traffic and air quality issues, the County Highway Authority and Council's Environmental Health Officer have given careful consideration to the updated environmental information submitted with the application. Their conclusions are set out in the main body of the report and they conclude that the scheme is acceptable on these grounds.

The County Highway Authority has looked at the points raised by The Farnham Society and other local residents in relation to the traffic information and methodologies used in the assessments. The Authority has confirmed that it is satisfied that matters have not changed so significantly to warrant an objection to either application for the main site or the temporary bridge.

Officers have reviewed the levels between the proposed development and main vehicular access from Dogflud Way, and the Leisure Centre. Officers consider that the submitted plans are consistent in that they indicate a slope with the need for some grading on this part of the site, and that satisfactory access can be achieved. Condition 6 requires final details of the proposed ground levels of the development in relation to any adjacent building and road to be submitted for the approval of the Local Planning Authority.

A supplementary Environmental Statement (ES) has been submitted with this Time Extension application. This includes a 'Baseline Review of Chapters' associated with the ES submitted in respect of the 2008 approved application. Although a 'Non – Technical Summary' has not been submitted by the applicant, the current submission provides a summary of the technical information. The Government document entitled 'Greater Flexibility for Planning Permissions' states that where it is necessary to update environmental information or provide new information, this can normally be done by means of a supplementary ES.

The Council is aware of its responsibilities in relation to the EIA Regulations. The advice from officers is that requirements of the legislation have been met and officers are confident that they have sufficient information to come to a conclusion that the development would not cause a significant environmental effect.

In conclusion, officers consider that the additional submissions received since the original report was published do not alter the recommendation, as set out on page 72 of the original report.

#### Amendment to conditions/informatives

Condition 2 – Add plan number TPN- MP-033

Conditions 7, 44 and 60 – Delete the words ‘if thought fit’.

#### Legal agreement

Negotiations are well advanced in relation to the Deed of Variation which would carry forward the contributions included in the 2008 application as part of this Time Extension Application. However, the agreement is not yet signed. It is anticipated that if the Council resolves to grant planning permission, completion is likely in the near future.

#### Revised 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 the conclusion of the appropriate legal agreement ~~and subject to consideration of views of outstanding consultees~~ permission be GRANTED subject to conditions 1-73 and informatives 1-12 on pages 72 to 94 of the agenda, **and subject to the changes to conditions 2, 7, 44 and 60 noted above.**

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#### Item A2

#### WA/2012/0911

#### Land to the South of East Street, Farnham

#### Amendments to the report

- Page 150, second line of fourth paragraph omit “officers”.
- Page 150, seventh paragraph omit “council” and insert “Council”.

#### Responses from Consultees

- Health and Safety Executive  
No comments to make on the application.

#### Additional representations

5 additional letters have been received, including from the Farnham Society, and 39 proforma letters raising objection on the following grounds:

- Proposed East Street development does not take into consideration the impact of long-term financial restraints of the economy on the retail elements, particularly with the removal of the arts facility without replacement

- East Street development requires demolition of the Redgrave Theatre without replacement and the change of use of Brightwell House from theatre to restaurants
- There is an established need for a community theatre, which would benefit the retail area in line with the recommendations of the NPPF. Economic benefits would be brought to the town
- East Street development will have negative impact on historic town centre, damaging its viability
- Lack of adequate parking and large number of flats will add to problems of viability of town
- Supporting Statement has not presented evidence that Redgrave Theatre no longer required or viable, and that no other leisure, recreation or cultural provision is required or appropriate in that area, or that suitable alternative provision can be made
- Loss of tree belt screening A31 from the town and River Wey
- Loss of continuity of river corridor for wildlife and exposure to noise and disturbance
- Loss of habitat for legally protected species
- Long term damage to character of area
- Loss of amenity to neighbouring occupiers, by reason of visual impact, noise and disturbance, due to loss of tree barrier to A31
- Serious disruption/delays to traffic flow on A31 and related parts of highway network during construction and dismantling of temporary access/bridge and whole construction period of East Street development
- Adverse impacts on traffic flow in town arising from congestion on A31 and other traffic involved in construction
- Not clear whether only access to site, and whether will be used by all trades involved, particularly after heavy construction completed
- Should other access be available, effectiveness of proposed arrangements would be seriously undermined
- Traffic safety concerns resulting from lack of acceleration lane for egressing construction traffic, linked with visibility restrictions resulting from ingressing vehicles, together with congestion generally
- Failure to identify all environmental impacts of scheme to wider town (e.g. air quality) arising from knock on effects of traffic congestion
- Disruption to Borelli Walk pedestrian route
- Additional flood risk posed by construction of bridge supports and related embankments
- Reduction of A31 to single carriageway will have serious cost and environmental consequences for both road users and those living and working in town
- Traffic analysis indicates unstable traffic flows even for the off peak period. For AM peak it will be much worse
- Significant rat running around minor roads, particularly to south of Farnham
- Major increase of west to east traffic through central Farnham leading to more queues, delays, air pollution and pedestrian accidents
- Experimental lane closure on A31 should be carried out prior to determination of application

- Planning law requires that applications be determined in accordance with the Development Plan. The application fails to meet the NPPF requirements for sustainable development
- Traffic flows quoted are largely not directional, therefore not possible to examine changes in any depth
- Anomalies in traffic flows
- The quoted traffic flows for development will not be realised as new signal phasing and timings will restrict flows significantly
- Conclusion of original ES wrong. Demand flows may be little changed, but effect of junction changes enormous and will create additional delays, air pollution and serious pedestrian safety issues
- No information re impact of demand flows on future traffic flows at Royal Deer Junction
- No mention in traffic report that effects of adjacent railway level crossing in Station Hill have been taken into consideration in modelling traffic flows
- During recent grass cutting on A31, when traffic on A31 reduced to single lane, long queues and delays experienced throughout town. Proposal will have same impact
- Traffic diverting off the A31 has been looked at off peak. There will be much greater traffic in the town centre and queuing for the Royal Deer Junction
- Environmental Statement omits significant statutory data, modelling and assessment of proposed changes to the town centre road system
- Further un-assessed impacts relate to flood risk, traffic/air quality, the Riverside enabling development, ecology and cumulative impacts
- Recommendation to Grant is unlawful
- 5 year consent controversial
- Non-Technical Summary and fundamental data required to assess the likely significant effects absent from Environmental Statement, contrary to Environmental Impact Assessment legislation
- A Regulation 22 Notice must be served to CNS and determination delayed
- Significant matters of design and assessment have been placed under conditions, contrary to case law
- The East Street scheme cannot be delivered as shown
- The National Planning Policy Framework stresses the importance of sustainable development
- The development is too big for the town and site
- The proposal would create two rival and disconnected town centres
- The proposal will create dirt and pollution, detrimental to the health and wellbeing of neighbouring occupiers
- The character of a historical market town will change to a modern image
- The Woolmead has already damaged the character of Farnham and should be removed

#### Officers' response to additional information received

The majority of the matters raised have already been handled in the main report.

However, officers wish to respond to some of the matters raised:

The County Highway Authority has looked at the points raised by The Farnham Society and other local residents in relation to the traffic information and methodologies used in the assessments. The Authority has confirmed that it is satisfied that matters have not changed so significantly to warrant an objection to either application for the main site or temporary access bridge.

The Council is aware of its responsibilities in relation to the EIA Regulations. The advice from officers is that requirements of the legislation have been met and officers are confident that they have sufficient information to come to a conclusion that the development would not cause a significant environmental effect.

In conclusion, officers consider that the additional submissions received since the original report was published do not alter the recommendation, as set out on page 154 of the original report.

#### Amendment to conditions

- Page 161, Reason for Condition 22 omit “M14”.

#### Revised Recommendation

As per the agenda report with the change to condition 22 noted above:

“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, permission be GRANTED subject to conditions 1-23 and informatives 1-6 on pages 154 to 163 of the agenda, **and subject to the change to condition 22 above**”.

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