



**Waverley Borough Council**  
Council Offices, The Burys,  
Godalming, Surrey  
GU7 1HR  
[www.waverley.gov.uk](http://www.waverley.gov.uk)

To: All Members of the JOINT  
PLANNING COMMITTEE  
(Other Members for Information)

When calling please ask for: Ema Dearsley  
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Calls may be recorded for training or monitoring

E-Mail: [ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)

Date: 19 May 2014

### **Membership of the Joint Planning Committee**

Cllr Brian Adams  
Cllr Paddy Blagden  
Cllr Maurice Byham  
Cllr Elizabeth Cable  
Cllr Brian Ellis  
Cllr Mary Foryszewski  
Cllr Richard Gates  
Cllr Michael Goodridge  
Cllr Christiaan Hesse  
Cllr Stephen Hill  
Cllr Simon Inchbald  
Cllr Peter Isherwood

Cllr Bryn Morgan  
Cllr Stephen Mulliner  
Cllr Stephen O'Grady  
Cllr Julia Potts  
Cllr Stefan Reynolds  
Cllr Chris Storey  
Cllr Stewart Stennett  
Cllr Jane Thomson  
Cllr Brett Vorley  
Cllr John Ward  
Cllr Nick Williams

Dear Councillor

A meeting of the JOINT PLANNING COMMITTEE will be held as follows:-

DATE: WEDNESDAY 28 MAY 2014

TIME: 7.00pm

PLACE: COUNCIL CHAMBER, COUNCIL OFFICES, THE BURYS,  
GODALMING

The Agenda for the meeting is set out below.

Yours sincerely

ROBIN TAYLOR

Head of Policy and Governance

\* This meeting will be web cast and can be viewed by visiting  
<http://www.waverley.gov.uk>

If you would like a copy of this agenda or the attached papers in another format, e.g. large print, on tape or in another language, please call  
01483 523224



INVESTOR IN PEOPLE

## AGENDA

### 1. APPOINTMENT OF CHAIRMAN

To confirm that Cllr Brian Ellis be appointed as the Chairman of the Joint Planning Committee for the Council year 2014/15.

### 2. APPOINTMENT OF VICE-CHAIRMAN

To confirm that Cllr Maurice Byham be appointed as the Vice-Chairman of the Joint Planning Committee for the Council year 2014/15.

### 3. MINUTES

To confirm the Minutes of the Meeting held on 18 March 2014 (to be laid on the table half an hour before the meeting).

### 4. APOLOGIES FOR ABSENCE

To receive apologies for absence.

### 5. DISCLOSURE OF INTERESTS

To receive from Members declarations of interests in relation to any items included on the Agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

### 6. QUESTIONS BY MEMBERS OF THE PUBLIC

The Chairman to respond to any questions received from members of the public of which notice has been given in accordance with Procedure Rule 10.

### 7. APPLICATIONS FOR PLANNING PERMISSION

To consider the reports on the attached Schedules:

**Item A1      WA/2014/0394      Former Police Station, Long Bridge,  
Farnham GU9 7PZ**

Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of unlisted buildings in a conservation area (as amended by plans received 12/05/2014 and amplified by emails dated 07/03/2014 and 13/05/2014).

#### Recommendation

**That, subject to the consideration of any further representations, the views of the Surrey Wildlife Trust, and the completion of a bilateral legal agreement to achieve affordable housing and Infrastructure contributions and securing of highway works, and subject to conditions, permission be GRANTED.**

**Item B1      WA/2013/0280      1-6 Police Houses, Long Bridge,  
Farnham GU9 7PZ**

Creation of new vehicle access and parking, following part demolition of existing police building (as amended by plans received 07/05/2014).

Recommendation

**That, subject to conditions, permission be GRANTED.**

8. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman:-

Recommendation

That pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

9. LEGAL ADVICE

To consider any legal advice relating to any application in the agenda.

**For further information or assistance, please telephone Ema Dearsley  
Democratic Services Officer on extension 3224 or 01483 523224 or  
[ema.dearsley@waverley.gov.uk](mailto:ema.dearsley@waverley.gov.uk)**

**INDEX OF APPLICATIONS  
JOINT PLANNING COMMITTEE  
28<sup>TH</sup> MAY 2014**

<b>Page.</b>	<b>Item</b>	<b>Reference</b>	<b>Location</b>	<b>Recommendation</b>
<b>Part A - Applications subject to Public Speaking</b>				
7	A1	WA/2014/0394	Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of unlisted buildings in a conservation area (as amended by plans received 12/05/2014 and amplified by emails dated 7/03/2014 and 13/05/2014) at <b>Former Police Station, Long Bridge, Farnham GU9 7PZ</b>	That, subject to the consideration of any further representations, the views of the Surrey Wildlife Trust, and the completion of a bilateral legal agreement to achieve affordable housing and Infrastructure contributions and securing of highway works, and subject to conditions, permission be <b>GRANTED</b>
<b>Part B - Applications <u>not</u> subject to Public Speaking</b>				
39	B1	WA/2013/0280	Creation of new vehicle access and parking, following part demolition of existing police building (as amended by plans received 07/05/2014) at <b>1-6 Police Houses, Long Bridge, Farnham GU9 7PZ</b>	That, subject to conditions, permission be <b>GRANTED</b>

SCHEDULE "A1" TO THE AGENDA FOR THE  
JOINT PLANNING COMMITTEE  
28<sup>TH</sup> MAY 2014

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/2014/0394 Churchill Retirement Living 07/03/2014	<u>Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of unlisted buildings in a conservation area (as amended by plans received 12/05/2014 and amplified by emails dated 7/03/2014 and 13/05/2014) at Former Police Station, Long Bridge, Farnham GU9 7PZ</u>
	Committee:	Joint Planning Committee
	Meeting Date:	28/05/2014
	Public Notice	Was Public Notice required and posted: YES
	Grid Reference:	E: 484068 N: 146572
	Town :	Farnham
	Ward :	Farnham Castle
	Case Officer:	Mark Baker
	13 Week Expiry Date	06/06/2014
	Neighbour Notification Expiry Date	18/04/2014
	Neighbour Notification Amended Expiry Date	23/05/2014
	RECOMMENDATION	That, subject to the consideration of any further representations, the views of the Surrey Wildlife Trust, and the completion of a bilateral legal agreement to achieve affordable housing and Infrastructure contributions and securing of highway works, and subject to conditions, permission be GRANTED

## Introduction

This application has been brought before the Joint Planning Committee as the scheme exceeds the threshold of 25 residential units. There is a concurrent application for creation of a new vehicle access and parking, following demolition of existing police buildings (ref: WA/2013/0280) which is reported elsewhere on this agenda.

## Site Description

The application site, which measures 0.38 hectares, is located at the junction of Long Bridge and Downing Street. Gostrey Meadow is located to the east and the River Wey and the Maltings lie to the south of the site. The site is just to the south of Farnham Town Centre.

The site's principal frontages are to Long Bridge to the east, measuring approximately 95m and Downing Street to the north, measuring approximately 28m. Approximately 19m of the southern boundary of the site fronts the culverted River Wey. To the west is St. Andrews Court and to the southwest are 3 pairs of semi detached police houses.

The site is broadly rectangular, and is currently occupied by the police station building, which was built in the 1960s, along with parking to the rear; this occupies the majority of the site. The application site specifically excludes the adjoining Police Houses immediately to the west of the site.

Access to the existing building would be from Long Bridge by a gated entrance in the eastern elevation. There is a public footpath to the south of the site which runs from Long Bridge to Waggon Yard car park.

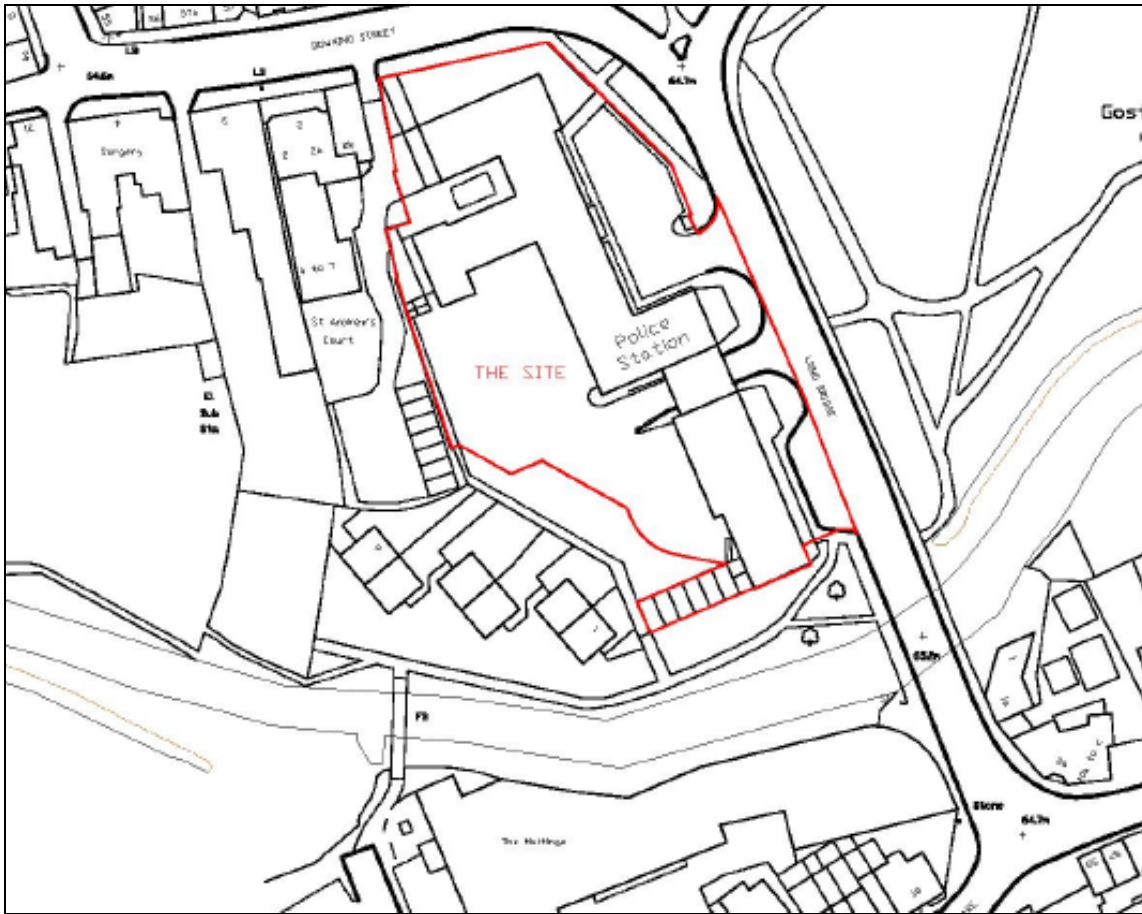
## Proposal

The proposal involves:

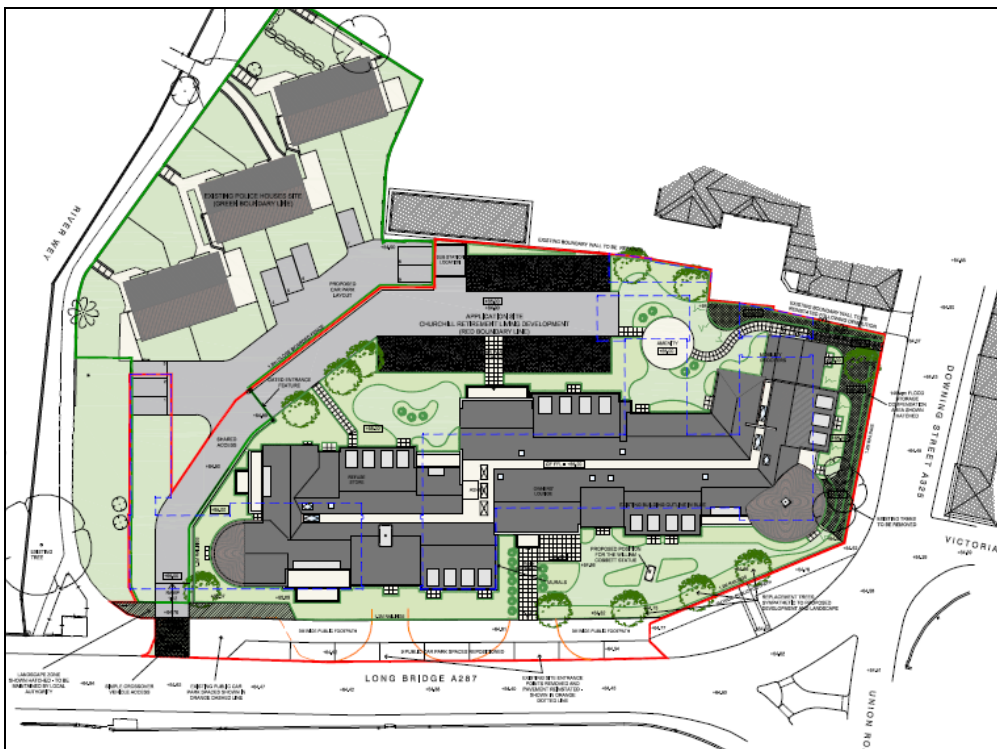
- The construction of a two/three storey building which would accommodate 50 one and two bedroom units of category II type private sheltered accommodation (33 x one bedroomed and 17 x two bedroomed) following the demolition of the existing police station buildings.
- Closure of existing accesses.
- A new access would be created from Long Bridge to the south of the site which provides access to a rear car parking area of 20 spaces. Provision is also made for an electric buggy storage for up to 6 buggies.
- The building would be set in landscaped gardens with private amenity space provided to the front and rear of the building.
- The Heads of Terms for the bilateral agreement obligate for Libraries, sports and leisure, community facilities contributions, contributions towards SANG, requirement to enter into a S.278 highways agreement and payment of the affordable housing contribution of £809, 500.

Since the original submission, the application site as defined by the red line has been amended in order to more clearly physically separate out this site and the concurrent Police Station houses, including provision of a 'gated access'. This involves a re-arrangement of the parking layout for each site, but the overall number of parking spaces remain the same.

# Location Plan



# Layout Plan



# Elevations

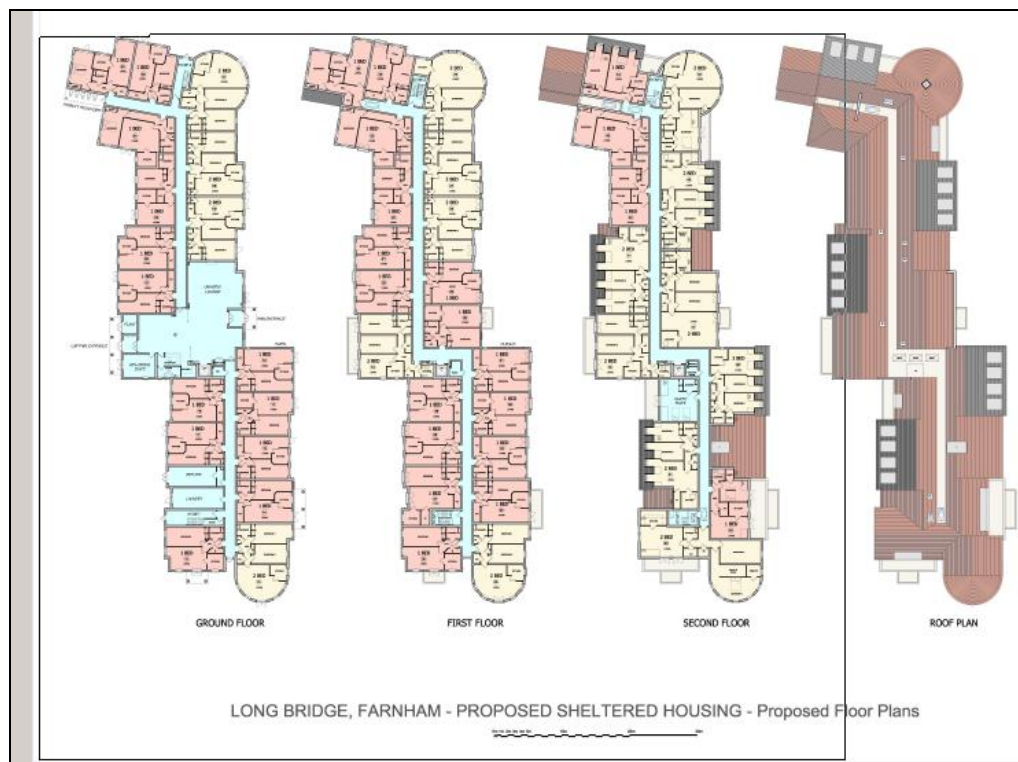


# Contextual Elevations – Longbridge and Downing Street Elevations





## Floor Plans



## Relevant Planning History

WA/2013/1082	Conservation Area consent for demolition of existing buildings.	Withdrawn
WA/2013/1081	Erection of building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of existing police buildings.	Refused 21/11/2013
WA/2013/0281	Conservation Area Consent for demolition of existing police buildings.	Withdrawn
WA/2013/0280	Creation of new vehicle access and parking, following demolition of existing police buildings	Pending
WA/2013/0198	Conservation Area consent for demolition of existing buildings.	Refused 26/04/2013 Appeal Dismissed 15/11/2013
WA/2013/0197	Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of existing police buildings.	Refused 26/04/2013 Appeal Dismissed 15/11/2013
FAR65/60	New Police Station.	Full Permission 20/01/1960
FAR17/52	Proposed site for divisional police headquarters.	Full Permission 19/01/1952

## Planning Policy Constraints

Developed Area of Farnham  
Conservation Area  
Town Centre Area  
Thames Basin Heaths 5km SPA Buffer Zone  
Wealden Heaths 5km SPA Buffer Zone  
Within 20m of river bank  
AQMA Buffer Zone  
Potentially contaminated land  
Flood Zones 2 & 3

## Development Plan Policies and Proposals

Policies D1, D3, D4, D5, D6, D7, D8, D9, D13, D14, H4, H5, H7, H10, M1, M2, M4, M5, M6, M7, M9, M14, TC1, TC3, TC8, TC9, HE3 and HE8 of the Waverley Borough Local Plan 2002.

Policy NRM6 of the South East Plan 2009.

The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the South East region, the Plan was revoked on March 2013 except for Policy NRM6: Thames Basin Heaths Special Protection Area. This Policy remains in force.

The Council has been working on a two stage process to replace the existing Waverley Borough Local Plan. Part 1 was the Core Strategy, which was submitted for Examination in January 2013. Following the first Examination Hearings in June the Examination was suspended. This was due to concerns that the Inspector had principally regarding the evidence of housing need and the approach to meeting these needs. The Inspector suggested that the most appropriate course of action to address his concerns may well be to withdraw the Plan from Examination. Therefore, on 15<sup>th</sup> October 2013, the Council resolved to formally withdraw the Core Strategy from the Examination.

The Council will now move forward with a new Local Plan, building on the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. It will also be updating the evidence base and carrying out other work required in response to the Inspector's comments, before a revised plan is re-submitted for examination. The Council is still in the process of considering the timescale for completing the new Local Plan.

The National Planning Policy Framework 2012 (NPPF)  
The National Planning Practice Guidance 2014 (NPPG)  
Farnham Police Station Development Brief January 2012  
Farnham Design Statement 2010  
Planning Infrastructure SPD 2008  
Community Infrastructure Levy Regulations 2010  
Surrey County Council Vehicular and Cycle Parking Guidance 2012  
Waverley Borough Council Parking Guidelines 2013  
Strategic Housing Market Assessment  
Farnham Conservation Area Appraisal 2005  
Farnham Town Centre Conservation Area Management Plan 2012  
Thames Basin Heaths SPA Avoidance Strategy 2009

## Consultations and Town Council Comments

Council's affordable housing advisers [Adams Integra] – Our approach (Method 3) is the most comprehensive approach and fully represents the cost to the developer equivalent to providing the units on site. It specifically relates to this particular site and uses current values and directly compares the difference between providing the affordable units on-site and a 100% market housing scheme and therefore equates to a financial contribution that is equivalent to having provided the affordable units on-site. Therefore, a fair and reasonable off-site financial contribution in lieu of providing the units on-site would be £982,000.

It is our conclusion that the £982,000 financial contribution could be used to acquire 3 of the ex police houses leaving an outstanding amount of £47,000 if plots 4, 5 and 6 were acquired.

County Highway Authority - No objection, subject to completion of highway works in lieu of financial infrastructure contributions, conditions and informatives.

The Environment Agency – The Flood Risk Assessment is acceptable and therefore no objections are raised, subject to a condition preventing light spillage onto the adjoining River Wey

Natural England – No objections. The proposal is not likely to have a significant effect on the interest features for which the Thames Basin Heaths SPA has been classified. The application would offer the opportunity for biodiversity and landscape enhancements.

Surrey Wildlife Trust – Not yet received, to be reported orally.

County Archaeologist – In order to properly quantify the archaeological potential, in the first instance this should consist of an archaeological field evaluation. Once the results of this work are known, then the nature of any buried heritage assets and any appropriate mitigation measures can be established. Given the previous disturbance during the construction of the existing Police Station, it would be reasonable to secure this approach by way of a condition if permission is granted.

Council's Pollution Control Officer - No objection. An intrusive site investigation would be required at the site due to the identified contaminative former uses at the site. Therefore, no objections subject to four conditions, submitted in order to cover investigation/risk assessment, remediation scheme, implementation of remedial scheme and reporting of unexpected contamination respectively.

Council's Environmental Health Officer (Air Quality) – No objection, subject to conditions and informative addressing hours of working during construction period, no burning on site, details of lighting scheme, dust suppression during construction and operation of plant, machinery and equipment.

Crime Prevention Design Officer – Developer is urged to seek 'Secured by Design' certification for this development.

Council's Waste and Recycling Co-ordinator – The location of the bin store is suitable for residents and for access by the collection vehicle.

Farnham Town Council – Looks forward to the development of a site providing much needed sheltered accommodation in the town.

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006” the application was advertised in the newspaper on the 28/03/2014, site notices were displayed around the site on the 20/03/2014 and neighbour notification letters were sent on the 13/03/2014.

The report was prepared prior to the expiry of the deadline for the receipt of representations. Any further representations will be reported and assessed within an addendum report to the meeting. If new material comes to light in certain circumstances it may be necessary to defer the application.

8 letters have been received, 7 raising objections and one making a general observation from the South Farnham Residents Association, on the following grounds:

- The requirement for affordable housing should not be met by a financial contribution.
- The application should include the complete site.
- Not to build the affordable houses on the overall site would completely undermine a central objective of the Council’s policy, which is to have a mix of development.
- Overdevelopment of the site.
- Overlooking and loss of privacy for residents of St Andrews Court to an unacceptable degree and windows have also been added since the previous scheme, therefore compounding the impact.
- Two new trees are to be planted on the western boundary, adjacent to St Andrews Court, undermining the buildings foundations and causing loss of light.
- Object to the scale, overbearing nature and height of the proposed building which would be aesthetically at odds with the modestly sized and two storey height of the majority of surrounding buildings.
- The applicants have not moved the substation further away from residents as previously offered.
- Insufficient parking.
- Proposed access would adversely affect the safety of pedestrians using the walk way to The Maltings, particularly school children and would damage or destroy a large horse chestnut tree.
- The faux Georgian design is not attractive and is a half hearted attempt to blend in an incongruously large development into this historic and very prominent area of the town.
- Asbestos dust raised by the demolition, air and noise pollution.
- Increased traffic to and from the new building.
- Is Natural England satisfied that there is no impact on protected species, and that residents would not be allowed to keep pets, specifically cats which have a profound impact on wildlife and their habitat?

## Submissions in Support

In support of the application, the applicant has made the following points:

- The proposed development addresses all the LPA's reasons for refusal of the previous scheme.
- Excellent opportunity for the redevelopment of an underutilised building and brown field site in a highly sustainable location.
- The design has been accepted in the previous appeal decision, is of a high quality of design and would make a positive contribution to the Farnham Conservation Area, the street scene and will respect and enhance the local character.
- The proposal would retain the key features of the existing police station, namely the Clock Tower and Murals which would be re-located.
- The development would be sympathetic to the adjacent listed buildings.
- Would ensure that the amenity of adjacent and future residents is respected.
- An allocated space on the Long Bridge frontage to locate the statue of William Cobbett.
- No loss of residential amenity and would lead to an improvement to properties on Downing Street.
- The building would be constructed in a sustainable manner and also ensure that there is no impact on ecology or the flood zone.

## Determining Issues

Principle of development

Planning history and differences with previous proposal

Housing land supply

Affordable housing provision

Design considerations and impact on the character and appearance of Conservation Area/heritage

Impact on listed buildings/heritage

Impact on residential amenity

Standard of accommodation and amenity space provision

Highways and parking

Trees/Landscaping

Flooding

Financial contributions

Effect upon the SPA

Planning infrastructure contributions

Archaeology

Air quality

Climate change and sustainability

Crime and disorder

Biodiversity and compliance with Habitat Regulations 2010

Water Frameworks Regulations 2011

Contamination

Accessibility and Equalities Act 2010 Implications

Human Rights Implications

Environmental Impact Regulations 2011

Article 2(3) Development Management Procedure (Amendment) Order

2012 Working in a positive/proactive manner

Response to representations

## Planning Considerations

### Principle of development

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document 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.

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes clear that where a 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 consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The sale of the Police Station forms part of a wider estate re-structure and rationalisation programme by the Police by co-locating local Neighbourhood teams with community safety partners, which has enabled savings used to recruit additional front line officers for the Surrey force. The Farnham Neighbourhood Team proposes to share facilities with the Local Authority and the Farnham Fire Service.

The site is located within the developed area of Farnham wherein development may be considered acceptable subject to its impact on visual and residential amenity and consideration of the detailed aspects of the proposal.

Having regard to the definition contained in Annex 2 of the NPPF, the site is considered to constitute 'previously developed land'. The Core Principles listed under paragraph 17 of the NPPF encourages the effective reuse of land that has been previously developed.

The site is located within Farnham Town Centre where the Council seeks to maintain and enhance the role of the town centres as the focus for 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. Whilst the proposal does not contain any commercial uses at the site, which is regrettable, given the location of the site on the periphery of the centre a wholly residential scheme is considered, on balance, to be acceptable in principle, subject to other material considerations which are considered below.

Policies D1 and D4 of the Local Plan seek to ensure new development integrates well and compliments its surroundings. Consideration must also be given to the impact on the amenities of nearby residential properties. These criteria are in keeping with the policy objectives of the NPPF and guidelines contained with the NPPG.

## Planning history and differences with previous proposal

Planning permission was refused by the Council for an almost identical scheme under WA/2013/0197, which was refused permission on 26/04/2013 for the following reasons:

1. The development does not make provision for affordable housing.
2. The design, scale, form, siting and building lines would fail to preserve or enhance the character and appearance of the Farnham Conservation Area.
3. The elevation of the building adjacent to the River Wey is of a poor design and the proposed clock tower would be overbearing and out of scale in this prominent and highly visible location on a main gateway into Farnham Town Centre.
4. The proposed internal layout and stacking of rooms, rooms with poor outlook and limited levels of amenity space would not provide satisfactory standards of living accommodation for future occupiers.
5. The applicant has failed to comply with the WBC Infrastructure Contribution SPD (April 2008).
6. The proposal in combination with other projects would have a likely adverse impact on the integrity of the TBHSPA for which no mitigation has been put forward.

The Council's decision to refuse permission was subsequently appealed and dismissed for the following reasons:

"I concur with the appellant .... That it would be difficult to incorporate affordable sheltered housing as part of a private sheltered housing scheme, even in a separate block. However, this does not prevent the provision of another type of affordable housing, perhaps utilising one or more of the police houses which are in reasonable condition, if they were available. Nor does it prevent financial provision to enable affordable housing on another site [Officers' emphasis]."

The Inspector went on to find that the whole of the site (including the six police houses) should be included in the site area, thereby triggering the requirement for affordable housing as part of Policy H5. The Inspector therefore concluded that:

"Without a mechanism whereby an affordable element would be provided, the proposed development conflicts with the normal requirements of policy H5."

The Inspector found the development, with the submission of suitably worded S106 Agreement, to be acceptable on all grounds other than the matter of the provision of affordable housing in accordance with Policy H5 of the Local Plan.

The test for Members is whether the current application has overcome the reasons for refusal of the appeal scheme, and in particular in relation to affordable housing, and whether there have been any changes in circumstances since the appeal decision to suggest that a different decision should be made on alternative grounds. Since the appeal decision there have been no changes on site and the NPPG has been published.

In comparison with the appeal scheme, the applicants have provided Heads of Terms to be incorporated into a bilateral agreement as set out under the 'Proposals' part of this report. This includes Public infrastructure Contributions and provision of £809,000 towards the provision of off-site Affordable Housing. The obligation allows the Council to request payment of the contribution in full or take ownership of two neighbouring houses owned by the Second Owner to be used for Affordable Housing plus a contribution (equating to the

difference between the value of the houses and £809,500.00) towards the provision of off-site Affordable Housing. Subject to the execution of this agreement, the only ground for dismissing the previous appeal would be addressed.

### Housing land supply

The provision of new market and affordable housing will assist in addressing the Council's housing land supply requirements. Following the withdrawal of the Core Strategy from examination in October 2013, the Council agreed an interim housing target of 250 dwellings a year for the purposes of establishing five year housing supply in December 2013. That was the target in the revoked South East Plan and is the most recent housing target for Waverley that has been tested and adopted. However, as a result of recent court judgements, it is accepted that the Council should not use the South East Plan figure as its starting point for its five year housing supply and that the Council does not currently have an up-to-date housing supply policy from which to derive a five year housing land requirement.

It is acknowledged that both the latest household projections published by the Department for Communities and Local Government and the evidence in the emerging draft Strategic Housing Market Assessment point to a higher level of housing need in Waverley than that outlined within the South East Plan. Specifically, the SHMA indicates an unvarnished figure of 470 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure, latest estimates suggest a housing land supply of 3.9 years based on the unvarnished housing supply figure of 470 dwellings per annum, which equates to approximately 394 dwellings per annum. When measured against the housing supply requirement of the Regional Spatial Strategy of 250 (albeit it is acknowledged that this figure carries little weight) the Council has, in accordance with paragraph 47 of the Framework, worked "to boost significantly the supply of housing". As such, it is considered that the shortfall in housing land supply identified at present, when assessed against the untested SHMA figure of 470 dwellings per annum, should be given limited weight at this time, particularly given the constraints of the Borough, which clearly influenced the conclusion of the Report of the Panel (August 2007) appointed by the Secretary of State to examine the Draft Regional Spatial Strategy for the South East.

Nonetheless, the proposed development will contribute to meeting the need for new homes in Waverley and this is a material consideration to be weighed against the other considerations for this application.

### Affordable housing provision

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2012 – 2015. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

The Strategic Housing Market Assessment (SHMA) estimates that there is a need for 515 additional affordable homes to be provided each year over a period of 5 years. It



estimates a need for 70% of new affordable homes to be smaller 1 and 2 bedroom properties.

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified. Policy H5 sets out the local requirements for affordable housing within settlements and states that in settlements of more than 3,000 in population, the Council will seek affordable housing on new developments comprising 15 or more new dwellings. Where proposals provide a housing density of more than 40 dwellings per hectare (which includes the current proposal) the Council will seek to negotiate that at least 25% of the number of net new dwellings are in the form of subsidised affordable housing. Policy H5 states that the scale of provision on individual sites will depend on the characteristics of the site, market conditions and other considerations.

The accompanying text to Policy H5 of the Local Plan, at paragraph 6.44 states:

“The Council considers that it would be inappropriate to seek subsidised affordable housing as part of developments on sites of less than 0.4 ha which meet a recognised need for specialised sheltered housing for the elderly or for people with disabilities. On larger sites, the Council will seek to secure a mix of dwelling types and an element of subsidised affordable housing will be sought.”

The whole of the police station site, including the Police Station and Police Houses, which was originally offered for sale by the Police Authority amounted to a site of to 0.545 ha. This exceeds the 0.5ha threshold for larger towns such as Farnham, above which an affordable housing construction should be provided, according to paragraph 6.41 of Policy H5.

Although the application site is less than 0.4ha, as defined by the red line, the appeal decision has established this as part of a wider site that has been fragmented and that the affordable housing provision threshold is therefore triggered for a sheltered housing scheme. The appeal decision (WA/2013/0197) in relation to an identical proposal has confirmed that affordable housing is required for this proposal.

As part of the Inquiry it became clear that Churchill Retirement Living chose to purchase the Police Station on site 1, whilst another company in the same group (Emolor Property No.3 Ltd), purchased site 2, which consisted of the police houses, but with a different dividing line. The appellant's company confirmed that it was their choice to split the whole site up in this way, with no plausible reason offered to the Inspector for the relocation of the boundary. This had the effect of reducing the area of site 1 below the 0.4 ha policy threshold for an element of affordable housing where sheltered housing is proposed. In short, the whole of the site is owned and controlled by companies under the control of Churchill Retirement Living. As a consequence of the Inspector's conclusion at appeal under WA/2013/0197, it has been established that the site should be considered as one that includes both components of the former Police Station site together. Therefore, with a site area of 0.545 ha, Paragraphs 6.41, 6.43 and 6.44 of Policy H5 therefore apply, the aim of which, read together, is that a mix of dwelling types is desirable and that an element of affordable housing should be provided. In conclusion, the Inspector made it clear that nothing persuaded him in principle that the site has not been subdivided as envisaged by paragraph 6.43 of Policy H5.

The appeal was dismissed (ref: WA/2013/0197) on this basis that:

“...the development would comply with the development plan and NPPF on all matters in dispute except for the lack of affordable housing, but this is necessary to cater for the range of housing needs which have been identified in Waverley. It has not been shown that it should not be provided on this site or on another site by means of a financial contribution. I have taken account of the other benefits that would flow to the Council and the enhancement of the area generally, but on its own, this matter is sufficient to justify dismissing the appeals.”

The current application is the same as that which was dismissed at appeal, with the exception that the red site line is slightly different and hence the site area is marginally greater. Consequently, to be acceptable under Policy H5, an appropriate contribution towards affordable housing must be made.

However, as a result of discussions with the applicants, draft Heads of Terms for a bilateral undertaking have been agreed for an affordable housing contribution of £809,500, which equates, should the Council desire, to the purchase of 2 of the six Police houses and a financial payment (for the remainder) for off-site affordable housing. Whilst the overall financial contribution, is marginally below the Adams Integra figure of £982,00, the agreed figure reflects the overall package of contributions to be made (considered elsewhere in this report and the provision of right of access and parking to the houses (see concurrent application on this agenda) and subject to the completion of the bilateral agreement. Whilst, at the time of writing, this agreement has not been completed, it is at an advanced stage and Officers anticipate completion by the time of the meeting. A further oral report will be made to the meeting.

The proposal would therefore make provision for affordable housing in accordance with Government Guidance, the Council's corporate objectives, Policy H5 of the Waverley Borough Local Plan 2002, the National Planning Policy Framework (2012) and the Farnham Police Station Development Brief January 2012.

#### Design considerations and impact on the character and appearance of Conservation Area/Heritage Impact

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, both the NPPF and Policy HE8 of the Local Plan 2002 state that development should preserve or enhance the character of conservation 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 proposed development. Great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be.

Substantial harm to, or loss of significance of, a heritage asset should be exceptional and consent should be refused unless the harm is necessary to achieve substantial public benefits that would outweigh the harm. In considering development that may have substantial or less than substantial harm on a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including the possibility of securing

its optimal viable use. Only where the benefits are found to outweigh the harm to the designated heritage asset should the development be approved.

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

The applicant has argued that currently, the contribution of the subject site is neutral, presenting a less than satisfactory appearance to the street scene. In addition, they argue that the proposed building provides an enhancement to assets and from a visual point of view the design unifies this part of Farnham, bringing together the river, park and town. Finally, they argue that the mass and scale are carefully arranged, so as not to dwarf the existing midsized buildings in the immediate context.

The appeal Inspector (under ref: WA/2013/0197) found the existing police station building made a neutral contribution to the character of the Conservation Area, with the 3 large base-relief murals depicting scenes from Farnham's history and the clock tower, all of which would be incorporated in the current proposal, being the only elements that add character to the CA.

The Inspector found the elevations of the proposal to have proportions and materials that would be sympathetic to the Conservation Area, with the overall appearance of the development being that of a sequence of terraced dwellings relieved by variations in the building line. He found the legibility of the building to be sufficient, given the use of hard surfacing and landscaping. The use of curved brickwork drums at each end of the main elevation of differing diameters were found to respect the massing of the Maltings and the curved junction of Long Bridge with Downing Street.

The Council, as part of the previous application had raised concern that the roof detailing would be unsympathetic due to the sheer size of the building and the need to accommodate roof plant. However, the previous Inspector found the variety in roof detailing to be a feature of the Conservation Area, and "providing that the detailing of the junctions was thought through before construction" there was no reason to consider the proposed slate and clay tile roof would not enhance the Conservation Area. In conclusion, the Inspector found that the scheme would contribute more to the character and appearance of the Conservation Area than the existing police station.

The publication of the NPPG does not alter the previous conclusion on the acceptability of the current proposal on this ground.

However, officers consider the external materials to be used would be an important contributory factor to the overall interpretation of the scheme. The agreement would be controlled through a condition if permission is granted.

Given that the plans that form part of the current application were identical to those that were before the Inspector as part of the previous appeal, no objection can reasonably be raised on these grounds. The acceptability of the proposal in terms of design and impact upon the Conservation Area has been established by the previous appeal decision. It is therefore concluded that the proposal would positively enhance the character and

appearance of the Farnham Conservation Area, in accordance with Policies D1, D4 and HE8 of the Local Plan and the NPPF.

#### Impact on Listed Buildings/Heritage Impact

The statutory test for the consideration of applications for Listed Building consent is contained in Section 66 Planning (Listed Buildings and Conservation Area) 1990 Act 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.”

In accordance with this, the NPPF and Policies HE1, HE3 and HE5 of the Local Plan 2002 state that development should preserve or enhance the character and setting of Listed Buildings.

In relation to the appeal under ref: WA/2013/0197, the Inspector found that the proposal would provide greater relief to the river to the south than the existing police station building, better revealing the Grade II Listed Building of the Maltings, which possess an impressive curved wall facing the road and river. Furthermore, the more appropriate siting of the northern wing, which would be parallel with the road rather than being angled away, would mean that the sequencing of the listed buildings in Downing Street would be better revealed.

The acceptability of the proposal in terms of its impact upon the character and setting of the adjoining listed buildings has been established by the previous appeal decision. The subsequent publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal. It has therefore been concluded that the current proposal would satisfactorily preserve the character and setting of adjacent listed buildings and heritage assets, in accordance with Policies HE3 and HE8 of the Local Plan and the NPPF.

#### Impact on residential amenity

The core principles of the NPPF at paragraph 17 (point 4) state that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Criterion (c) of Policy D4 of the Local Plan states that 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.

As part of the appeal scheme (WA/2013/0197), no formal objection was raised by the Council in terms of the development's impact on the amenity of neighbouring occupiers on the basis that the development would have no greater harm than the existing situation. Furthermore, the previous appeal Inspector also raised no objection on this ground.

The acceptability of the impact of the proposal upon neighbouring owners has therefore been established by the appeal decision under ref: WA/2013/0197. The NPPG does not

alter the previous conclusion on this ground. Therefore, no objection is raised on this ground. The proposal therefore accords with Policies D1 and D4 of the Local Plan.

#### Standard of accommodation and amenity space provision

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. 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.

As part of the previous application, officers raised objection in regards to the stacking of the development and the level of external amenity space. Stacking relates to the arrangement of rooms within the building which may not be considered to be compatible, for example, kitchens above bedrooms.

However, the previous appeal Inspector did not share the concerns of the Council on these grounds, concluding that amenity space requirements of policy would be met by the development and the amenity of future occupiers would not be materially harmed. The publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal on this ground.

The acceptability of the provision of standard amenity space has been established by the previous appeal decision WA/2013/0197. No objection is therefore raised on this ground.

#### Highways and parking

The NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements, Local Authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limits the significant impact of the development.

The NPPF states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Policy M4 of the Local Plan requires developments to include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, public open space, local facilities and amenities or, public transport.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council adopted a Parking Guidelines Document prior to the opening of the Public Inquiry into the appeal under ref: WA/2013/0197 which follows the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The applicant has argued that the proposed development would be in a highly accessible location in relation to local bus stops, shops and services. Bus services are frequent with several stops between 100 and 400m from the site. With dropped kerbs, high quality footways and controlled pedestrian crossings, residents would not be inhibited from accessing a range of local shops, services and public transport by foot. The provision of 20 parking spaces is proposed as appropriate given the location. The proposed development would result in a reduction in the number of vehicle movements generated by the site.

The County Highway Authority has raised no objection, subject to conditions, from a highway safety, capacity or policy perspective.

The County Highway Authority has agreed a package of S278 works with the applicant that would improve accessibility by foot and cycle along the frontage of the site, and improve the layout of the existing parking spaces. These works would directly benefit the future residents of the sheltered housing and, as such, subject to the applicant agreeing to deliver these highways works, the County Highway Authority will not be seeking the transport element of PIC for this application. Furthermore, the applicant has obligated to undertake these works, in principle, through the aforementioned bilateral undertaking.

The application proposes 20 parking spaces. This arrangement was considered acceptable in the previous appeal decision which was published after the adoption of the Council's guidelines.

The subsequent publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal. The acceptability of the proposal in terms of access, parking layout and provision has been established by the previous appeal decision.

### Trees/Landscaping

The NPPF at paragraph 109 (point 1) states that the planning system should contribute to and enhance the natural and local environment.

The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss. Policies D6 and D7 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

Policy D6 of the Local Plan seeks to protect trees within Conservation Areas. Policy D7 states that development proposals on sites which contain, or are close to, important trees, group of trees or hedgerows should provide for their long term retention. The Council will require that trees or hedgerows which are to be retained are adequately protected during construction to avoid damage including activities causing soil compaction or severance of roots; and require the planting of new tree and other vegetation where appropriate.

The proposal would result in the loss of two trees that are low category. The proposed scheme includes comprehensive new landscape proposals, including heavy standard trees, which would more than compensate for the loss of the existing trees. Adequate precautions to protect the retained trees would be required as set out in the arboricultural method statement.

As was previously concluded on appeal (WA/2013/0197) for an identical layout, space exists to provide a reasonable scheme of tree planting, which would improve the setting of

the development within the Conservation Area. Tree protection and landscape enhancement to the proposal could be secured by planning conditions in the event that the proposal was considered to be acceptable. The NPPG does not alter the previous considerations on this ground.

No objection is therefore raised on this ground.

### Flooding

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. 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, it should be made safe without increasing flood risk elsewhere. Development should only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant.

The application site is within Flood Zone 2 and as such a flood risk assessment (FRA) is required to demonstrate the appropriateness of a residential development taking place in this location.

The application is accompanied by an FRA which includes the following details:

- The proposed finished floor level of the building is 65.2mAOD so as to provide an on-site refuge in the event of a flood.
- The area benefits from a flood alleviation scheme.
- Full details for Emergency Planning include flood warden training, flood warnings, responsibility for monitoring, acting upon flood warnings, estimated flood warning time, procedure for evacuating people from the site, safe evacuation route for people and safe area for evacuees.

The FRA, which includes addressing previous concerns relating to floodplain storage compensation and safe access and egress, has been shared with the Environment Agency, who raise no objection, subject to a condition and informative should permission be granted.

The acceptability of the proposal in flood risk terms was established by the previous appeal decision (WA/2013/0197). The publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal.

No objection is therefore raised on this ground.

### Financial Contributions

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.

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, (total £72,500).

### Effect upon the SPA

The site is located within the 5km of the Thames Basin Heathland Special Protection Area (SPA). The proposal comprises the creation of 50 residential units (mix of one and two bedrooms) which would result in an increase in people (permanently) on the site. Such development, without appropriate mitigation or avoidance would be likely to have a significant effect on the conservation interests of the SPA.

The three tests as set out in Regulation 122(2) require S106 agreements to be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution of £102,674.30 towards SANG, in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy (December 2009). This strategy was formally adopted by the Council on 13<sup>th</sup> December 2009.

In line with this strategy and the requirements of Regulation 48 of the Habitats Regulations, a unilateral undertaking is required to ensure that the additional residential units proposed by this development will not have any likely significant effect on the TBH SPA. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy, which relate to the number of residential units and number of bedrooms proposed. At the time of preparation of the report, an appropriate agreement had not been completed. The aforementioned bilateral agreement will need to have been executed with the Council by the time of this meeting in order for a likely significant effect upon the SPA and the need for an appropriate assessment to be avoided. An oral report will be made on this matter.

### Planning 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. 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:

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

As such, the requirement for the s106 agreement meets the three tests set out above and with a s106 agreement in place, the proposed development would be acceptable in planning terms. The relevant bilateral undertaking securing the required contributions (£43,626.66) is currently being prepared and it is anticipated that this will have been executed with the Council by the time of this meeting. Subject to the completion of this agreement, the development would be in line with Policies D13 and D14, and as such, sufficiently mitigate its impact on local infrastructure. An oral report will be made on this matter.

### Archaeology

The NPPF sets out that, as a core principle, planning should take account of the different roles and character of different areas and heritage assets, in a manner appropriate to their significance should be conserved.

The site lies adjacent to an Area of High Archaeological Importance and exceeds 0.4 ha. Policy HE15 of the Local Plan therefore applies. The County Archaeologist has been consulted, who raises no objection, subject to a condition securing approval of a suitable written scheme of archaeological investigation prior to the commencement of development, should permission be granted.

The subsequent publication of the NPPG does not alter the previous conclusion on the acceptability of the current proposal on this ground. The acceptability of the proposal in archaeological terms has been established by the previous appeal decision (WA/2013/0197).

No objection is therefore raised on this ground.

### Air Quality

The site is partially within an Air Quality Monitoring Area Buffer Zone, with a report submitted as part of the application to address this. The report concludes that:

- The impacts of local traffic on the air quality for future residents are acceptable, with concentrations being well below the objectives.
- The overall air quality impacts of the development are judged to be insignificant.
- The construction works have the potential to create dust and therefore a package of mitigation measures to minimise dust emission would be required.
- The proposed development would therefore be consistent with the NPPF and Policy D1 of the Local Plan.

Having regard to the applicant's report, the comments of the Council's Environmental Health Officer and subject to the inclusion of appropriate 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 other schemes. The subsequent publication of the NPPG does not alter the previous conclusion or the

acceptability of the current proposal on this ground. The acceptability of the proposal in terms of air quality has been established by the previous appeal decision (WA/2013/0197).

The proposal is therefore considered to accord with relevant policies of the Development Plan, which comply with the NPPF and NPPG. There has been no material changes in planning circumstances which would justify taking a different view to this issue under the current proposal.

Furthermore, the Council's Environmental Health Officer has raised no objection in principle to the proposal subject to the inclusion of conditions and informatives should permission be granted.

Therefore, subject to the carrying out of mitigation measures during the demolition and construction period, the development is considered to be acceptable in these terms and there would be no impact to or from the proposed development.

### Climate change and sustainability

Policy D3 of the Local Plan states that where development is acceptable in principle, the Council will encourage environmentally innovative schemes which conserve energy, and water, through design and layout, and minimise the use of non renewable resources through the re-use or recycling of previously developed land, buildings and materials.

The NPPF at paragraph 97 states that to help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or local carbon sources.

The application is supported by an Energy Statement which demonstrates that the development will meet with the latest Building Regulations and seeks to achieve Code for Sustainable Homes rating level 3\*. This would be achieved through the use of an Air Source Heat Pumps to provide for space heating requirements for the apartments.

The Local Plan does not require this type of development to include renewable energy technologies. Moreover, the lack of any policy backing in this regard prevents conditions being added to require this. The publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal. The acceptability of the proposal in terms of the proposed sustainability of construction was considered acceptable in the appeal decision (WA/2013/0197). The principle has therefore been established on this matter. No objection is therefore raised on this ground.

### 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 the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

It is considered that given the enclosed, 'gated' and residential nature of the proposals, there would be no crime and disorder impact likely to arise from the proposal.

## Biodiversity and compliance with Habitat Regulations 2010

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.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, 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.'

The applicant's ecology report advises that:

- Surveys have confirmed that the existing building does not support a bat roost; therefore it is unlikely that the proposed development would have an adverse impact on bats, a protected species.
- There would be an opportunity to enhance the natural environment and it is recommended that:
  - Lighting from the new building should not illuminate the River Wey corridor as bats use the river for foraging.
  - Use of native night scented plants.
  - A hedgehog box be installed as one was observed on site.

The proposal, in respect of the impact on biodiversity remains the same as under the appeal (WA/2013/0197), subject to the updated survey that has been undertaken. An oral report of the views of Surrey Wildlife Trust will be reported at the meeting. However, based on its previous views and the current views of the Environment Agency, it is anticipated that the ecological information submitted is sufficient for the Council to be able to assess the potential status of protected species and the proposed development and the likely effect of the development on them.

Therefore, subject to inclusion of a condition, no objection is raised on this ground.

## Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems
- promote the sustainable use of water
- reduce pollution of water, especially by 'priority' and 'priority hazardous' substances
- ensure progressive reduction of groundwater pollution

The proposal would not conflict with these regulations.

### Contamination

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area to adverse effects from pollution, should be taken into account. Policy D1 of the Local Plan sets out that development will not be permitted where it would have a materially detrimental impact to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

The applicant's Geotechnical Report advises:

- A review of historical maps revealed buildings from at least 1871 when the site was occupied by a number of industrial style buildings defined as a steam saw mill, which existed up to 1958 when the current buildings on site appear.
- Potential contamination sources include possible asbestos associated with demolition of former buildings and from the previous industrial uses.
- An intrusive investigation is recommended.

The Council's Pollution Control Officer has not raised any objections subject to the inclusion of appropriate conditions if permission is granted.

The publication of the NPPG does not alter the previous conclusion or the acceptability of the current proposal on this ground. The acceptability of the proposal in terms of contamination has been established by the previous appeal decision (WA/2013/0197).

### Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. 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 and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

### Human Rights Implications

The proposal would have no material impact on human rights.

## Environmental Impact Regulations 2011

The applicants have not sought a screening opinion. However, taking into account the existing lawful use of the site, there is not likely to be a significant impact either as a stand alone development or cumulatively with other nearby development.

The proposal is not considered to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 or a variation/amendment of a previous EIA development.

## Article 2(3) Development Management Procedure (Amendment) Order 2012

### Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included the following:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

## Response to representations

The points raised in the letters of representation, including the sub-station, pedestrian safety and overlooking have been carefully considered in the assessment of the current application. However, given the principles that were established by the previous appeal decision, the points raised cannot be shared by officers.

## Conclusion

A thorough review of the proposals has been carried out, taking into account the changes in circumstances that have taken place since the previous appeal decision (WA/2013/0197).

Since the time of the previous application, there have been no changes in site circumstances, but the publication of the NPPG has occurred. 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.

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. Overall, it is considered that the proposal would positively contribute to the local townscape and adjacent Conservation Area.

The proposals would accord with the aforementioned Local Plan Policies, NPPF and NPPG.

In order to meet the policy requirements for affordable housing and infrastructure a bilateral agreement would need to be completed. Subject to completion of the bilateral agreement, the proposals are considered to be supportable.

### **Recommendation**

That, subject to consideration of any further representations, the views of the Surrey Wildlife Trust, and the completion of a bilateral agreement to secure affordable housing provision and infrastructure contributions, permission be GRANTED subject to the following conditions and informatives:

1. Condition

The plan numbers to which this permission relates are 20045FN-P21 Rev C, P22 Rev A, P23 Rev B, P24 Rev A, P25 Rev A, P26 Rev C, FAR-01-00, 01, 120861 Sheets 1-3 [inc] and 1472-SK-001. 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 accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002.

3. Condition

No development shall take place until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The approved landscaping shall be maintained for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

To ensure the visual amenities of this sensitive area, in accordance with Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002.

4. Condition

No development shall commence until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include bat sensitive lighting with input from a qualified, competent ecologist. The development should be carried out in strict accordance with the approved details.

Reason

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

5. Condition

No development shall start until a Method of Construction Statement, to include details of:  
(a) parking for vehicles of site personnel, operatives and visitors  
(b) loading and unloading of plant and materials  
(c) storage of plant and materials has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

Reason

The condition above is required in order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policy M2 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

6. Condition

The development shall be carried out in accordance with the Conclusions and Recommendations of the Ecology Report dated 14/12/2012 produced by EPR and Bat Survey Report dated July 2013 by EPR. In the event protected species not anticipated as part of the ecological survey are discovered, work shall cease until appropriate mitigation has been put in place and agreed in writing with the Local Planning Authority.

Reason

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts are not endangered by the development in accordance with Policy D5 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

7. Condition

Construction works shall not take place other than between the hours of 08.00 to 18.00, Mondays to Fridays, 08.00 to 13.00 on Saturdays and no working on Sundays or Bank Holidays.

Reason

In the interests of the amenities of adjoining local residents, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

8. 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;
- (ii) control of dust, smell and other effluvia;
- (iii) control of surface water run off;
- (iv) site security arrangements including hoardings;
- (v) proposed method of piling for foundations;
- (vi) construction and demolition working hours;
- (vii) hours during the construction and demolition phase, when delivery vehicles or vehicles taking away materials are allowed to enter or leave the site.

The development shall be carried out in accordance with the approved scheme or as may otherwise be agreed in writing by the Local Planning Authority.

Reason

In the interests of the amenities of adjoining local residents, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

9. Condition

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

- (i) A survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;

Reason

In order to protect groundwater quality. Previous activities on site points to a variety of potential contaminants within made ground. Groundwater quality needs to be protected in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

10. Condition

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



Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

Reason

In order to protect groundwater quality, previous activities on site points to a variety of potential contaminants within made ground. Groundwater quality needs to be protected in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

11. Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

In order to protect groundwater quality. Previous activities on site points to a variety of potential contaminants within made ground. Groundwater quality needs to be protected in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

12. 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 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to ensure the protection of heritage assets in accordance with Policy HE14 of the Waverley Borough Local Plan 2002 and NPPF 2012.

13. Condition

Before the first occupation of the development, the proposed vehicular access shall be constructed in full accordance with Mott MacDonald's Drawing 'Parking Improvements Option 1'. No variation from the approved shall be carried out without the prior written agreement of the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

14. Condition

The existing accesses from the site to Long Bridge [A287] made redundant as a result of the development shall be permanently closed and any kerbs, verge or footway shall be fully reinstated by the applicant, in a manner to be agreed in writing with the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002.

15. Condition

No new development shall be occupied until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking, turning and loading/unloading area shall be used and retained exclusively for their designated purpose.

Reason

In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users, and to accord with Policies M2 and M14 of the Waverley Borough Local Plan 2002 and the National Planning Policy Framework 2012.

16. Condition

Before the first occupation of the proposed development the applicant shall submit for the written approval of the Local Planning Authority a Travel Information Leaflet containing information for residents, staff and visitors regarding public transport, walking and cycling.

Reason

The above condition is required in recognition of the NPPF 2012.

17. Condition

No new development shall be occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to provide electric vehicle charging points in line with the Surrey County Council's Parking Guidance. The works shall be carried and maintained in strict accordance with the approved details.

Reason

The above condition is required in recognition of the NPPF 2012.

18. 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 must be agreed with the Local Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and 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.

19. Condition

Prior to the first occupation of the development hereby permitted the mitigation measures set in the submitted Flood Risk Assessment by Mott MacDonald dated July 2013 shall be carried out and completed to the satisfaction of the Local Planning Authority.

Reason

In the interests of flood risk mitigation and to accord with the NPPF and Policy D1 of the Waverley Borough Local Plan 2002.

## 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.

## Informatives

1. The applicant is advised to note the contents of the attached letter from the Environment Agency dated.
2. "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.
3. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 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.

4. Please note that this is a requirement of the agreement and no invoice will be sent at this stage.
5. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that they will need to enter into a Section 278 Agreement with Surrey County Council before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
6. The applicant is advised that the S278 highway works may require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the County Council's commuted sums policy:  
<http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol>
7. The permission hereby granted shall not be construed as authority to carry out any works that may affect a drainage channel/culvert or water course. The applicant is advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see:  
<http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice/ordinary-watercourse-consents>.

8. Notwithstanding any permission granted under the Planning Acts, no signs, devices or other apparatus may be erected within the limits of the highway without the express approval of the Highway Authority. It is not the policy of the Highway Authority to approve the erection of signs or other devices of a non-statutory nature within the limits of the highway.
9. The permission hereby granted shall not be construed 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 Highway Authority Local Highway Service Group.
10. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The 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 Sections 131, 148, 149).
11. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
12. The applicant will be expected to fund the cost of any Traffic Regulation Order required to alter the layout of the parking bays adjacent to Long bridge. The applicant is advised that the TRO application process is subject to separate public consultation and advertisement.
13. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

SCHEDULE "B1" TO THE AGENDA FOR THE  
JOINT PLANNING COMMITTEE  
28<sup>TH</sup> MAY 2014

Applications not 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".

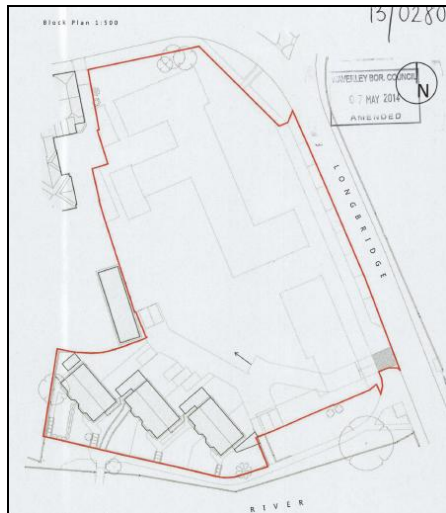
The implications for crime, disorder and community safety have been appraised in the following applications but it is not considered that any consideration of that type arises unless it is specifically referred to in a particular report

B1	WA/2013/0280 Mr Amberwell 06/03/2013	<u>Creation of new vehicle access and parking, following part demolition of existing police building (as amended by plans received 07/05/2014) at 1-6 Police Houses, Long Bridge. Farnham GU9 7PZ</u>
	Committee:	Joint Planning Committee
	Meeting Date:	28/05/2014
	Public Notice	Was Public Notice required and posted: YES
	Grid Reference:	E: 484068 N: 146572
	Town :	Farnham
	Ward :	Farnham Castle
	Case Officer:	Mark Baker
	8 Week Expiry Date	01/05/2013
	Neighbour Notification Expiry Date	12/04/2013
	Neighbour Notification Amended Expiry Date	23/05/2014
	RECOMMENDATION	That, subject to conditions, permission be GRANTED

### Introduction

This application has been brought before the Joint Planning Committee as the proposal should be read in conjunction with the concurrent application on the adjoining site [ref: WA/2014/0394] for the erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of unlisted buildings in a conservation area, which is reported elsewhere on the agenda.

## Location Plan



## Site Description

The application site includes the existing Police Station and the Police Houses and measures 0.55 hectares. It is located immediately to the west of Long Bridge Road and north of the River Wey. To the south are the River Wey and The Maltings and to the west is a public car park. The site is just to the south of Farnham Town Centre.

Currently the Police Houses [Nos. 1-6], are vacant and are accessed from the Farnham Police Station site.

The existing houses front the River Wey, with open plan front gardens and private rear amenity space with pedestrian links through to the Police Station component and associated parking spaces.

## Proposal

The application proposes the construction of a new vehicular access to Long Bridge, including the formation and laying out and provision of 9 car parking spaces to serve the existing Police Houses. The access arrangements are also proposed to serve the redevelopment of the existing Police Station site.

With the redevelopment of the Police Station, except for pedestrian access, the Police Houses would be land locked and without any means of access to a public highway, off-street parking provision or servicing.



### Relevant Planning History

WA/2014/0394	Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of unlisted buildings in a Conservation Area	Pending
WA/2013/1082	Conservation Area consent for demolition of existing buildings.	Withdrawn
WA/2013/1081	Erection of building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of existing police buildings.	Refused 21/11/2013
WA/2013/0281	Conservation Area Consent for demolition of existing police buildings.	Withdrawn
WA/2013/0198	Conservation Area consent for demolition of existing buildings.	Refused 26/04/2013 Appeal Dismissed 15/11/2013
WA/2013/0197	Erection of a building to provide 50 sheltered flats with communal facilities including formation of a new vehicular access together with car parking, landscaping and associated works following demolition of existing police buildings.	Refused 26/04/2013 Appeal Dismissed 15/11/2013
FAR65/60	New Police Station.	Full Permission 20/01/1960
FAR17/52	Proposed site for divisional police headquarters.	Full Permission 19/01/1952

## Planning Policy Constraints

Developed Area of Farnham  
Conservation Area  
Town Centre Area  
Thames Basin Heaths 5km SPA Buffer Zone  
Wealden Heaths 5km SPA Buffer Zone  
Within 20m of river bank  
AQMA Buffer Zone  
Potentially contaminated land  
Flood Zone 2 & 3

## Development Plan Policies and Proposals

Policies D1, D4, D8, D9, M2, M14, HE3 and HE8 of the Waverley Borough Local Plan 2002

Policy NRM6 of the South East Plan 2009.

The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the South East region, the Plan was revoked on March 2013 except for Policy NRM6: Thames Basin Heaths Special Protection Area. This Policy remains in force.

The Council has been working on a two stage process to replace the existing Waverley Borough Local Plan. Part 1 was the Core Strategy, which was submitted for Examination in January 2013. Following the first Examination Hearings in June the Examination was suspended. This was due to concerns that the Inspector had principally regarding the evidence of housing need and the approach to meeting these needs. The Inspector suggested that the most appropriate course of action to address his concerns may well be to withdraw the Plan from Examination. Therefore, on 15<sup>th</sup> October 2013, the Council resolved to formally withdraw the Core Strategy from the Examination.

The Council will now move forward with a new Local Plan, building on the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. It will also be updating the evidence base and carrying out other work required in response to the Inspector's comments, before a revised plan is re-submitted for examination. The intention is to consult on issues and options in the summer of 2014, with provisional dates for publication in November 2014; submission in February 2015 and adoption in October/November 2015.

Other guidance:

The National Planning Policy Framework 2012 (NPPF)  
The National Planning Practice Guidance 2014 (NPPG)  
Farnham Police Station Development Brief January 2012  
Farnham Design Statement 2010  
Surrey County Council Vehicular and Cycle Parking Guidance 2012  
Adopted Waverley Borough Council Parking Guidelines 2013  
Farnham Conservation Area Appraisal 2005  
Farnham Town Centre Conservation Area Management Plan 2012  
Thames Basin Heaths SPA Avoidance Strategy 2009



## Consultations and Town/Parish Council Comments

County Highway Authority – No objections after careful consideration of the details submitted.

Farnham Town Council – Approved after consideration on the condition that the extension and alterations are in line with the particulars of the Farnham Design Statement and subject to the approval of the Conservation Officer.

Council's Pollution Control Officer – Potentially contaminated land but no conditions required.

Environmental Health Officer [Air Quality] – The application involves works within AQMA Buffer Zone of Farnham. No objections subject to conditions.

## Representations

In accordance with the statutory requirements and the "Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006" the application was advertised in the newspaper on 22/03/2013 site notices were displayed around the site on 22/03/2013 and neighbour notification letters were sent on 22/03/2013 and 07/03/2014.

The report was prepared prior to the expiry of the deadline for the receipt of representations. Any further representations will be reported and assessed within an addendum report to the meeting. If new material comes to light in certain circumstances it may be necessary to defer the application.

One letter has been received raising objection for the following reasons:

- The proposed close boarded fence separating the Police Station site from the proposed parking is out of character

## Submissions in support

- The appearance would be appropriate as a simple low-key crossover point and there will be a positive contribution by the opportunities for improved landscaping and the consolidation of parking access arrangements on Long Bridge.
- Appropriate conditions would secure the design and management of the proposed access.
- The proposed access and parking arrangements would fully meet the requirements of Policy M2 of the Local Plan.
- Paragraph 10 of the NPPF advises that minor developments are unlikely to raise significant flood risk issues. Minor developments are defined as including development which does not increase the size of buildings, as is the case here.
- The proposal would not impact upon the watercourse, floodplain or flood defences.
- There would be no loss of existing flood storage capacity. The proposed area of hard standings would reduce the amount of existing impermeable ground area and largely replaced with permeable surfaces, which would be an overall benefit.
- The proposal would not introduce a new use into a flood risk area and not raise any significant flood risk issues.

- The sale of the Police Station and associated houses, forms part of a wider estate re-structure and rationalisation programme by the Police by co-locating local Neighbourhood teams with community safety partners, which has enabled savings used to recruit additional front line officers for the Surrey force. The Farnham Neighbourhood Team proposes to share facilities with the Local Authority and the Farnham Fire Service.

### Determining Issues

Principle of development

Highways and parking considerations

Design considerations and impact on the character and appearance of Conservation Area

Impact on residential amenity

Crime and disorder

Climate change and sustainability

Effect upon the SPA

Biodiversity and compliance with Habitat Regulations 2010

Water Frameworks Regulations 2011

Accessibility and Equalities Act 2010 Implications

Human Rights Implications

Environmental Impact Regulations 2011

Working in a positive/proactive manner

### Planning Considerations

#### Principle of development

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document 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.

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes clear that where a 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 consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The site is located within the developed area of Farnham wherein development may be considered acceptable subject to its impact on visual and residential amenity and consideration of the detailed aspects of the proposal.

## Highway and parking considerations

The NPPF outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements, Local Authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limits the significant impact of the development.

The NPPF states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Policy M4 of the Local Plan requires developments to include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, public open space, local facilities and amenities or, public transport.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council adopted a Parking Guidelines Document prior to the opening of the Public Inquiry into the appeal under ref: WA/2013/0197 which follows the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The County Council has no objections to the proposed parking provision. Turning to the Council's guidelines, given the central and sustainable location of the site, it is appropriate to take the lower standard of 1.5 spaces for each three bedroomed dwelling, giving an overall requirement for 9 spaces. This requirement would be met by the current proposal and therefore complies with the aforementioned guidelines.

## Design considerations and impact on the character and appearance of Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, both the NPPF and Policy HE8 of the Local Plan 2002 state that development should preserve or enhance the character of conservation 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 proposed development. Great weight should be given to the asset's conservation, the more important the asset, the greater the weight should be.

Substantial harm to, or loss of significance of, a heritage asset should be exceptional and consent should be refused unless the harm is necessary to achieve substantial public benefits that would outweigh the harm. In considering development that may have substantial or less than substantial harm on a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including the possibility of securing its optimal viable use. Only where the benefits are found to outweigh the harm to the designated heritage asset should the development be approved.

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

The existing Police Houses and associated parking area are considered to have a neutral contribution to the character of the Conservation Area. The proposal would essentially replicate area of existing hard standing and allow for the comprehensive redevelopment of both sites, provide one consolidated access and provision of landscaping, parking and servicing areas to allow the re-use of these residential properties, which would otherwise remain land locked. It is considered that the proposed access and parking spaces would not cause material harm from a visual point of view and would satisfactorily preserve the character of the Conservation Area.

The proposal would provide an enhancement to assets and from a visual point and in the context of ensuring for a comprehensive redevelopment of the whole of the Police Station site, unifies this part of Farnham, bringing together the river, park and town

Such an approach would contribute more to the character and appearance of the Conservation Area than the existing Police Station and houses.

Therefore, when these proposals are viewed in conjunction with the concurrent application, the proposal would positively enhance the character and appearance of the Farnham Conservation Area, in accordance with Policies D1, D4 and HE8 of the Local Plan and the NPPF.

#### Impact on residential amenity

The NPPF 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. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

There are no residential properties within the proximity of the site which would be affected by the proposal in planning terms and no objection is raised on this ground.

#### 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 the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

It is considered that given the enclosed and residential nature of the proposals, there would be no crime and disorder impact arising from the proposal.

## Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. The lack of any policy backing in this regard, however, prevents conditions being added to require this.

## Effect upon the SPA

The site is located within 5km of the Thames Basin Heathland Special Protection Area (SPA). The proposal would not result in more people (permanently) residing on site than would be the case when the properties are re-occupied. Therefore, the proposal would not have a likely significant effect on the integrity of SPA. An appropriate assessment is not, therefore, required.

## Biodiversity and compliance with Habitat Regulations 2010

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.

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

In addition, 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.'

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

The application property does not fall within a designated SAC, SNCI or SSSI. It is not within 200m of ancient woodland, and is not an agricultural building or barn. Having regard to the views of the Environment Agency and the completed biodiversity checklist, it is considered that a biodiversity survey is not required in this instance.

## Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems
- promote the sustainable use of water
- reduce pollution of water, especially by 'priority' and 'priority hazardous' substances
- ensure progressive reduction of groundwater pollution

The proposal would not conflict with these regulations.

### Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. 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 and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

### Human Rights Implications

The proposal would have no material impact on human rights.

### Environmental Impact Regulations 2011

The applicants have not sought a screening opinion. However, taking into account the existing lawful use of the site there is not likely to be a significant impact either as a stand alone development or cumulatively with the adjoining Police Station site or other nearby development.

The proposal is not considered to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 or a variation/amendment of a previous EIA development.

### Article 2(3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

## Conclusion

As a stand alone proposal for the construction of a new vehicular access and laying out of parking spaces, the proposal would not cause material harm in terms of the impact on highway safety or visual impact. The proposal would satisfactorily preserve the character of the Farnham Conservation Area.

The proposals would support the future use of existing housing stock and provide a suitable means of vehicular access, servicing and parking provision. For these reasons, the proposal is considered acceptable and satisfies the NPPF, NPPG and relevant policies of the Local Plan.

## Recommendation

That subject to consideration of any further representations, permission be GRANTED subject to the following conditions:

1. Condition

The plan numbers to which this permission relates are AM1157-01 Rev. C and AM1157-02 Rev C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

2. Condition

Construction works shall not take place other than between the hours of 08.00 to 18.00, Mondays to Fridays, 08.00 to 13.00 on Saturdays and no working on Sundays or Bank Holidays.

Reason

In the interests of the amenities of adjoining local residents, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

## Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.