

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE JOINT PLANNING COMMITTEE - 5 JULY 2016

(To be read in conjunction with the Agenda for the Meeting)

**Present**

Cllr Peter Isherwood (Chairman)	Cllr Nicholas Holder
Cllr Maurice Byham (Vice Chairman)	Cllr David Hunter
Cllr Carole Cockburn	Cllr Anna James
Cllr Kevin Deanus	Cllr Andy MacLeod
Cllr Brian Ellis	Cllr Jeanette Stennett
Cllr David Else	Cllr Stewart Stennett
Cllr John Gray	Cllr Nick Williams
Cllr Christiaan Hesse	Cllr Patricia Ellis
Cllr Stephen Hill	

**Apologies**

Cllr Brian Adams, Cllr Mike Band, Cllr Mary Foryszewski, Cllr Pat Frost, Cllr Stephen Mulliner and Cllr Chris Storey

23. MINUTES (Agenda item 1.)

The Minutes of the last meeting of the Joint Planning Committee held on 22 June 2016 were signed and confirmed as a correct record.

24. APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES (Agenda item 2.)

Apologies for absence were received from Councillors Mike Band, Stephen Mulliner, Mary Foryszewski, Brian Adams, Christopher Storey and Pat Frost.

Councillor Patricia Ellis was in attendance as a substitute.

25. DECLARATIONS OF INTERESTS (Agenda item 3.)

There were no declarations of interest received from Members of the Committee.

26. QUESTIONS BY MEMBERS OF THE PUBLIC (Agenda item 4.)

There were no questions from members of the public received.

27. APPLICATION FOR PLANNING PERMISSION - WA/2015/2387 - THE WOOLMEAD, EAST STREET, FARNHAM GU9 7TT (Agenda item 5.)

Proposal

Outline application with all matters reserved except for access for the demolition of the existing building and the erection of up to 96 dwellings with associated car parking and up to 4200sqm of commercial floor area for purpose of Class A1(retail) or Class A2 (professional and financial services) or Class A3 (food and drink) or

Class A4 (drinking establishments) (as amended by plan received 11/01/2016) at The Woolmead, East Street, Farnham GU9 7TT.

### Officers Introduction

The Head of Planning, Elizabeth Sims, introduced the background to the application. She explained that the proposal sought the redevelopment of a major and important brown field site within Farnham town centre. It was the Governments and the Councils strong preference that residential development be carried out on brown field land where ever possible.

The site was run down and of a dated design. The redevelopment would provide an improved environment and opportunity at the heart of the town and was a long standing ambition of the Council since the 2002 Waverley Borough Local Plan. The Plan identified the site as part of the East Street area of opportunity.

The Committee were reminded that the application before the Committee was an outline application with only access under consideration as a matter of detail. Members were asked to consider the principle of development, that was whether they had felt that the application had demonstrated that up to ninety six dwellings and 4200sq. metres of commercial floorspace could be acceptably accomodated on the site in planning terms.

Officers emphasised that the elevations provided were indicative only and that any concerns or aspirations in respect of scale, appearance, landscaping or layout would have to be considered at reserved matters stage. The only detailed matter decided at the meeting had been that of access.

Members was also reminded that policy H5 of the Local Plan required at least 25% affordable housing for a development of the scale, form and density proposed. The applicant had argued that the development would not be viable if affordable housing provision had been made. As required by normal practice, in order to demonstrate this the applicant had been required to submit a financial appraisal to set out the viability position. The appraisal had been independently assessed by Adams Integra Consultants. The applicants case had indicated that the current lawful land value of the site had meant that the provision of affordable housing had made the scheme unviable. The current land value had reflected the granting of prior approval under reference CR/2015/0017, for the change of use from office to residential granted under permitted development rules.

Officers explained that Adams Integra Consultants had concluded that the scheme would be unviable if it had been required to provide affordable housing on site taking into account the infrastructure contributions that the scheme had to make to be acceptable in terms of infrastructure.

Members were informed that the Adams Integra Viability Report had been attached to the Agenda as a confidential document as it contained commercially sensitive information. Officers explained that Members wishing to discuss the Viability Report in detail would have had to do so in exempt session. It was hoped that sufficient information had been provided in the public part of the Agenda to inform the debate.

Third party concerns raised about the Environmental Impact Assessment were highlighted by Officers. They stressed that the application in front of the Committee was not considered EIA development as it fell below the screening threshold in the regulations. Air quality impact had been considered and addressed in the Report.

The likely effect on the Thames Basin Heaths Special Protection Area was also discussed. Officers explained that the proposal had included the intention to make appropriate contributions under the Councils approved avoidance strategy under Section 106. That would avoid and mitigate any significant effect on the conservation aspects of the Special Protection Area. An EIA assessment had therefore not been required. The avoidance strategy had been prepared within the Thames Basin Heaths delivery framework and had been consistent with policy NRM6 of the South East Plan. That approach had been considered lawful and compliant with the Habitats Directive & Regulations.

The Case Officer, Gemma Peterson, informed Members of a mistake on page 8 of the Report. The number of parking spaces quoted was incorrect and should have read `108`.

#### Update Sheet

Officers moved on to introduce the Update Sheet that had been published earlier in the day and explained that since the publication of the Agenda, one additional letter of representation had been received.

The subject of the letter included the opinion that the `without Brightwells` access scenario would require vehicles turning into the new access from Woolmead Road to make a sharp turning from the left lane.

It also suggested that the `with Brightwells` access scenario, a `left-in, left-out` system would result in residents only accessing the car park from the east and exiting from the west requiring travel through the gyratory system.

Concerns were also raised in the letter about the Woolmead Transport Assessment's reliance upon the findings of the Crest Nicholson 2008 Transport Assessment & Environmental Statement associated with the Brightwells application (ref. WA/2008/0279). It was felt by the correspondent that proper consideration and assessment of the impact of westbound vehicles on Woolmead Road being unable to access Bear Lane without using the gyratory system had not be undertaken.

The letter argued that the in combination effects on the Thames Basin Heaths SPA had not been properly considered. It also raised concerns about delivery vehicles and the proposed servicing arrangements.

In response to this letter of representation, the County Highway Authority had provided the Council with an additional swept path drawing to demonstrate that vehicles could satisfactorily turn in to the proposed access from the right hand lane under the `without Brightwells` scenario.

The County Highway Authority also provided plans demonstrating that vehicles could turn right out of the site and head eastwards.

In response to the concerns raised about the Crest Nicholson 2008 Transport Assessment & Environmental Statement associated with application ref. WA/2008/0279, the County Highway Authority had reaffirmed their position in relation to the item under consideration at the meeting. They had advised that they had assessed the application on the premise that the proposal had been unlikely to generate a material increase in vehicular movements associated with those that arose by the existing site uses.

With regard to vehicle access to Bear Lane from westbound vehicles on Woolmead Road, in the `without Brightwells` scenario, vehicles would continue to access Bear Lane from the site using the existing established highway network route.

Responding to the letters concerns about servicing arrangements, the County Highway Authority had submitted new drawings to illustrate HGVs facing the eastward route of the part-pedestrianised section of East Street. It was anticipated that the proposed lay-by arrangement located on Woolmead Road would primarily accommodate refuse vehicles associated with waste collection for the residential element of the development.

It was proposed that vehicles would deliver to each unit using a timed loading bay located on East Street. The details of the proposed lay-by arrangements would be agreed as part of a Section 278 Agreement.

The County Highway Authority also confirmed in its response that the existing subway was a privately owned crossing and that they had no control over its loss. They were not proposing to install any replacement pedestrian link to the north of the site as there was an existing pedestrian crossing to East Street in the form of the two central islands and the junction of Woolmead Road/East Street/Dogflud Way which enabled pedestrians to cross the highway network safely in two stages.

The County Highway Authority maintained their original position and raised no objection to the proposed scheme, subject to the completion of a S106 agreement to secure highways contributions, a Section 278 agreement to agree the details of the highway works and subject to highway conditions.

The Council's Air Quality Officer had considered the issues raised in the additional letter of representation and raised no objection to the proposed scheme subject to conditions.

Officers explained in the Update Sheet that they had felt that the inclusion of a commitment to a section 106 agreement to secure appropriate contributions would satisfactorily avoid any significant effect of the Thames Basin Heaths SPA. Natural England had agreed with this conclusion and officers confirmed that the Avoidance Strategy had been prepared with the Thames Basin Heaths Delivery Framework and the provisions of South East Plan Policy NRM6. That approach had been regarded as lawful and concluded to be in full compliance with the Habitats Directive and Regulation.

The Update Sheet proposed one revision to condition 3 to include the additional highway drawings provided by the County Highway Authority as included on the Update Sheet.

### Public speaking

In accordance with the Council's arrangements for public participation at meetings, the following made representations in respect of the application, which were duly considered:

Mr Jerry Hyman – Objector  
Mr Maurice Fitzgerald - Applicant/Agent

### Councillors Considerations

Following the public speakers, Members began their consideration of the application.

The Committee agreed that there were no valid reasons to reject the application on the grounds of access. Many were happy that the tired and delapidated buildings currently on site would be demolished to make way for the new development.

It was noted that the Woolmead was an island location situated in a prominent position and as such was one of the first things people saw entering the town. It was felt that the new scheme would be much more attractive and fitting to the nature of Farnham.

The loss of the underpass was not seen as a major issue and some Members were happy to see it go as they felt it had contributed to anti social behaviour in the area.

There was however widespread concern at the indicative building designs included in the application. Members were unhappy with their general poor appearance and were concerned that agreement at this stage might reduce any flexibility they would have at reserved matters stage to require improved designs.

Officers responded that the designs were indicative and that specific details would be forthcoming as the application progressed to consideration of reserved matters. However, they did suggest that, with regard to the concerns expressed by the Committee, an additional informative be added to the recommendation requiring the applicant to provide improved designs at the reserved matters stage.

### 23. Informative

Requiring that the detailed design, appearance and scale of buildings be of a higher quality design when the application reaches the reserved matters stage. (Exact wording of this additional informative to be provided in the Decision Notice).

Some Members raised concerns that the number of parking spaces proposed would not be enough to cater for the 90 new dwellings and retail units. The plans provided 108 parking spaces and this achieved the minimum number required by the Council, namely 101 spaces. However, this only covered the residential properties and no plans had been submitted to provide additional parking for the proposed retail units.

Officers noted that there were 62 parking spaces serving the Woolmead and that by using Waverley guidelines, they had calculated that this represented a shortfall on guidelines which required 99 spaces. However, officers felt that due to its highly sustainable town centre location with good access to regular public transport and

close proximity to a number of large car parks, such a shortfall was not a major issue.

Pollution and air quality was another matter raised by Members with some expressing concern about a possible increase in traffic should the development go ahead. Officers responded that the County Highways Authority had considered the Transport Assessment that had accompanied the application. It had advised that the traffic implications of the proposed development had been assessed by comparing the likely traffic generated by the present office, retail and residential uses within the Woolmead Centre and traffic generated from the proposed residential flats and retail uses. Following discussions with Surrey County Council, it had been agreed that it was appropriate for the Transport Assessment to use the vehicle trip rates adopted in the Transport Assessment for the permitted Brightwells development (WA/2012/0912 and WA/2016/0268).

Officers explained that the conclusion of the trip generation analysis within the Transport Assessment had demonstrated to their satisfaction that the proposed development would generate significantly fewer vehicle trips than the existing Class B1 (office), Class A1 (shop) and Class C3 (dwellinghouse) uses at the Woolmead Centre. As a result, it was expected that pollution levels would actually fall rather than increase.

#### Decision

##### Recommendation A

RESOLVED that subject to the completion of a S106 legal agreement to secure infrastructure contributions towards highway improvements, early years and secondary education, recycling, playing pitches and equipment and to secure Thames Basin Heaths SPA contributions within 3 months of the date of resolution to grant permission, permission be GRANTED subject to Conditions 1 to 2 and 4 to 21 and Informatives 1 – 22 as set out on the Report plus amended condition 3 as set out on the Update Sheet plus additional informative 23 added by the Joint Planning Committee at its meeting on 5 July 2016.

The vote to agree the above was unanimous.

##### Recommendation B

RESOLVED that if requirements of Recommendation A are not met, permission be REFUSED for the reasons set out in the report.

The vote to agree the above was unanimous.

**The meeting commenced at 7.00 pm and concluded at 8.10 pm**

**Chairman**