

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

When calling please ask for:

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Calls may be recorded for training or monitoring

Date: 3 November 2014

Membership of the Joint Planning Committee

Cllr Brian Ellis (Chairman)	Cllr Bryn Morgan
Cllr Maurice Byham (Vice Chairman)	Cllr Stephen Mulliner
Cllr Brian Adams	Cllr Stephen O'Grady
Cllr Paddy Blagden	Cllr Julia Potts
Cllr Elizabeth Cable	Cllr Stefan Reynolds
Cllr Mary Foryszewski	Cllr Stewart Stennett
Cllr Richard Gates	Cllr Chris Storey
Cllr Michael Goodridge	Cllr Jane Thomson
Cllr Christiaan Hesse	Cllr Brett Vorley
Cllr Stephen Hill	Cllr John Ward
Cllr Simon Inchbald	Cllr Nick Williams
Cllr Peter Isherwood	

Dear Councillors

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

DATE: WEDNESDAY, 12 NOVEMBER 2014 *

TIME: 7.00 PM

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

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**This meeting will be webcast and can be viewed by visiting
www.waverley.gov.uk**

NOTE FOR MEMBERS

Members are reminded that contact officers are shown at the end of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

AGENDA

1. MINUTES

To confirm the Minutes of the Meeting held on 28 October 2014 (to be laid on the table half an hour before the meeting).

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. 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.

4. 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.

5. APPLICATIONS FOR PLANNING PERMISSION

5.1 WA/2014/1603 - Land at Riverside, Farnham (*Pages 5 - 50*)

Application under Regulation 3 for the construction of an additional car park for a temporary period together with associated works (as amended by addendum to Flood Risk Assessment dated 06/10/2014). This application is accompanied by an Environmental Statement.

Recommendation

That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects, and subject to consideration of views of outstanding consultees and any further representations, permission be GRANTED subject to conditions.

6. 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.

7. 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 01483 523224 or by
email at ema.dearsley@waverley.gov.uk**

SCHEDULE "A1" TO THE AGENDA FOR THE
JOINT PLANNING COMMITTEE
12TH NOVEMBER 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/2014/1603 Waverley Borough Council 08/09/2014	<u>Application under Regulation 3 for the construction of an additional car park for a temporary period together with associated works (as amended by addendum to Flood Risk Assessment dated 06/10/2014) This application is accompanied by an Environmental Statement. Land At Riverside, Farnham, GU9 7UD</u>
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Committee: Joint Planning Committee
Meeting Date: 12/11/2014

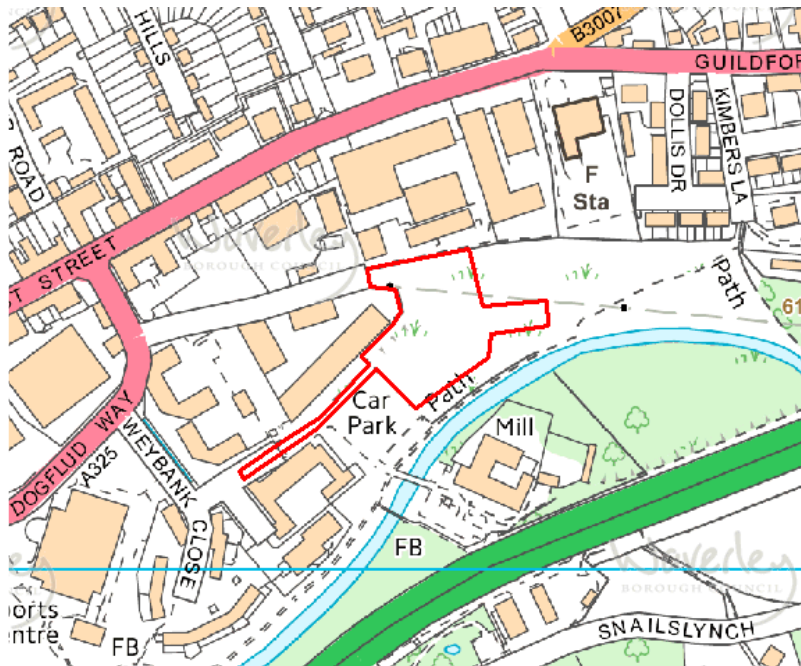
Public Notice Was Public Notice required and posted: Yes
Grid Reference: E: 484471 N: 147124

Town : Farnham
Ward : Farnham Moor Park
Case Officer: Tim Bryson
16 Week Expiry Date 28/12/2014
Neighbour Notification Expiry Date 04/11/2014
Neighbour Notification Additional Expiry Date 04/11/2014

RECOMMENDATION

That, having regard to the environmental information contained in the application, the accompanying Environmental Statement and responses to it, together with proposals for mitigation of environmental effects, and subject to consideration of views of outstanding consultees and any further representations, permission be GRANTED

Location Plan



Site Description

The application site measures 0.7 hectares and is located to the east of the Riverside public car park in Farnham. The site currently consists of an un-kept open piece of land with a mixture of grass and un-even gravel surface.

The site has a relatively flat gradient and is irregular in shape. The site surroundings comprise Romans Business and Industrial Park to the north, Riverside Industrial Park to the west, the River Wey and Hatch Mill Residential Care Home to the south and open land to the east.

A public footpath runs to the south of the site, adjacent to the River Wey.

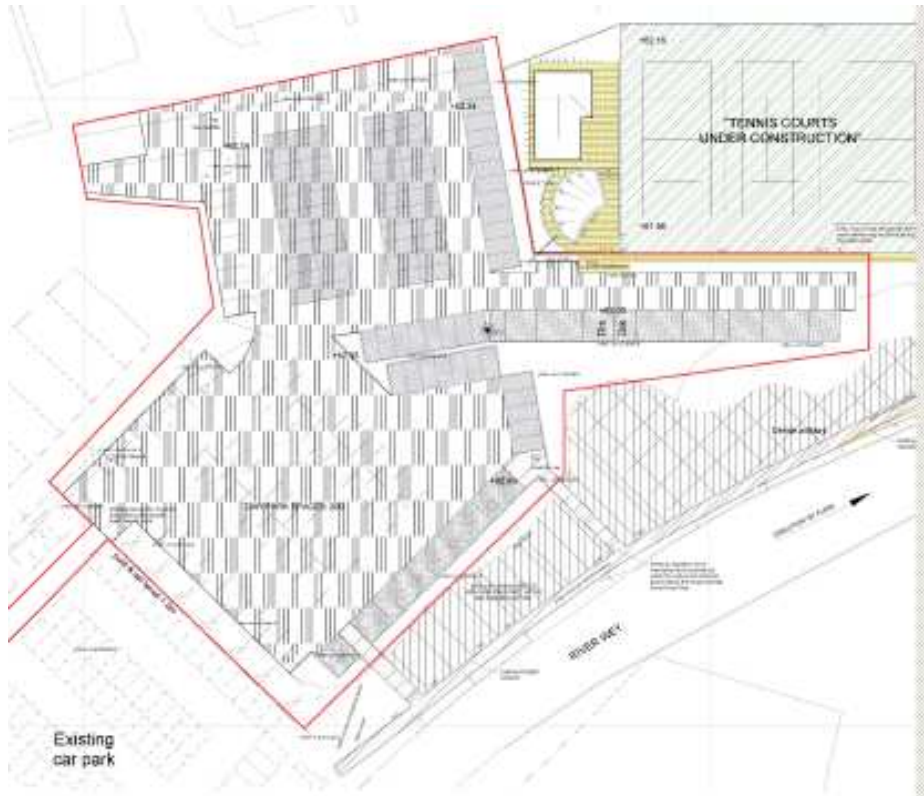
Proposal

Planning permission is sought for the construction of a car park to provide additional public car parking spaces for a temporary period for up to 5 years, and associated works.

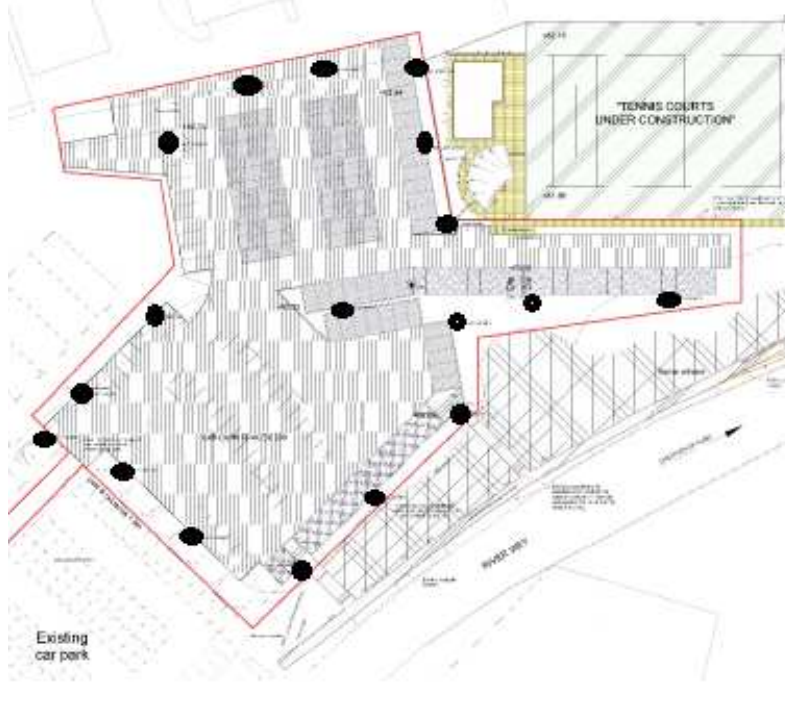
The area of the proposed car park would measure 0.67 ha. The number of car parking spaces sought would be a total of 200 parking spaces (following removal of 2 existing parking spaces to allow for access), including 6 disabled parking spaces. The proposed associated works would include the erection of street lamps, landscape planting, cycle stands and ticket machines.

The proposed car park would be constructed of a tarmac surface and reinforced gravel. Access to the proposed car parking spaces would be via the existing Riverside public car park to the south-west of the site.

Proposed Site Plan



Proposed site plan showing indicative locations of proposed lighting columns



Relevant Planning History

WA/2007/1967	Provision of additional public car parking spaces, 5 tennis courts with associated pavilion, 3 metre chain link fencing, combined pedestrian/cycleway and associated drainage, landscaping and access works.	Full permission 19/05/2008 (Implemented)
WA/2003/1948	Consultation under Regulation 3: provision of 310 space car park, five tennis courts with floodlighting, bowling green and two pavilions.	Withdrawn 05/11/2004
WA/2003/1947	Consultation under Regulation 3: provision of 324 space car park, five tennis courts with floodlighting and a pavilion.	Withdrawn 01/11/2004
WA/1998/1126	Consultation under Regulation 3 for the siting of five mobile homes, provision of fencing and associated works.	Withdrawn 09/01/2002
WA/1991/1048	Outline Application for the erection of a superstore of 6085 sq m (65,000 sq ft) gross floor area with parking for some 630 cars and erection of 6 studio and 1-bedroom flats, office and formation of access to A31 Farnham By-Pass following demolition.	Refused 05/05/1992

Planning Policy Constraints

Developed Area of Farnham
 Adjacent to Countryside beyond the Green Belt
 Adjacent to Area of Strategic Visual Importance (ASVI)
 Area Subject to Special Advertisement Control (SPAD)
 Thames Basin Heaths 5km Buffer Zone
 Neighbourhood Plan Designation
 Wealden Heaths I SPA 5km Buffer Zone
 River bank within 20m
 AQMA Buffer Zone
 Potentially contaminated land
 Flood Zone 2
 Flood Zone 3
 Public Footpath (adjacent to the south of the site)

Development Plan Policies and Proposals

Saved Policies D1, D4, D5, D7, D8, D9, C2, C5, C11, C12, HE15, CF2, TC4, TC5, TC12, TC13, LT6, LT8, M2, M6, M7, M14 and M15 of the Waverley Borough Local Plan 2002

Saved 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.

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document superseded the previous national planning policy guidance/statements 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 Council is preparing a new Local Plan to replace the current Waverley Borough Local Plan that was adopted in 2002. The new Local Plan is being produced in two stages. Part 1 will set out the overall spatial strategy and strategic site allocations. Part 2 will contain development management policies and other land allocations. Extensive work has already been carried out for Part 1 through the Core Strategy, which was submitted for Examination in January 2013. Following comments from the Inspector the Core Strategy was withdrawn in October 2013.

The Council has since sought to address the Inspector's concerns and is moving forward with the new Local Plan, building on the foundations of the Core Strategy. In some areas, the policy/approach is not likely to change significantly. A number of evidence base studies have been published to support the new Local Plan, including a Draft Strategic Housing Market Assessment. The Council will be consulting on potential housing scenarios and other issues during September and October 2014. A full draft Local Plan is intended to be published in early 2015, with submission to follow later in 2015.

Other guidance:

The National Planning Policy Framework 2012 (NPPF)
 The National Planning Practice Guidance 2014 (NPPG)
 Waverley Borough Council Parking Guidelines 2013
 Surrey Vehicular and Cycle Parking Guidance 2012
 Waverley Borough Council Open Space, Sport and Recreation (PPG17) Study 2012
 Strategic Flood Risk Assessment (2010)
 Farnham Design Statement 2010
 Technical Note: Transport Measures to support growth Identified in the Waverley Borough Core Strategy (2012)

Consultations and Town Council Comments

County Authority	Highway	Assessment:
		<p>It has not been demonstrated that these additional parking spaces are necessary following the completion of the Brightwells development. As a result the permission seeks only a temporary permission.</p> <p>The principle of the proposed development is such that the temporary parking will accommodate the car parking spaces dislodged from the Dogflud Way car park during the construction of the Brightwells development. The Dogflud Way Car Park currently provides 227 car parking spaces which during the construction of the Brightwells development will be replaced by the additional 198 spaces at Riverside 2 car park. At the expiry of the temporary permission the Brightwells development will reintroduce 183 new car parking spaces once the development is complete.</p> <p>During the construction of the main Brightwells development, the combined level of parking available at Riverside 2 and Dogflud Way will remain lower than that which is currently available at both locations. Because of this, there is no reason for any increased impact through the use of the extended car park for the construction period of the Brightwells development. It is also recognised that this new application mirrors that previously granted and in highway terms there have been no material changes to the highway network or local highway conditions, since the grant of the previous permission.</p> <p>Notwithstanding the above position, the Highway Authority have reviewed the Transport Assessment</p>

and have the following observations:

- The Transport Assessment notes that the extended car park could function as a long stay car park through the implementation of the Park & Stride scheme to be provided by the Brightwells development. This is possible and would, in principle, be supported by the Highway Authority.
- The inter-relationship of the new parking with the tennis courts suggests that a longer term proposal will require the retention of some of the additional parking. If this is the case, the Highway Authority, would need to see this justified as part of the Park & Stride and Town Centre Traffic Reduction Studies required by the Brightwells development.
- The principle of constructing the car park has already been accepted by the previous permission. The Transport Assessment in support of this application notes that over a 5 week period the construction of the development will create 20 HGV arrivals and 20 departures a day, broken down to 2-3 arrivals and departures per hour, outside the normal peak hours. This level of impact is considered acceptable by the Highway Authority.

In summary of all the above, the Highway Authority remain of the view (as per the previous permission), that the construction and provision of the temporary car park will not have any adverse effects on the local highway network.

Suggested condition:

1. The proposed 198 additional car parking spaces shall be provided on a temporary basis only for the period of construction of the East Street Development, (WA/12/0912), and shall be taken out of use upon commencement of use of the publically available parking associated with WA/12/0912, provided that any park and stride scheme that may be proposed from a study to be funded through WA/12/0912 has first been fully implemented. For a period of two years following first occupation of the East Street site (WA/08/279), in the event that

	<p>there is no Park and Stride Scheme in operation, or there is a demonstrated need for some or all of the parking taken out of use, to be re-instated at a subsequent time, it may be re-introduced for some or all of this period.</p>
<p>Environment Agency</p>	<p>No objection subject to inclusion of recommended conditions.</p> <p>The EA are satisfied that the applicant's compensation scheme (Drawing number 15009/001) is still appropriate and confirm that no flood modelling changes have occurred in this area since the compensation scheme was previously agreed.</p> <p>EA surface water proforma is recommended for guidance on dealing with surface water. If the Council include a surface water condition on the decision notice then the EA ask that they be consulted on the condition discharge.</p> <p>EA recommend informative note that consent is required from the EA for any proposed works or structures within 8 metres of the top of the river bank. This is a separate process from seeking planning permission.</p>
<p>Natural England</p>	<p>Statutory nature conservation sites – no objection.</p> <p>Protected species – recommend their standing advice.</p> <p>Priority Habitat as identified on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006 – the consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 list of the Natural Environmental and Rural Communities (NERC) Act 2006. The NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. 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.</p> <p>Local Sites – if the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the</p>

	<p>impact of the proposal on the local site before it determines the application.</p> <p>Impact Risk Zones for Sites of Special Scientific Interest (SSSI) – Natural England has recently published a set of mapped Impact Risk Zones (IRZs) for SSSIs. This tool can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.</p>
Surrey Wildlife Trust	<p>Note the mitigation measures set out in Section 4 of Phase 1 Habitat Survey May 2014. The SWT further note that the recommended landscaping forms part of the conditions on planning permission WA/2007/1967 and is currently being implemented. The development footprint would be restored/landscaped to a Local Authority approved plan once the permission has lapsed; the SWT would be pleased to comment on such a scheme when it becomes available.</p>
Thames Water	<p>Waste comments – recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>No objection in regard to sewerage infrastructure capacity.</p> <p>Water comments – with regard to water supply, this comes within the area covered by the South East Water Company.</p>
South East Water	<p>Not yet received – to be reported orally</p>
County Archaeologist	<p>In support of an earlier application for this site a desk based archaeological assessment was produced by the Surrey County Archaeological Unit that stated that there was a low potential for significant archaeological remains to be present. In addition the impact of the temporary car park will be minimal and is unlikely to impact upon archaeological deposits that, if present, are likely to be deeply buried within the underlying alluvium.</p>
Council's Environmental Health Officer (Air Quality)	<p>Main concerns relate to the impact of dust and other emissions from the site and potential impacts on the Farnham Air Quality Management Area (AQMA).</p> <p>The assessments provided indicate a low possibility of dust impacts as the development involves minor works over a short time scale. However, as there is no</p>

	<p>safe level of exposure and due to the close location of the AQMA, all reductions in emissions will be beneficial.</p> <p>The air quality assessment provides detailed consideration of traffic related NO2 concentrations, and the supporting modelling undertaken by RPS indicates future reductions due in part to improved vehicle technologies. It is also considered that the site may have some positive impact on the AQMA by encouraging parking away from the central car parks. In addition, it is also recognised that this area is already actively used for the purpose of car parking and should therefore have less of a negative impact as the proposed use will not introduce a new source.</p> <p>In order to address these concerns during construction the following informative should be included:</p> <p>Mitigation measures should be in place to address any potential emissions and the following best practice measures should be incorporated;</p> <ul style="list-style-type: none"> • Site activities <ul style="list-style-type: none"> ○ Minimise dust generating activities ○ Use water as a dust suppressant where applicable ○ Keep any stockpiles for the shortest possible time • Construction traffic <ul style="list-style-type: none"> ○ Where possible vehicles should switch off engines – no idling vehicles ○ All loads entering or leaving the site should be covered ○ All non road mobile machinery (NRMM) to use ultra low sulphur tax-exempt diesel (ULSD) where available
Council's Estates and Valuations Manager	Not yet received – to be reported orally
Council's Land Contamination Officer	Has reviewed the submitted draft remediation validation report PB reference 286783A. The site is considered suitable for the proposed use and no further contaminated land conditions are recommended. The applicants are advised to submit a final version of the report for the record.
County Rights of Way Officer	Footpath 171 does not appear to be impacted by this proposal and so there is no reason why this team would need to object to this application. Planning

	permission does not permit the applicant to alter or obstruct the public right of way and this should be raised as an informative with the applicant.
SCC Surface Water Management Officer	Not yet received – to be reported orally
Campaign to Protect Rural England	Not yet received – to be reported orally
RSPB	Not yet received – to be reported orally
County Lead Local Flood Authority	Not yet received – to be reported orally
National Planning Casework Unit	Acknowledge receipt of the Environmental statement relating to the above application. No further comments to make.
Ramblers Association	Not yet received – to be reported orally
The British Horse Society	Not yet received – to be reported orally
Amphibian and Reptile Conservation Group	Not yet received – to be reported orally
Surrey Archaeological Society	Not yet received – to be reported orally
The Byways and Bridleways Trust	Not yet received – to be reported orally
Council's Drainage Engineer	Environment Agency require consultation. The assessments and provisions in sections 4.17 and 2.8-2.11 in reports are noted and no comments are required. Any gully type features found to carry flow shall be fully investigated and if necessary accommodated within the works without obstruction.
Open Spaces Society	Not yet received – to be reported orally
Police Architectural Liaison Officer	Not yet received – to be reported orally
West Surrey Badger Group	Not yet received – to be reported orally
Council's Countryside and Access Officer	Note yet received – to be reported orally
Auto Cycle Union	Not yet received – to be reported orally.
Cyclists Touring Club	Not yet received – to be reported orally.
British Driving Society	Not yet received - to be reported orally.

Farnham Council	Town	Object – the work has already started without planning permission being granted and this does not set a good example to the general public.
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Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 19/09/2014, the site notices were displayed at the site on 26/09/2014 and neighbour notification letters were sent on 22/09/2014 to statutory neighbouring occupiers.

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

- Object if the plan is to use Kimbers Lane;
- Kimbers Lane is very narrow and have issues with deliveries;
- No EIA has been done for the whole scheme as required by the Secretary of State;
- The car park will become permanent in due course;
- The car park has already been built, even though covered in turf for a time to pretend it wasn't one;
- The submitted EIA fails to address the Secretary of State's comments;
- Work on site has already progressed illegally;
- Site is highly vulnerable to flooding;
- The capacity of the site to absorb water will be reduced and will increase run-off rates;
- This is contrary to Environment Agency's requirements that development should not increase run-off rates nor reduce the capacity of a site in order that flood risk should not be transferred elsewhere;
- Dishonest of the developers for the Brightwells scheme to include the 198 spaces that would be generated by the proposed Riverside car park in the long-term total of car park spaces available to the East Street scheme;
- The current traffic assessment for the proposed East Street development fails to recognise the serious problems that would arise at the Royal Deer Junction. Because the EIA for this application is so limited there is no indication of in-combination effects that might arise should the two proposals be implemented.
- The massive loss of trees and vegetation from the Riverside area will affect drainage as will the land raising and impermeable membrane in the car park area.

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.

Submissions in support

Further to the supporting documentation and Environmental Statement accompanying the application, the agent makes the following points in support of the proposal:

- The principle of development for temporary car parking was established with the grant of planning permission WA/2007/1967 in May 2008;
- The main reason for the temporary car park is to cover the loss of town centre car parking spaces during the construction period of the Brightwells, East street, scheme;
- Construction of the Brightwells scheme has been delayed. The current application proposes the temporary siting of the car parking at Riverside to beyond the end of the Brightwells construction period;
- The proposed development will enable the implementation of the Brightwells regeneration scheme through the provision of temporary car parking.

Determining Issues

- Principle of development
- Planning history and background to the application
- Environmental Impact Assessment
- Riverside Key Site Policy TC4
- Highway considerations, including impact on traffic and parking
- Impact on visual amenity
- Impact on residential amenity
- Contamination
- Air Quality
- Flooding and Drainage
- Archaeology
- Impact on Countryside Beyond the Green Belt and on Area of Strategic Visual Importance (ASVI)
- Crime and disorder
- Climate change and sustainability
- Biodiversity and compliance with Habitat Regulations 2010
- Health and Wellbeing
- Water Frameworks Regulations 2011
- Effect upon SPAs
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications
- Third Party and Parish Council comments
- Article 2(3) Development Management Procedure (Amendment) Order 2012 Working in a positive/proactive manner
- Cumulative / in combination effects
- Referral to Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009

- Conclusion / planning judgement

Planning Considerations

Principle of development

The Government published the National Planning Policy Framework in March 2012 (NPPF). The NPPF sets out that development which accords with an up-to-date Development Plan should be approved unless material considerations indicate otherwise.

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF is a material consideration in the determination of this application. Paragraphs 214 and 215 of the NPPF make clear that where the local authority does not possess a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of conformity with the NPPF. An underlying theme running through the NPPF is that the planning system should seek to deliver sustainable development.

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

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

The relevant policies in the Council's Local Plan are considered to be in line with the policies in the NPPF 2012.

In principle, the proposal is considered to be acceptable as the site lies within the developed area of Farnham, as identified by the Local Plan Proposals Map 2002.

The NPPF at paragraph 197 provides the framework within which the local planning authority should determine planning applications. It states that, in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The NPPF states that access to high quality open spaces including canals and waterways can make an important contribution to the health and well-being of communities. Policy C12 of the Local Plan states that development will not be permitted where it would have a detrimental impact on the visual qualities, setting, amenities, ecological value, heritage interest or water quality of canals and waterways.

The NPPF and Policy TC1 of the Local Plan set out that town centres should be recognised as the heart of a community and any proposed development should support their vitality and viability.

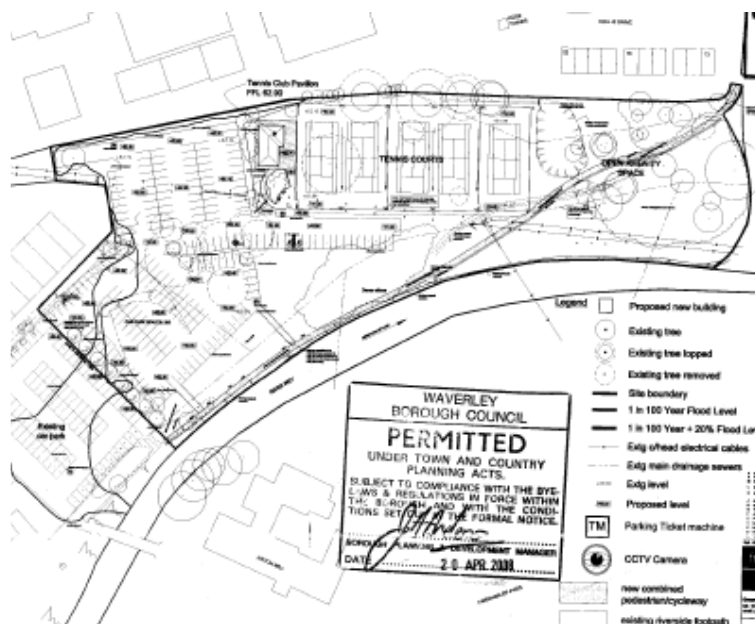
Planning permission WA/2007/1967 has been partly implemented through the construction of the combined pedestrian/cycleway and pavilion. This permission is highly material in the assessment of the current application. The principle of the proposed additional car parking spaces for the site has previously been granted under WA/2007/1967. The principle for the current proposal has therefore already been established under this previous planning permission.

The key consideration under the current assessment is whether there have been any changes in site or policy circumstances since the granting of planning permission WA/2007/1967, and whether these, or any other material considerations would lead the Council to a different conclusion.

Planning history and background for the application

On 19th May 2008 planning permission was granted for the provision of additional public car parking spaces, 5 tennis courts with associated pavilion, 3 metre chain link fencing, combined pedestrian/cycleway and associated drainage, landscaping and access works (reference WA/2007/1967).

Site plan of planning permission WA/2007/1967



This planning permission has been implemented and is currently undergoing construction on site, with exception of the car parking element.

The provision of additional public car parking spaces element of this planning permission was subject to a time limited planning condition (Condition 5), which reads as follows:

'Condition

The car parking spaces hereby permitted shall be provided for a temporary period only expiring on 7th May 2013, on or before this date, and the land restored or landscaped in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority.

Reason

In recognition of Planning Policy Guidance Note 13 – Transport and Policy M15 of the Waverley Borough Local Plan 2002 which seeks to reduce the need to travel by private car. The future car parking demands of Farnham Town Centre will be reviewed as part of the Local Development Framework'.

Although the car parking spaces element of the 2008 planning permission has not been implemented, the overall permission does remain extant. However, in view of the specific requirements of Condition 5 upon WA/2007/1967, the

car parking element cannot be lawfully constructed without being in breach of this condition. The current application has therefore been submitted in order that the car parking element can be implemented lawfully, as the time limit within WA/2007/1967 has clearly expired.

In comparison with the car park element previously agreed, only the following changes that has been made is:

- provision of 17 street lights within the proposed car park, each at 6.0 m in height.

The test for Members is whether, having regard to the changes made, the current proposal is materially more harmful than the approved scheme and is acceptable in its own right, taking into account any material changes in planning circumstances.

The material changes in circumstances since the previous permission are the revocation of the South East Plan 2009 (with exception to Policy NRM6), EIA Regulations 2011, NPPF 2012, NPPG 2014, Borough Council Parking Guidelines 2013, the Farnham Design Statement 2010, County Council Parking Standards 2012.

Environmental Impact Assessment

A Screening Direction was sought by the Applicant under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regs), from the Secretary of State (SoS) (letter dated 27/01/2014, reference NPCU/EIASC/R3650/72531), which concluded that the proposed scheme falls to be classed as a Schedule 2 Urban Project (paragraph 10 b), and constitutes EIA development. In reaching his decision, the SoS was satisfied that the development (when considered in isolation) was unlikely to have significant effects sufficient to require EIA treatment.

However, the SoS was of the view that the proposed temporary car park development is directly linked to the proposed major mixed-use town centre redevelopment scheme (East Street, Farnham) by virtue of a planning condition attached to the 2012 East Street permission (WA/2012/0912). Condition 10 of Planning Permission WA/2012/0912 stated that the first phase of the East Street development is not to commence until Riverside car park was constructed. The SoS concluded that the Riverside car park constituted enabling development and therefore the cumulative effects of this proposal and the East Street development must be considered together. In particular, the SoS considered that, based on the documentation submitted to him at the time, there was uncertainty in relation to any associated cumulative effects of both Riverside and the East Street scheme on traffic, air quality and noise.

Subsequently, a Scoping Opinion was sought by the Applicant from the Council. A Scoping opinion was issued on 12/06/2014 (reference SO/2014/0010), which set out the topics/issues that should be addressed in the Environmental Statement (ES) for the planning application.

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

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

In the SoS view, the environmental issues that have been most significant for the current case relate to traffic and transportation, noise and vibration, air quality and cumulative effects.

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

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

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

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

On flood risk, paragraph 99 of the NPPF states that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas

which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures.

A summary of the conclusions in the Environmental Statement (ES) can be found in the Non-Technical Summary to the ES. The main conclusions of the ES and the officers' response to them are set out below.

<u>ES Chapter</u>	<u>Summary of Conclusions</u>
3:Needs and alternatives considered	<p>The proposal originally formed part of the Riverside development under planning permission WA/2007/1967. The consent for the temporary car park element of this planning permission was time limited and expired in 2013.</p> <p>The need for the current proposal is demonstrated in the extant planning permission for the Brightwells scheme under ref WA/2012/0912, which requires a condition that the additional 198 spaces are provided prior to commencement of the development.</p> <p>The site would provide an additional 198 parking spaces adjoining an existing public car park. The location of the site helps people avoid driving through the Town Centre to access alternative car parks. The location of the site also helps people avoid unnecessary car journeys through the Farnham AQMA. No alternative sites were considered for the proposal.</p> <p>Given the presence of the extant planning permission WA/2007/1967; and that the current proposal is required under condition of planning permission WA/2012/0912, satisfies officers that the proposed location for the proposed development remains acceptable.</p>
4: Environmental Assessment Methodology	<p>In accordance with the EIA Regulations 2011 appropriate screening and scoping opinions were sought by the applicants. Both the screening opinion and scoping opinion highlight the topics of traffic and transport, air quality, noise and vibration and cumulative effects as being relevant for assessment in the Environmental Statement.</p> <p>Each topic above has its own chapter and each chapter defines the scope of the assessment with details of the methodology for baseline data collection and the approach to the assessment of effects.</p> <p>The EIA regulations require the identification of the likely significant environmental effects of the project. Each topic chapter will take into account both the sensitivity of receptors affected and the magnitude of the likely impact in</p>

	<p>determining the significance of the effect.</p> <p>Officers are satisfied the proposed methodology is acceptable for the purposes of EIA.</p>
5:Other Environmental Topics	<p>A number of environmental topic areas were 'scoped out' as part of the scoping process, which included: ecology and nature conservation, hydrology and flood risk, geology and ground conditions, historic environment, landscape and visual, socio-economics and agriculture and farming.</p> <p>Notwithstanding this, chapter 5 reviews these environmental topics, with a number of topic areas being supported with specific survey work conducted outside of the Environmental Statement, but in support of the planning application.</p> <p>Officers remain satisfied that there would not be any significant effects arising from the proposal in regard to the above identified environmental topics.</p>
6:Traffic and Transport	<p>A Transport Assessment has been submitted as part of the planning application. Three key areas under traffic and transportation considered in the assessment include the construction phase, operational phase and cumulative effects of the proposed development.</p> <p>Traffic surveys were carried out between 04/07/2014 and 10/07/2014 at 15 locations in and around the site location. These provided up-to-date analysis of vehicle movement in and around the site on the local highway network.</p> <p>Car park utilisation survey dated 2012 by WBC outlines that the current Riverside car park has an average occupancy rating of 34%.</p> <p>Modelling undertaken based on three scenarios, which include the cumulative effect of construction traffic associated with the Brightwells scheme, which concludes that in all three scenarios there would not be a significant effect on traffic and transportation. The Transport Assessment concludes that no mitigation measures would be required for the operation of the project.</p> <p>The County Highway Authority is satisfied with the contents of the EIA and it is considered that the development would be acceptable in highway terms subject to their recommended conditions.</p>
7: Noise and Vibration	<p>The main focus of this chapter is on the likely noise and vibration effects of the operational effects of the road traffic.</p> <p>Baseline noise surveys were undertaken in May 2014 at two locations to establish the existing noise effects. An</p>

	<p>assessment on the likely noise effects during the construction phase of development have been based on the typical construction equipment that would be required for such a development. The likely changes in noise levels for the operational effect of the proposed development have been based on the traffic data supplied by the Transport Consultant.</p> <p>The assessment of the impact of construction on noise is considered to be insignificant in EIA terms.</p> <p>The assessment of noise from the operational activity of the proposed development has taken into account the likely noise generation from the Brightwells scheme during construction phase. Three scenarios have been assessed.</p> <p>The chapter concludes that there would be negligible to minor significance in effects and therefore acceptable.</p> <p>Officers consider it has been demonstrated that the effect on noise and vibration would not be significant in EIA terms.</p>
8: Air Quality	<p>The site location is within 100m of the Farnham Air Quality Management Area (AQMA). Several model scenarios have been undertaken in the assessment on air quality, which includes the cumulative effect of the operation of the proposed development in combination with the construction of the Brightwells scheme.</p> <p>The traffic surveys from July 2014 have been used in the assessment. The methodology for the assessment has been agreed by the Council's Environmental Health Air Quality Officer.</p> <p>The construction of the proposed development is expected to take up to 6 weeks and the likely effects are not considered to be significant in EIA terms.</p> <p>The assessment concludes that when the proposed development is taken on its own, or in combination with the Brightwells scheme, there would be a negligible effect on air quality.</p> <p>The Council's Environmental Health Air Quality Officer has raised no objection to the proposal and that bringing public car parking further away from the Farnham AQMA could have some positive impact on the AQMA.</p>

It is considered that the ES has adequately explained the transient and permanent environmental effects of the proposed development during both construction and operational phases. Officers are satisfied that the ES

satisfactorily demonstrates that the development proposal would not cause any significant effects, subject to the mitigation measures being carried out.

The cumulative effects of the extant Brightwells scheme (WA/2012/0912) and new bridge development (WA/2012/0911) for the Brightwells development, in combination with the current proposed car park have been assessed by the applicant.

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

In respect of the original Riverside proposal (WA/2007/1967), this was assessed in the 2008 Brightwells scheme (WA/2008/0279) as a committed development and was reported upon in both the ES and TA submitted with the original 2008 Brightwells planning application. The TA concluded that the Riverside proposal would not be significant in traffic terms, noting the loss of parking at East Street could be accommodated elsewhere in Farnham. The situation would be eased further with construction of the Riverside car park. The Riverside development therefore effectively acts to replace the car parking and tennis courts lost at the East Street site.

With regard to the temporary bridge construction under WA/2012/0911, this is considered a necessary requirement for construction of the East Street development, and a condition of the original planning permission WA/2008/0279. As this may have a temporary construction effect, it was fully assessed as part of the separate planning application WA/2010/1650. The individual assessments considered the new bridge both on its own and as part of the main East Street development and were considered acceptable by the Council. There has been no change to these development proposals.

In relation to the Transport Assessment submitted with the current application, account was taken for committed developments within the area, including the Brightwells scheme. In addition, these developments included the Lower Weybourne Road, Farnham, (WA/2014/0391) residential scheme for 140 dwellings. The TA concludes that there would not be a significant effect.

Officers have had regard to the information contained within the Environmental Statement, the new EIA Regulations 2011 and the comments of statutory consultees.

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

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

It is considered that the review of the ES has adequately explained the environmental implications of the proposed development. It is considered that, overall, the proposal would not have any significant environmental effects and would comply with the NPPF and the relevant policies of the Development Plan in respect of environmental effects.

Riverside Key Site Policy TC4

The wider scheme under WA/2007/1967 was considered to be compliant with this policy in the Council's Local Plan. The scheme under WA/2007/1967 included the provision of additional car parking spaces, as well as tennis courts and tennis court pavilion. The principle of the current proposal has therefore been established under WA/2007/1967. No changes to design, layout or car parking space numbers are proposed under the current proposal to that already granted under WA/2007/1967. The implementation of WA/2007/1967 is highly material and officers consider that there are no changes in site or policy circumstances that lead offices to consider that the current proposal would be in conflict with Policy TC4.

The wider Brightwells re-development scheme remains extant under planning permission WA/2012/0912. The presence of this extant permission indicates that this could be implemented and therefore emphasises the importance of the requirement for the proposed replacement car parking spaces under the current proposal.

As outlined under the Planning History section of this report, the proposal seeks permission for a temporary car park, which would provide an alternative public car parking facility to off-set the loss of the Dogflud Way car park during the construction of the Brightwells scheme under WA/2012/0912. The agent for the current application has proposed a condition to be added on the current application should permission be granted. This reads as follows:

'Within 6 months of the public car parking on the Brightwells scheme (Land at East Street – application reference WA/2012/0912) being completed and being made available for use, or within 5 years of the date of this decision, whichever is the sooner, the car parking hereby permitted shall be removed and the land restored or landscaped in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority. The land shall be restored or landscaped in full accordance with the agreed details'.

Officers have carefully reviewed this suggested condition and concur with the wording and its purpose. Officers therefore recommend that this condition be applied should permission be granted.

Highway considerations, including impact on traffic and parking

The National Planning Policy Framework 2012 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 limit the significant impact of the development.

Paragraph 32 states: "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

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

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

The application is accompanied by a Transport Assessment (TA) which assesses the effects of traffic and transportation that may arise from the proposal. The study area used for the assessment included 15 location points. These included:

- Mike Hawthorn Drive;
- Dogflud Way (prior to Mike Hawthorn Drive);
- The Borough (between South Street and Castle Street);
- South Street (south of East Street);
- East Street (between South Street and Dogflud Way);
- Woolmead Road;
- Union Road;
- Downing Street;
- Castle Street (north of Park Row);
- West Street;
- The Borough (between West Street and Castle Street);
- East Street (east of Dogflud Way);
- South Street (south of Union Road; and
- Dogflud Way (prior to East Street)

The TA outlines that Automatic Traffic Counters (ATCs) were placed by an independent traffic survey company for a 7 day period from 04/07/2014 to 10/07/2014 at the above locations.

The TA outlines that the construction period for the current proposal is expected to take 6 weeks, with the majority of vehicle movements resulting from the delivery of materials to the site. It is anticipated that there would be a maximum of 20 HGV movements per 12 hour working day for 5 weeks. Due to the implementation of the 2007 permission a large majority of earth surface removal has already taken place on site. Heavy duty plant machinery is already on site for the construction of the other aspects of the 2007 permission (e.g tennis courts and pavilion building) and it is proposed that this same machinery would be used in the construction of the car parking spaces.

The County Highway Authority has raised no objection to the proposal, recommending conditions and informatives. Further to this, the County Highway Authority has commented specifically on the Transport Assessment, noting the number of HGV movements likely required for the construction period and state that the level of impact is considered acceptable.

The main change in traffic movement would be from when the existing Dogflud Way car park is closed during the construction period of planning permission WA/2012/0912, in respect of the East Street scheme, which would result in vehicles using the existing Riverside car park and the car park subject of the current proposal. The TA therefore outlines that when considering traffic movement arising from the current proposal, the main effect will be on Mike Hawthorn Drive.

The TA has also provided an assessment of likely traffic flows based on 3 different scenarios:

1. Future baseline with the Riverside 2 extension (current proposal);
2. Future baseline with the Riverside 2 extension and construction traffic associated with the East Street development; and
3. Future baseline with the Riverside 2 extension and construction traffic associated with the East Street development and with any other cumulative developments.

The TA concludes that no mitigation measures are required for the operation of the proposed car parking spaces, when taking into account the construction of the Brightwells scheme. In light of the recommendations from the County Highway Authority and measures set out at 6.217 in the TA, officers consider suitable conditions can be applied that would help sign-post the public to the location of the proposed temporary car park.

The County Highway Authority has concluded that, overall, they remain of the view (as per the previous permission WA/2007/1967) that the construction and provision of the temporary car park would not have any adverse effects on the local highway network. Officers consider the applicant's Transport Assessment provides a robust and realistic assessment of the impact of the proposed development on the local highway network. The assessment has addressed the transport requirements of the National Planning Policy Framework, specifically with regard to ensuring safe and suitable access for all people and demonstrating that the residual cumulative impact of the development would not be severe.

Taking into account the expert view of the County Highway Authority, the proposal is considered to be acceptable in terms of highway safety, capacity and policy considerations and would not cause severe residual cumulative impact in transport terms.

The layout, size and numbers of car parking spaces do not differ from those already granted under the 2007 permission. It is considered that the layout of the car parking spaces remains acceptable and that there have not been any changes in circumstances surrounding the site that lead officers to a different conclusion.

The County Rights of Way Officer has raised no objection to the proposal in regard to its impact on Public Footpath 171 to the south of the site.

Overall, it is considered that the proposal would be compliant with the Council's Local Plan policies on highway safety, parking and vehicle movement, and the NPPF.

Impact on visual amenity

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 NPPG advises at paragraph 005 (Light Pollution) that:

'The character of the area and the surrounding environment may affect what will be considered an appropriate level of lighting for a development. In particular, lighting schemes for protected areas of dark sky or intrinsically dark landscapes should be carefully assessed as to their necessity and degree'.

The proposal would have limited visual impact in the wider landscape as the car park would be a flat level surface with low level pavement to surroundings. The proposed street lights would have a height of 6.0 m. The street lights would provide an enhanced visual appearance to the site. The visual impact of these lights would be viewed against the backdrop of surrounding built form. The spread of these street lights across the site and height satisfies officers that these elements would not cause visual harm. The tennis courts under construction would be illuminated by 10.0m high flood lights. Some of these would be viewed in the backdrop of the proposed car park street lighting. The site surroundings largely consist of industrial buildings and the tennis court pavilion and courts. Officers are satisfied the visual impact would consist of a natural extension of car parking spaces for the existing Riverside car park.

Since the planning permission WA/2007/1967, the Council has adopted the Farnham Design Statement 2010 and is a material consideration in assessing planning applications. The text within the relevant part of the FDS states that 'the preservation of Farnham's open spaces is now of the greatest importance, as planning permission has already been given for development on Brightwell Gardens, which were given to Farnham in 1923. However, the green corridor to the river should also be preserved in the plan'. Drawing upon 2 specific design guidelines for the town, these state:

- Green spaces within Farnham are part of the character and charm of the town and these should be retained and enhanced;
- The green corridor along the A31 should be preserved and enhanced and green fields and allotments should be retained. Planting of trees and hedging must be increased along the A31 and elsewhere in the town.

The current proposal would not directly conflict with the guidelines within this document. The 2007 permission is highly material in the assessment of the current case and officers conclude that the visual impact of the proposal remains acceptable.

It is further important to note that the proposal is for a temporary car park and therefore would have a limited long term visual impact.

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.

The proposed car parking facility would not adjoin any neighbouring residential plots. The nearest residential occupiers consist of Riverside Court to the south-west, Hatch Mill to the south and properties on Dollis Drive to the north-east. The additional vehicle movement along Mike Hawthorn Drive would have some impact on the occupiers of Riverside Court and Wey Bank Close (sited south-west of the site), largely in relation to noise generated from additional car movement. The proposed car parking facility on site was already considered acceptable by the Council in relation to its position and impact on neighbouring residential amenity.

The proposed street lighting for the proposed car park would not be sited in close proximity to any neighbouring residential property. At the time of writing the report, the Council's Environmental Health Officer had not provided comments on the acceptability of these lights in relation to neighbouring residential properties. An oral report will be made to the meeting on this matter.

There have been no changes in site or policy circumstances that lead officers to a different view to that under the 2008 scheme. Overall, the proposal would not cause material harm to residential amenity, subject to considering the views from the Environmental Health Officer, and is acceptable having regard to Policies D1 and D4 of the Local Plan and the NPPF.

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 of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment 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 site used to comprise a Gas Works and therefore is highlighted on the Council's register as being potentially contaminated. The application has been accompanied by a Phase I Environmental Desk Study dated January 2011, Phase II Environmental Site Assessment dated February 2011 and Remediation Options Appraisal and Strategy dated February 2011. All of these reports were provided for details required under Condition 7 of planning permission WA/2007/1967. Since then, the site has been subject to remediation works in December 2013. It is outlined that during this time an area of previously unidentified contamination was found which was removed from the site and disposed of at an appropriate facility (removed off-site between 12th and 19th February 2014).

The application has also been accompanied by a Remediation Validation Report dated August 2014 which concludes that no evidence of gas works infrastructure was noted at the site and that based on the evidence collected over the course of the works carried out to date, the remediation approach in the Remediation Options Appraisal and Strategy dated February 2011 has been implemented across the site.

The Council's Land Contamination Officer has been consulted on the current proposal and considers the site is suitable for the proposed use and no further land contamination conditions are recommended. Officers are satisfied it has been demonstrated that the presence of contamination on site is low.

Officers conclude that the proposal would be in accordance with Policy D1 of the Waverley Local Plan and national policy/guidance contained within the NPPF and NPPG.

Air Quality

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 of the area or proposed development to adverse effects from pollution, should be taken into account.

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

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of inter alia (c) loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance resulting from the emission of noise, light or vibration; (d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances. In the same vein, Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular inter alia (a) development, which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The NPPG 2014 advises that in considering planning permission, the relevant question for air quality is "will the proposed development (including mitigation) lead to an unacceptable risk from air pollution, prevent sustained compliance with EU limit values or national objectives for pollutants or fail to comply with the requirements of the Habitats Regulations?".

The application has been accompanied by an Air Quality Assessment. The Council's Air Quality Officer has been consulted on the proposal. The Council's Air Quality Officer notes that the Farnham AQMA is in close

proximity to the site. The main identified potential source of impact would be from dust during the construction phase. In light of this, the Council's Air Quality Officer has recommended an informative outlining mitigation measures that can help keep dust emissions to a minimum. Officers therefore consider this informative could be applied should permission be granted.

The submitted Environmental Statement includes a section on air quality. The air quality chapter provides an assessment of the likely air quality implications arising from the proposal, including any cumulative effects with the Brightwells scheme (WA/2012/0912) and other developments in the wider area. It is identified that the short time frame for construction (6 weeks) of the proposed car parking spaces means that there would be an insignificant effect on air quality. The main focus of the air quality chapter of the ES is on the operational effects of the proposed car parking spaces on air quality

An assessment is therefore provided for 3 different scenarios, which are:

1. Proposed car parking spaces on their own;
2. Operational use of proposed car parking spaces and construction of Brightwells under WA/2012/0912;
3. Operational use of the proposed car parking spaces, construction of Brightwells under WA/2012/0912 and with other cumulative developments.

The Environmental Statement concludes that the overall significance of effects on air quality arising from the proposal would be negligible. Up to date data has been used from the July 2014 traffic surveys. During the scoping process the Council's Air Quality Officer recommended up-to-date traffic surveys be undertaken to inform the assessment on air quality.

The Environmental Statement concludes that there are not likely to be any significant cumulative impacts associated with the proposed development, including the cumulative effects with the future implementation of the Brightwells scheme and other committed or anticipated developments within Farnham and that there would be no air quality constraints to the proposed development.

The Council's Air Quality Officer has raised no objection to the proposal, subject to the inclusion of an informative. It is further noted by the Council's Air Quality Officer that the siting of the car park further away from the AQMA may have a positive benefit on the AQMA.

Overall, it is concluded that the impact on air quality would be acceptable.

Flooding and Drainage

Since the approval of the 2008 planning permission (WA/2007/1967) there has been a change in planning policy circumstances regarding flood risk. This includes the adoption of the NPPF 2012 and NPPG 2014, both of which have superseded PPS 25.

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

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

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

Paragraph 103 of the NPPF 2012 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development 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, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

This general approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3) and other areas affected by other sources of flooding where possible.

The site lies within Flood Zones 2 (medium probability) and 3 (high probability), and the most northern part of the site within Flood Zone 1 (low probability).

The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the exception test is required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered,

taking into account the flood risk vulnerability of land uses and applying the exception test if required.

Officers consider the proposal for a car park would be classified as a 'less vulnerable' use and therefore, in principle, the proposal can be acceptable within Flood Zones 2 and 3. The sequential test and exception test do not therefore apply in this instance. The Environment Agency has confirmed this in email dated 30/10/2014.

A Flood Risk Assessment (FRA) dated July 2014 and Addendum to the FRA dated October 2014 have been submitted with the application. The agent for the application outlines that the Addendum to the FRA dated October 2014 was submitted as this addendum contains information about the most recent floods during winter 2013/2014.

Further to the above, the application has been accompanied by Drainage Proposals document dated February 2011.

The FRA has been based on the latest Environment Agency (EA) flood data. The FRA outlines that the site area for the proposed temporary car park is part of the Flood Compensation Scheme approved as part of planning permission WA/2007/1967. The FRA dated July 2014 outlines a number of mitigation measures, which include the continued compliance with the previously agreed Flood Compensation Scheme under the 2007 permission, ensuring the access levels to the site are outside of the 1 in 100 annual probability flood envelope and implementation of a surface water drainage scheme which would result in no increase in surface water run-off from the site.

The addendum FRA dated October 2014 provides an assessment of up to date flooding data from January 2014. It is stated that the rainfall during the winter months of 2013/2014 were the second highest on record. As such, the FRA addendum recommends that Waverley Borough Council should consider a flood risk management plan for the proposed car parking area, whereby the risk is monitored and the appropriate action taken at the time. These set of measures are outlined under section 4.4 of the FRA addendum. It is further recommended that the previously agreed Flood Compensation Scheme is carried out.

Having regard to the recommendations in the FRA addendum, officers consider that a condition be imposed that would require the Council to secure a Flood Risk Management Plan prior to first use of the proposed car parking spaces.

Drainage Proposals document dated February 2011 has accompanied the application. This document outlines that the proposed use of permeable surface materials would allow for natural drainage into the underlying soils over the site.

The Environment Agency has raised no objection to the proposal, subject to conditions.

Condition 1 recommended is to ensure that the flood compensation scheme is implemented and maintained for the lifetime of the development. Condition 2 requires the provision of a restoration scheme for the site once the use as a car park has ceased. Condition 4 requires the provision of an 8.0 m wide buffer zone alongside the River Wey. Condition 5 requires a lighting scheme to be submitted and approved by the LPA.

The Environment Agency has confirmed that a surface water drainage scheme should be required and can be conditioned. Officers therefore recommend a condition seeking this be applied should permission be granted.

The Environment Agency further outlines that it is satisfied the previously agreed flood compensation scheme is still appropriate and that no flood modelling changes have occurred since. This flood compensation scheme must be retained throughout the lifetime of the proposed development.

It is demonstrated in the FRA that safe access to the site can be achieved, which would be outside of the 1 in 100 annual probability flood envelope.

Overall, and having regard to the comments from the Environment Agency, officers are satisfied the proposal would not cause an unacceptable impact on flood risk on or off the site, subject to appropriate conditions.

Archaeology

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The site is not within an Area of High Archaeological Potential. However, due to the size of the site (greater than 0.4 ha) and pursuant to Policy HE15 of the Local Plan, it is necessary for the application to take account of the potential impact on archaeological interests. The applicant has submitted an Archaeological Assessment. This assessment concludes that the general archaeological potential of the site may be characterised as low or very low. This is because the site lies in the floodplain of the River Wey and was subject to regular flooding for the whole of the Holocene (post glacial) period. Further

to this, the County Archaeologist has been consulted on the current application but has raised no concerns.

The proposal is therefore considered to comply with Policy HE15 of the Local Plan and advice contained within the NPPF 2012.

Impact on Countryside Beyond the Green Belt and on Area of Strategic Visual Importance (ASVI)

The site is located adjacent to the Countryside beyond the Green Belt outside any defined settlement area. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements, will be strictly controlled.

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment. The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

Paragraph 17 of the NPPF sets out 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-taking. These 12 principles are that planning should: *inter alia* take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Designated Countryside Beyond the Green Belt and ASVI lie to the south of the River Wey and to the east beyond the tennis courts under construction, both outside the site. Although outside of the site, the impact of the proposal on these local designations are a material consideration. To some extent there would be some visual impact on the setting of the ASVI beyond the south of the site. However, taking into account the position of the proposed car park, scale of street lights and other paraphernalia, officers are satisfied that the proposal would not cause material harm to either of these constraints. The proposal would therefore not conflict with Policies C2 and C5 of the Local Plan.

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.

Paragraph 69 of the National Planning Policy Framework 2012 highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To this end, planning policies and decisions should aim to achieve places which promote *inter alia* safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The proposed car park would be 'open air' and would not be enclosed by buildings. New street lamps would be located within the car park which would provide good levels of illumination at night. Two new footpaths would be linked from the car park to the existing public footpath providing safe pedestrian access. A CCTV unit would be centrally located in the carpark to provide surveillance. The additional recreational activity of the use of the tennis courts helps further provide natural surveillance to the car parking spaces to the south of the tennis courts. This would be particularly effective at night when the tennis court flood lights would be on.

Additionally, a balance must be struck between providing landscaping which provides visual interest and contributes to the character and quality of the area and maintaining an open aspect of all parts of the development to ensure natural surveillance.

Overall, it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF and the Crime and Disorder Act 1998.

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 proposal is for a temporary car park. The proposal would not result in a significant increase in vehicle parking spaces in Farnham, but off-set the loss of parking spaces at Dogflud Way car park for the construction of the Brightwells re-development scheme. Officers consider the proposal would provide a functional purpose for a temporary period of time and no requirements are required in regard to climate change and sustainability.

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 application, 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 SPA, SAC, SNCI or SSSI. It is, however, within 200m of water. Ecological survey work (2008) of the site was undertaken as part of the original planning application under WA/2007/1967. The key findings of this survey is summarised as follows:

- site is dominated by areas of scrub, developing woodland, tall ruderal semi-improved grassland, hardstanding and other trees. Any loss of these habitats would be of low significance.
- Ponds on site considered of low ecological interest.
- No evidence of Great Crested Newts were found;
- Habitats at the site remained suitable for common reptiles;
- No evidence was recorded at the site for the presence, or likely presence, of any other protected species.

Mitigation measures were put forward under the 2008 survey.

A survey update was undertaken in 2013 to record any changes to the 2008 survey findings. This survey concluded that there had been no material changes to the site with respect to protected species.

In order to provide a full up to date assessment for the site, a further Ecological Appraisal was undertaken in May 2014, which comprised a desk study and Phase 1 Habitat Survey. The following provides a summary of the main conclusions arising from the 2014 survey:

- The habitats previously recorded on the site are no longer present;
- Limited potential for protected species;
- Ecological value of the site is low;
- The site no longer provides suitable habitat for reptiles with the exception of the newly created debris pile;
- No Japanese knotweed found on the site;
- The River Wey has the potential to support otter and water vole and provides foraging and commuting opportunities for bats. These are unlikely to venture on to the site due to its low level of ecological value.

A number of mitigation enhancement measures are recommended in the survey to enhance the site for birds and bats. The following provides a summary of these measures:

- Tree line along the west boundary will provide additional nesting opportunities;
- Planting of mixed native shrubs and grassland seed along car park edge to provide a natural buffer between the car park and the river;
- Use of pervious paving to provide natural drainage and soil infiltration;
- Lighting proposals kept to a minimum and positioned to prevent overspill onto the river corridor;

Surrey Wildlife Trust has commented on the current application and advises that the recommendations in the submitted report be followed. It notes that landscaping scheme is currently being undertaken on the wider site under WA/2007/1967. Further, Natural England has commented on the application and advises that the proposal is unlikely to affect any statutorily protected sites or landscapes. Natural England also recommends its standing advice on protected species.

Having regard to these conclusions, and the results and mitigation measures under the 2014 survey, it is considered that the proposal would not cause material harm to protected species and biodiversity on the site.

An informative should be added to remind the applicant that protected species may be present at the property and that works should stop should they be found during the course of the works.

Health and Wellbeing

Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

The NPPG sets out that the range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how:

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;

- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);
- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The proposal would result in an increase in vehicle movement through Mike Hawthorn Drive. This road currently serves a number of residential units. Officers acknowledge that the proposal would result in some inconvenience to these neighbouring occupiers through the increase vehicle movement on the road. The proposal is for a temporary car park and the increase in vehicle movement would only be for a temporary time period. Officers are satisfied that the proposal would not cause harm to the health and wellbeing of these neighbouring occupiers or other members of the public.

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.

Effect upon the SPAs

Having regard to the distance to the Wealden Heaths SPA and the standing advice from Natural England, it is considered that there would be no likely significant effect on this SPA. Having regard to the form of the proposed development, i.e. a car park, officers consider there would be no likely significant effect upon the SPAs.

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. The site would be relatively level and easy to access. The proposal also includes 6 disabled parking spaces. 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.

Third Party and Town Council comments

Officers have carefully assessed the third party comments and comments from the Farnham Town Council. In regard to the Town Council comments, the 2008 permission has been implemented and is currently undergoing construction on site. The car parking element of this 2008 permission has not been implemented due to the time restriction on condition 5.

Officers can confirm that there is no proposed vehicular access from Kimbers Lane under the proposal. Extensive survey work and modelling has been undertaken which demonstrates that the proposal, when considered cumulatively with the Brightwells scheme, would not have any significant effects on the environment.

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 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 proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Cumulative / in combination effects

It is important that the cumulative effect of the proposed development and any other committed developments (i.e. schemes with planning permission, taking into consideration impacts at both the construction and operational

phases), or those identified in local planning policy documents) in the area are considered.

Cumulative effects comprise the combined effects of reasonably foreseeable changes arising from the development and other development within a specific geographical area and over a certain period of time. The significance of cumulative impacts needs to be assessed in the context of characteristics of the existing environment. This is to ensure that all of the developments:

- Are mutually compatible; and
- Remain within the environmental capacity of the area and its environs.

The schemes in the nearby area, which have been granted planning permission, which should be considered alongside this development are:

- Development at Brightwells, East Street, Farnham (WA/2012/0912).

It is of note that the application has considered the cumulative effect together with the above approved development. The Secretary of State concluded that the proposed development was EIA development in letter dated 27/01/2014, due to the combined effects with the Brightwells scheme under WA/2012/0912.

The County Highway Authority has assessed the cumulative impact of the proposed development and raises no objection in terms of traffic generation and movement.

Referral to Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009

There is no requirement for the Council to refer this application to the Secretary of State.

Conclusion / planning judgement

In conclusion, the proposal seeks permission for a car park identical in form to that previously approved under WA/2007/1967, with the addition of street lights. Officers consider that taking into account the environmental information that has been submitted, and responses to it, that the proposed development, when taking into account the cumulative effect with the Brightwells scheme (WA/2012/0912), would not cause any significant environmental effects.

A thorough review of the proposals has been carried out, taking into account the changes in circumstances that have taken place since the granting of the 2008 planning permission (WA/2007/1967).

Since the time of the previous application, there has been some change in site circumstances (implementation of aspects of WA/2007/1967) and there has been a material change in planning policy with both the publication of national policy and local guidance.

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 need for the proposal is evident with the presence of extant planning permission WA/2012/0912 which requires the proposal to be present.

The proposed development is considered to be acceptable for this site and location in terms of its layout, scale, form, height and appearance, traffic and car parking implications, and overall the development would positively contribute to the implementation of the Brightwells mixed-use scheme (WA/2012/0912).

It is considered, for the reasons set out in the above report, that the change in circumstances since the time of the 2008 permission, do not lead officers to reach a different conclusion on the merits and acceptability of the proposal.

The application should therefore be supported, with a time limit condition added to ensure the temporary nature of the development is adhered to.

There have been no changes in planning policy, site or surroundings circumstances that lead officers to conclude differently to the 2008 scheme. Officers therefore recommend permission be granted, subject to conditions.

Recommendation

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

1. Condition

The materials to be used in the construction of the external surfaces of the development hereby permitted shall be those as described in the application on drawing number 13777 TP-003 A, unless otherwise first agreed in writing by the Local Planning Authority.

Reason

In the interests of the visual amenities of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 10 July 2014 and FRA Addendum dated 6 October 2014 prepared by Peter Brett Associates and the submitted flood storage compensation scheme, drawing number 15009/001. The flood storage compensation scheme drawing number 15009/001 shall be

implemented and thereafter maintained as agreed for the lifetime of the development.

Reason

In accordance with paragraph 103 of the National Planning Policy Framework (NPPF) 2012, the associated National Planning Practice Guidance (NPPG) 2014 and Policy D1 of the Waverley Borough Local Plan 2002. Without the satisfactory provision of flood storage compensation for proposed land raising as previously approved the proposed development would increase flood risk onsite and elsewhere. As detailed in the submitted application the proposed scheme is utilising the lowering of land levels at the car park for flood storage compensation.

3. Condition

Prior to the temporary use for the proposed development expiring on the date stated by the Local Planning Authority a scheme for the restoration and landscaping of the land shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the approved flood storage compensation scheme and not raise land levels unless otherwise agreed in writing by the Local Planning Authority. The restoration and landscaping scheme shall subsequently be implemented and maintained as agreed.

Reason

In accordance with paragraph 103 of the National Planning Policy Framework (NPPF) 2012, the associated National Planning Practice Guidance (NPPG) 2014 and Policy D1 of the Waverley Borough Local Plan 2002 to ensure that flood risk is not increased onsite or elsewhere. Furthermore this condition is sought in accordance with paragraph 109 of the NPPF to ensure that appropriate native species are included within any landscaping within the required 8 metre buffer zone.

4. Condition

No development shall take place until a scheme for the provision and management of a minimum 8 metre wide buffer zone alongside the River Wey shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping and could form a vital part of green infrastructure provision. The scheme shall include:

- plans showing the extent and layout of the buffer zone. The 8m must be measured from the edge of the development to the top of the river bank;
- details of any proposed planting, which should be of appropriate native species of UK provenance;
- details demonstrating how the buffer zone will be protected during development;
- details demonstrating how the buffer zone will be managed/maintained over the longer term;

- details of any proposed new footpaths, fencing, lighting etc.

Reason

This condition is sought in accordance with paragraph 109 of the National Planning Policy Framework (NPPF) 2012 and Policy D1 of the Waverley Borough Local Plan 2002. This recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on 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. Development that encroaches on watercourses has a potentially severe impact on their ecological value. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

5. Condition

The artificial lighting scheme hereby permitted should be directed away from the river corridor and buffer zone, and should be focused with shields and lighting levels shall be 2 Lux or less at ground level within the designated buffer zone.

Reason

This condition is sought in accordance with paragraph 109 of the National Planning Policy Framework (NPPF) 2012 and Policies D1 and D5 of the Waverley Borough Local Plan 2002 and to ensure that the artificial lighting does not disrupt the natural rhythms and behaviours of a range of nocturnal species inhabiting the river including bats and otters.

6. Condition

Within 6 months of the public car parking on the Brightwells scheme (Land at East Street - application reference WA/2012/0912) being completed and being made available for use, or within 5 years of the date of this decision, whichever is the sooner, the car parking hereby permitted shall be removed and the land restored or landscaped in accordance with a scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority. The land shall be restored or landscaped in full accordance with the agreed details.

Reason

In accordance with the National Planning Policy Framework (NPPF) 2012 and Policies D1, M2 and M14 of the Waverley Borough Local Plan 2002.

7. Condition

Prior to first use of the car park hereby permitted a flood risk management plan shall be submitted to and approved in writing by the Local Planning Authority. The agreed management plan shall be implemented in accordance with the approved details.

Reason

In the interests of flood risk and public safety, in accordance with the National Planning Policy Framework (NPPF) 2012, National Planning Practice Guidance (NPPG) 2014 and Policy D1 of the Waverley Borough Local Plan 2002.

8. Condition

Prior to first use of the car park, 6 disabled car parking spaces shall be provided and thereafter retained for the life of the development.

Reason

In the interest of ensuring good accessibility to the car park facility, in accordance with Policies D1, D9 and M14 of the Waverley Borough Local Plan 2002.

9. Condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing any proposed fencing boundary treatment. The development shall be carried out in strict accordance with the approved details.

Reason

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

10. Condition

Prior to the commencement of development a detailed surface water drainage scheme shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason

To prevent increased risk of flooding in accordance with the National Planning Policy Framework (NPPF) 2012, the National Planning Practice Guidance NPPG 2014 and D1 of the Waverley Borough Local Plan 2002.

11. Condition

The plan numbers to which this permission relates are 15857-TP 001, 13777 TP-003 A, ME001, ME002 P1. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

Informatives

1. "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.
2. 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.
3. The applicant is advised to include the following measures during the construction phase:
Site activities:
 - o Minimise dust generating activities
 - o Use water as a dust suppressant where applicable
 - o Keep any stockpiles for the shortest possible time
Construction traffic:
 - o Where possible vehicles should switch off engines - no idling vehicles
 - o All loads entering or leaving the site should be covered
 - o All non road mobile machinery (NRMM) to use ultra low sulphur tax-exempt diesel (ULSD) where available.
4. Under the terms of the Water Resources Act 1991, and the Thames Land Drainage Bylaws (1981, as amended), prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the Wey designated a 'main river'. This is a separate process from seeking planning permission.
5. The County Highway Authority advises that the existing ramp on the approach to the existing car park from Mike Hawthorn Drive should be provided with 'ramp warning' markings; with all other white lining within Mike Hawthorn Drive refreshed.
6. The County Highway Authority advises that the temporary car parking spaces should be decommissioned in a way that either retains some of the proposed parking spaces for users of the tennis courts, or provides a means of pedestrian access from the existing car park to the Tennis Courts.

7. The applicant is advised to consider the erection of additional car park directional signage on Dogflud Way and Mike Hawthorn Drive in order to maximise the use of the temporary car parking during the construction of the Brightwells development.
8. The applicant is advised that it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
9. Thames Water recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
10. The applicant is reminded that it is an offence to disturb protected species under the Wildlife and Countryside Act 1981. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice on 0845 600 3078.
11. 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.