

To: All Members and Substitute Members of
the Joint Planning Committee
(Other Members for Information)

When calling please ask for:
Ema Dearsley, Democratic Services Officer

Policy and Governance

E-mail: ema.dearsley@waverley.gov.uk

Direct line: 01483 523224

Calls may be recorded for training or monitoring

Date: 3 October 2017

Membership of the Joint Planning Committee

Cllr Peter Isherwood (Chairman)	Cllr Nicholas Holder
Cllr Carole Cockburn (Vice Chairman)	Cllr David Hunter
Cllr Brian Adams	Cllr Jerry Hyman
Cllr Mike Band	Cllr Anna James
Cllr Maurice Byham	Cllr Denis Leigh
Cllr Kevin Deanus	Cllr Stephen Mulliner
Cllr David Else	Cllr Nabeel Nasir
Cllr Mary Forsyszewski	Cllr Stewart Stennett
Cllr Pat Frost	Cllr Chris Storey
Cllr Michael Goodridge	Cllr John Ward
Cllr John Gray	Cllr Nick Williams
Cllr Stephen Hill	

Substitutes

Appropriate Substitutes will be arranged prior to the meeting

Dear Councillor

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

DATE: WEDNESDAY, 11 OCTOBER 2017

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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NOTES 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 5 October 2017 (to be laid on the table half an hour before the meeting).

2. **APOLOGIES FOR ABSENCE AND DECLARATIONS OF SUBSTITUTES**

To receive apologies for absence.

Where a Member of the Committee is unable to attend a meeting, a substitute Member from the same Area Planning Committee may attend, speak and vote in their place for that meeting.

3. **DECLARATIONS 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. APPLICATION FOR PLANNING PERMISSION - WA/2017/1050 - LAND AT NORTH END OF TONGHAM ROAD, RUNFOLD (Pages 5 - 50)

Proposal

Hybrid application for: a) Outline application for the development of up to 254 residential dwellings on 13.15 ha of the site including an access from The Street, construction of a primary route through the site and an emergency access link from Grange Road, provision of open space including children's play areas, sustainable urban drainage systems and green links on the site. (Matters for approval: Access with all other matters reserved) and b) Full planning permission for the change of use from agricultural land to use as a Suitable Alternative Natural Greenspace (SANG) on 17.7ha of land to the east of Tongham Road to serve the proposal and the surrounding area, including access, pathways and associated landscaping. This is a cross boundary application, at Land at North End of Tongham Road, Runfold (as amplified by additional ecological information received 26/6/2017, 12/8/2017 and 31/8/2017)

Recommendation

RECOMMENDATION A

That, subject to the completion of an appropriate legal agreement in respect of SANG and Planning Infrastructure Contributions, as well as any other contributions required by Guildford Borough Council, by 11/04/2018, subject to Guildford Borough Council resolving to approve the application and subject to conditions, permission be GRANTED

RECOMMENDATION B

That, in the event that the requirements of recommendation A are not met, that permission be REFUSED

6. EXCLUSION OF PRESS AND PUBLIC

To consider the following recommendation on the motion of the Chairman (if necessary):-

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**

Agenda Item 5.

B1 WA/2017/1050
M Jackson
26/05/2017

Hybrid application for: a) Outline application for the development of up to 254 residential dwellings on 13.15 ha of the site including an access from The Street, construction of a primary route through the site and an emergency access link from Grange Road, provision of open space including children's play areas, sustainable urban drainage systems and green links on the site. (Matters for approval: Access with all other matters reserved) and b) Full planning permission for the change of use from agricultural land to use as a Suitable Alternative Natural Greenspace (SANG) on 17.7ha of land to the east of Tongham Road to serve the proposal and the surrounding area, including access, pathways and associated landscaping. This is a cross boundary application, at Land at North End of Tongham Road, Runfold (as amplified by additional ecological information received 26/6/2017, 12/8/2017 and 31/8/2017)

Committee: Joint Planning Committee
Meeting Date: 11/10/2017

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 487800 N: 148120
Town: Farnham
Ward: Farnham Moor Park
Case Officer: Rachel Kellas
Expiry Date: 24/08/2017
Time Extended Date: 13/10/2017
Neighbour Notification Expiry Date: 21/07/2017

RECOMMENDATION A

That, subject to the completion of an appropriate legal agreement in respect of SANG and Planning Infrastructure Contributions, as well as any other contributions required by Guildford Borough Council, by 11/04/2018, subject to Guildford Borough Council resolving to approve the application and subject to conditions, permission be GRANTED

RECOMMENDATION B

That, in the event that the requirements of recommendation A are not met, that permission be REFUSED

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Introduction

The application has been brought before the Area Committee because the proposal does not fall within the Council's Scheme of Delegation.

This is a cross boundary application wherein the majority of the application site lies within the Borough of Guildford. Separate applications have been submitted to both Waverley and Guildford. The reference for the associated Guildford application is 17/P/01193.

There is no provision in planning law for situations where an application site lies partly within the area of one local planning authority and partly within another. The only advice on this matter is contained with the NPPG, which explains that where an application site straddles one or more local planning authority boundaries, it is necessary to submit identical applications to each local planning authority, identifying on the plans which part of the site is relevant to each. The planning fee is payable solely to the authority of whichever area contains the larger or largest part (within the red line) of the whole application site.

Officers have considered in detail the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford. This report sets out an assessment of the development within the Borough of Waverley as well as any impacts resulting from the housing development.

The planning application is a hybrid application seeking a part outline permission for the proposed residential development and part detailed planning application for the change of use of agricultural land to a SANG. The outline part of the development proposal is submitted with all matters reserved for future consideration except for access.

An application for outline planning permission is used to establish whether, in principle, the development would be acceptable. This type of planning application seeks a determination from the Council as to the acceptability of the principle of the proposed development and associated access. If outline planning permission is granted, any details reserved for future consideration would be the subject of future reserved matters application(s).

Reserved matters which form part of the outline element of the planning application include:-

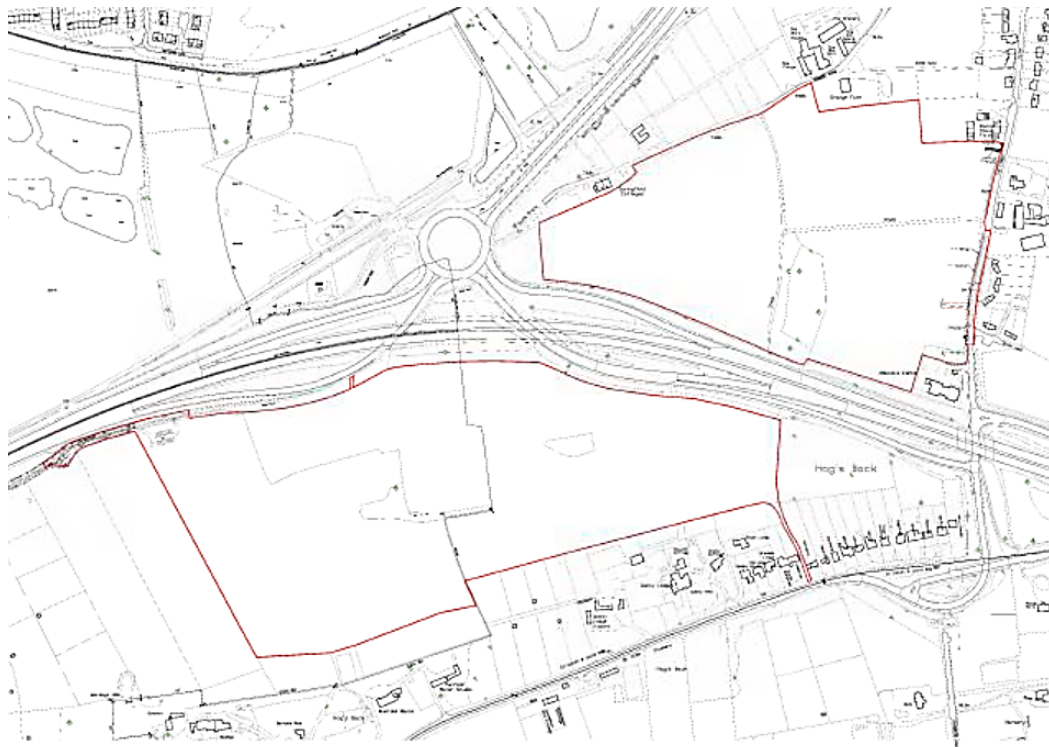
- **appearance** - aspects of a building or place which affect the way it looks, including the exterior of the development.

- **landscaping** - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.
- **layout** - includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.
- **scale** - includes information on the size of the development, including the height, width and length of each proposed building

If planning permission is granted, a reserved matters application relating to the outline approval must be made within three years of the grant of permission (or a lesser period, if specified by a condition on the original outline approval). The details of the reserved matters application must accord with the outline planning permission, including any planning conditions attached to the permission.

This application is a revision of WA/2016/0339. That application, and the associated Guildford Borough application were refused, and those applications are currently the subject of a joint appeal due to be dealt with by way of a Public Inquiry. This is scheduled to take place in November 2017.

Location Plan



Site Description

The application site comprises two parcels of land which are separated by the A31 Hogs Back and the A331 including the roundabout junction. The site measures just over 30 hectares in total and comprises undeveloped agricultural land.

The southern portion of the site (of which the western portion falls within Waverley Borough and the eastern portion within Guildford Borough), comprises open agricultural land which slopes down from south to north. The site is bound by the A31 and A331 to the north, and Tongham Road and the Street to the south. There is an existing cycle track (known as the Christmas Pie Cycleway) which runs along the northern boundary. Runfold is located to the south west and there is residential development along Tongham Road. The western portion (within Waverley) has a small copse within its midst and is bounded by hedgerows, including relatively recent plantings adjacent to the cycleway that runs parallel to the north. The topography is of rolling countryside that geologically spans across the recognised divide between the exposed chalk ridge of the North Downs on the western side of site and the rolling clay land on the eastern side.

The northern portion of the site (within Guildford Borough) is located on the opposite side of the A31/A331, measures 13 hectares and is located to the south of Tongham, and to the west of the Street which bounds the site on its western side. The site is bordered by the Hogs Back Brewery on the east, and residential development to the north and east. The Ambulance station is adjacent to the south east corner of the site. There is existing woodland and several lines of mature poplar trees within the site.

Proposal

Permission is sought for two main elements:

Outline permission for residential development on the northern portion of the application site (within Guildford Borough) to include:

- Erection of up to 254 dwellings
- Public open space and children's play area
- Sustainable Drainage Systems
- Access from The Street and an emergency access link from Grange Road
- Associated estate roads, community car park, footpaths, and landscaping; and
- Associated infrastructure works on site

Full planning permission is sought for the provision of SANG (Suitable Alternative Natural Green Space) on the southern portion of the application site (western portion falls within Waverley Borough and the eastern portion within Guildford) at Tongham Road, Runfold to include:

- Change of use of 17.5 hectares of agricultural land to use as SANG (sui-generis)
- Laying of 18 permeable car parking spaces
- A network of permeable pathways
- Associated landscaping
- Alterations to existing pedestrian and cycle access to provide vehicular access into the site off Tongham Road

The application includes the following heads of terms:

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £842,076 – project at Ash Grange Primary School for the provision of new junior classrooms
- Secondary education £898,143 – projects at Ash Manor secondary school to expand and provide sufficient school places
- £250,000 towards an improvement scheme for the A331/A31 roundabout
- £75,000 towards local pedestrian and cycle infrastructure improvements including the Christmas Pie route and Public Right of Way Route 344
- £40,000 towards road safety improvements within the vicinity of the site, including the parking formalization scheme on The Street.
- £6,150 for the monitoring of the Travel Plan

The current application is similar to application WA/2016/0339 which was refused in November 2016 and is currently the subject of an appeal with a Public Inquiry scheduled to be held in November 2017.

The current application is supported by additional information and is intended to overcome the previous reasons for refusal imposed by Guildford Borough.

Proposed Plans:

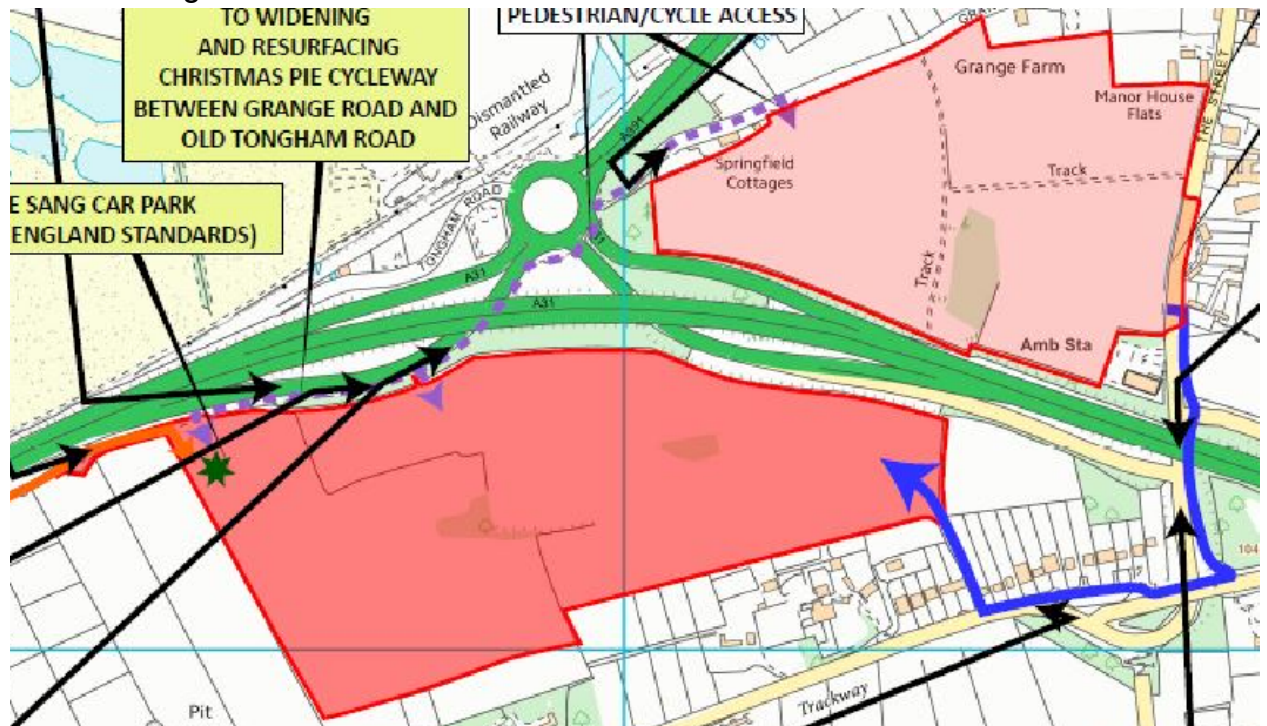
Proposed SANG Plan



Residential development illustrative plan (wholly within Guildford Borough)



Plan showing access between SANG and residential sites



Relevant Planning History

WA/2016/0339	Hybrid application: Part Outline application for the erection of up to 254 dwellings with access from The Street Tongham and emergency access from Grange Road, provision of open space, including children's play areas, sustainable urban drainage system and associated works. Access only to be determined at Outline; Full application for change of use from agricultural land to use as a Suitable Alternative Natural Greenspace (SANG) and associated works on land to the east of Tongham Road to serve the proposed development and surrounding area, including access, pathways and associated landscaping	Refused Appeal pending	9/11/2016 outcome
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Planning Policy Constraints

Countryside beyond the Green Belt – outside developed area boundary
 Agricultural Land Grades 2 and 3
 Farnham/Aldershot Strategic Gap

County Primary Route Network
Thames Basin Heaths SPA 5km Buffer Zone
Wealden Heaths I SPA 5km Buffer Zone
Adjacent to Area of Great Landscape Value

Development Plan Policies and Proposals

Saved Policies C2, C3, C4, D1, D4, D5, D6, D7, D8, D9, D13, D14, LT7, LT11, M2 and M14 of the Waverley Borough Local Plan 2002.

Draft Local Plan Part 1 Strategic Policies and Sites 2016 Policies:

Policy RE1 Countryside beyond the Green Belt
Policy RE3 Landscape Character
Policy TD1 Townscape and Design
Policy NE1 Biodiversity and Geological Conservation
Policy NE3 Thames Basin Heaths Special Protection Area
Policy SP1 Presumption in Favour of Sustainable Development
Policy SP2 Spatial Strategy
Policy ICS1 Infrastructure and Community Facilities
Policy AHN1 Affordable Housing on Development Sites
Policy AHN2 Rural Exception Sites
Policy AHN3 Housing Types and Size
Policy HA1 Protection of Heritage Assets
Policy LRC1 Leisure, Recreation and Cultural Facilities
Policy ALH1 The Amount and Location of Housing
Policy ST1 Sustainable Transport
Policy CC1 Climate Change
Policy CC2 Sustainable Construction
Policy CC3 Renewable Energy Development
Policy CC4 Flood Risk Management

Farnham Neighbourhood Plan 2017 Policies:

FNP1 Design of New Development and Conservation
FNP10 Protect and Enhance the Countryside
FNP11 Preventing Coalescence between Farnham and Aldershot;
Badshot Lea and Weybourne; Rowledge and Wrecclesham;
Rowledge and Boundstone and Rowledge and Frensham
FNP12 Thames Basin Heaths Special Protection Area (SPA)
FNP13 Protect and Enhance Biodiversity
FNP14 Housing Site Allocations
FNP27 Public Open Space
FNP30 Transport Impact of Development
FNP31 Water and Sewerage Infrastructure Capacity
FNP32 Securing Infrastructure

Saved Policy NRM6 of the South East Plan 2009.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002), the South East Plan (2009) (solely in relation to policy NRM6, which was the only policy retained when the rest of the Plan was revoked in 2013) and the Farnham Neighbourhood Plan (2017) therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is currently in the process of replacing the adopted 2002 Local Plan with a new two part document. At the examination in June/July 2017 the Inspector indicated that modifications will need to be made to the Plan for it to be found sound and invited the Council to submit a list of these proposed modifications. The Council's Executive Committee has endorsed the modifications to be submitted to the Inspector and these are now subject to public consultation. All representations on the proposed modifications will be taken into account by the Inspector before he issues his written report. It is considered that substantial weight can now be given to the policies where no modifications are proposed and significant weight can be given to those policies where modifications are proposed.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2012)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Council's Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Farnham Design Statement (2010)

Consultations and Town Council Comments

Council's Waste & Recycling Officer	No objection, subject to provision of appropriate Waste & Recycling Containers
County Highway Authority	<p>No objection, subject to:</p> <ul style="list-style-type: none"> • contribution towards an improvement scheme for the A31/A331 junction; • contribution towards local pedestrian and cycle infrastructure improvements including the • Christmas Pie route and Public Right of Way Route 344; • contribution towards road safety improvements within the vicinity of the site including • parking formalisation scheme for The Street; • payment of a Travel Plan monitoring fee; <p>There are no changes to the number of dwellings or access arrangement for this proposal compared with application 16/P/00222, therefore our comments from the previous application still stand.</p>
Farnham Town Council	<p>Object:</p> <ul style="list-style-type: none"> • Conflict with FNP11 Preventing Coalescence • Cumulative development will inevitably exacerbate existing congestion and air quality problems in the Farnham area • Increased traffic, noise, air quality and sustainability – heavily congested area is reliance on private vehicles. Volume of traffic from development of this size will add to the congestion, noise and pollution levels. • Environment and countryside impact – site is on the edge of the settlement and encroaching into open Countryside. • SANG is not in an appropriate location for accessibility from the site
Lead Local Flood Authority	No objection, subject to conditions.
Natural England	<p>No objection:</p> <ul style="list-style-type: none"> • Avoidance strategy for Thames Basin Heaths SPA has been complied with through provision of bespoke onsite Suitable Alternative Natural Greenspace (SANG) • A S106 must be drawn up to include all

	<p>specifications for in-perpetuity management (including step-in rights) and funding that have been outlined in the Landscape and Ecological Management Plan</p> <ul style="list-style-type: none"> • S106 must secure a commuted sum and maintenance fund • SANG must be established and fully useable prior to the sites first residential occupation • Full SAMM contributions in line with your Authorities Thames Basin Heaths SPA Avoidance Strategy
Surrey Wildlife Trust	<p>No objection, subject to additional information regarding badgers, conditions and securing a Landscape Ecological Management Plan:</p> <ul style="list-style-type: none"> • Advised to consider application against Thames Basin Heaths Avoidance Strategy • Applicant should be required to undertake all recommended actions in submitted Ecological Appraisal Report and Protected Species Survey Report • Recommend further information is sought on location of remaining badger foraging territory • Particular attention needed to biodiversity enhancement where central hedgerow is to be lost • All biodiversity important habitats such as boundary features should be retained in public domain and subject if a Landscape Ecological Management Plan
Thames Water	<p>No objection subject to following conditions:</p> <ul style="list-style-type: none"> • Grampian style condition be imposed securing on/off site drainage strategy to address an inability of the existing waste water infrastructure to accommodation needs of this application. • No piling to take place until a piling method statement has been approved

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 30/06/2017 site notices were displayed around the site on 29/6/2017 and neighbour notification letters were sent on 21/06/2017.

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

- Insufficient doctors/dentists to support new residents/housing
- Significant number of additional peak time vehicle movements would exacerbate existing congestion along The Street and within Farnham including Town Centre
- Emergency access from Grange Road is inappropriate due to restrictions caused by on street parking
- SANG land is not physically associated with the residential housing
- Loss of high quality agricultural land
- Encroachment into open Countryside
- Conflict with Waverley Local Plan and Farnham Neighbourhood Plan
- Isolated unsustainable location
- Increased vehicle movements would increase pollution within Farnham AQMA
- A31 bypass would not be able to cope with the accumulation of traffic from this and other development allocated within the Farnham Neighbourhood Plan
- Cumulative impacts need to be considered
- Current Tongham Road unsuitable for vehicles accessing the SNAG
- No need for additional homes in the Tongham/Ash area
- No proper assessment of local traffic growth in combination with Aldershot Urban Extension
- Green Belt policy in Guilford and Waverley is not preventing urban sprawl but simply creating it elsewhere

Determining Issues

- Principle of development
- Planning history and differences with previous proposal
- Loss of agricultural land
- Impact on Countryside and visual impact
- Impact on Strategic Gap
- Impact on residential amenity
- Highway safety and car parking
- Effect on SPA and proposed SANG
- Biodiversity and compliance with Habitat Regulations 2010
- Heritage considerations

- Planning Infrastructure Contributions
- Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
- Environmental Impact Regulations 2011 (as amended)
- Pre Commencement Conditions
- Working in a positive/proactive manner

Planning Considerations

Principle of development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised.

Policy C2 3.17 (d) states that development within the Countryside beyond the Green Belt may be acceptable where it relates to tourism, outdoor sport and recreation in accordance with Policies LT4, LT5 and LT7.

Planning history and differences with previous proposal

The planning history is a material consideration.

Planning permission has been previously refused for development of the same description, under reference WA/2016/0339 for the following reasons:

1. Loss of agricultural land:

The proposal, in the absence of an appropriate legal agreement, would fail to secure the provision or maintenance of the SANG, as such there would be no certainty of the SANG being made available to mitigate development in Waverley or Guildford. Given that the proposed residential development would be unacceptable there would be no strong case for the provision of the SANG such to override the need to protect the high quality agricultural land. The proposal would therefore conflict with Policy RD9 of the Local Plan and paragraph 112 of the NPPF.

2. Failure to secure education contributions:

The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education infrastructure to mitigate the impacts of the development and therefore the proposal conflicts with Policies D13 and

D14 of the Waverley Borough Local Plan 2002, Policy ICS1 of the Draft Local Plan and Policy FNP32 of the Farnham Neighbourhood Plan.

3. Likely significant effect upon the Thames Basin Heaths SPA:

The Local Planning Authority considers that the proposals (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NRM6 of the South East Plan and the NPPF 2012, Policy FNP12 of the Farnham Neighbourhood Plan and Policy NE3 of the emerging Local Plan.

4. Failure to secure contributions towards off-site highway improvements:

The applicant has failed to enter into an appropriate legal agreement to secure contributions towards off-site highway improvements such that the proposal would not severely impact the operation of surrounding highway network, nor provide safety improvements on the A31/A331 junction. The proposal is therefore in conflict with Policy M2 of the Waverley Borough Local Plan, paragraph 32 of the NPPF 2012, Policy FNP30 of the Farnham Neighbourhood Plan and Policy ST1 of the Draft Local Plan Part 1.

The associated Guildford application (ref:16/P/00222) was also refused for the following reasons:

1. By virtue of the location of the residential site, in close proximity to both the A31 and A331, the amenity and living environment of the proposed dwellings and areas of outdoor space would be poor, due to excessive noise, disruption and pollution. In this regard, the proposal is deemed to be contrary to policy G1(3) of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007) and the guidance contained in the NPPF.
2. Pedestrian and cycle access to the proposed SANG would require the crossing of busy roads and the proposed vehicular access would be inconvenient for future users and not obvious or easily accessible. In addition some of the proposed pedestrian links to the SANG would

utilise routes which are primarily used by cyclists. This may deter residents from using the proposed SANG and would undermine the suitability of the SANG as mitigation for the proposed residential development. Therefore, the proposal would be contrary to policy NE1 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), the guidance contained within the NPPF and the Council's Thames Basin Heath Special Protection Area Avoidance Strategy.

3. The site lies within the 400m to 5km zone of the Thames Basin Heaths Special Protection Area (TBHSPA). The Local Planning Authority is not satisfied that there will be no likely significant effect on the Special Protection Area and, in the absence of an appropriate assessment, is unable to satisfy itself that this proposal, either alone or in combination with other development, would not have an adverse effect on the integrity of the Special Protection Area and the relevant Site of Special Scientific Interest (SSSI). In this respect, significant concerns remain with regard to the adverse effect on the integrity of the Special Protection Area in that there is likely to be an increase in dog walking, general recreational use, damage to the habitat and disturbance to the protected species within the protected areas. As such the development is contrary to the objectives of policies NE1 and NE4 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/07) and conflicts with saved policy NRM6 of the South East Plan 2009. For the same reasons the development would fail to meet the requirements of Regulation 61 of The Conservation of Habitats and Species Regulations 2010, as amended, and as the development does not meet the requirements of Regulation 62 the Local Planning Authority must refuse to grant planning permission.
4. The following levels of contribution and provisions would be sought from the applicant had the application been supported:
 - the delivery of 35% of the units as affordable housing;
 - the delivery of the proposed SANG including details of its future management and maintenance, or, a contribution to a suitable off-site SANG;
 - contribution towards Strategic Access Management and Monitoring (SAMM);
 - contribution towards an improvement scheme for the A31/A331 junction;
 - contribution towards local pedestrian and cycle infrastructure improvements including the Christmas Pie route and Public Right of Way Route 344;

- contribution towards road safety improvements within the vicinity of the site including parking formalisation scheme for The Street;
- payment of a Travel Plan monitoring fee; and
- contribution towards education provision, including early years, primary and secondary education.

Without a Section 106 Agreement from the applicant agreeing to these contributions and provisions, an objection is raised in accordance with the Planning Contributions SPD, policies G6 and H11 of the Guildford Borough Local Plan 2003 (as saved by CLG Direction on 24/09/2007), and the NPPF.

The nature of the proposed development is unchanged from the previous proposal. However, the difference between the current application and that previously refused is:

- Work is progressing between the applicant and the Council's legal team to finalise an appropriate legal agreement
- Additional noise assessment
- Additional Air Quality Assessment

The additional information, seeks to overcome the reasons for refusal from Guildford in relation to noise and demonstrate the acceptability of the proposed residential scheme. As this relates to the housing element of the scheme which is located outside of the Borough of Waverley, this has been deferred to Guildford Borough for consideration. That application is due to be reported to their planning committee on the 02/10/2017. The recommendation is for approval and Officers consider that the additional information has overcome the reasons for refusal in relation to noise. A written update will be provided on the outcome of that committee.

Furthermore, there has been a change in circumstance since the previous application, as the Farnham Neighbourhood Plan has been made and should now be given full weight. In addition, the Draft Local Plan Part 1: Strategic Policies and Sites has been through examination. Policies which the Inspector has not modified should now be given substantial weight.

The test for Members is whether having regard to the changes and subject to the completion of the legal agreement, the current proposal has overcome the objections to the previously refused scheme and is acceptable in its own right.

Loss of agricultural land

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use

areas of poorer quality land in preference to that of a higher quality. This sentiment accords with Policy RD9 of the Local Plan which states that development will not be permitted which would result in the loss or alienation of the best and most versatile agricultural land unless it can be demonstrated that there is a strong case for development which overrides the need to protect such land.

The SANG element of the proposal is made up of 14ha of good quality grade 3a agricultural land, and 2.8ha of moderate Grade 3b agricultural land and the northern site proposed for housing is made up of: 3.5 ha of very good quality Grade 2 land, and 8.8. hectares of good quality Grade 3a agricultural land.

The proposal would result in the loss of Grade 2 and 3 agricultural land. The application is accompanied by an Agricultural Appraisal. The report concludes that the agricultural land is limited by droughtiness and slopes which restrict the type of agricultural machinery that could be safely operated. There is no evidence that the development would undermine the economic viability of the existing remaining holding.

Policy RD9 states that the loss of the best and most versatile agricultural land (which 84% of the SANG site constitutes) should only be permitted where there is a strong case for development on a particular site which overrides the need to protect such land.

The following information has been provided on the background of the use of the agricultural land:

- With the advent of the Runfold bypass almost 25 years ago (Notice to Treat was served in October 1992 although compensation was not settled until 1997) a substantial part of the southern section of Manor Farm was divorced (i.e. the SANG land) whilst the tranche through the middle was permanently lost to the bypass.
- At that time, the farmer sold the milk quota and disposed of the dairy herd, simultaneously establishing the Manor Farm Business Park.
- The only practical agricultural use for the greater part of the farm was arable cultivation and in respect of which there has been a succession of Farm Business Tenancies. These have all been to the same person who currently trades as R J Simmons Agricultural Services Limited and occupies approximately 160 acres.
- Manor Farm House is retained in domestic use along with private garden area, adjacent yard and domestic outbuildings, two aircraft hangers, a paddock to the north of Manor Farm House, the ponds to the east of Manor Farm House and the airstrip.
- The former farm buildings comprise the Manor Farm Business Park.

There is no evidence that the development would undermine the economic viability of the existing remaining holding. Furthermore, there is no evidence that the land, either in part or in whole, could not be used for agricultural purposes in the longer term, should the SANG no longer be required.

It is noted that there is a shortage of SANG land available to mitigate against residential development in Guildford. There is a legal duty for Waverley to co-operate with adjacent Council's. It is in the interests of Waverley to provide the SANG to allow development within Guildford to be brought forward. Should Guildford be unable to meet their housing demand within its own Borough, there could be future pressure to accommodate the unmet need without other Boroughs which could include Waverley.

Notwithstanding the above, the previous application was refused on the basis that the loss of agricultural land was not justified. This was because following the Guildford Borough decision on the associated planning application, which found the proposed residential development to be unacceptable, there was no need for a SANG of this size in order to mitigate for the proposed housing. Further, at that time, in the absence of an appropriate legal agreement to secure the provision and maintenance of SANG in perpetuity, there was no certainty of the SANG being made available to mitigate development.

In the case of the current application, the recommendation is subject to Guildford Borough finding the associated application for the residential development acceptable, and subject to the completion of an appropriate legal agreement to secure the provision of the SANG. The associated Guildford Borough application is due to be reported to committee on the 4th October with a recommendation for approval. An update on the outcome of the Guildford committee will be provided as an update to committee.

Furthermore, with regard to residential development in Waverley, whilst there is existing capacity at Farnham Park (an existing SANG site), this supply is not infinite, and additional capacity may be necessary for residential development to come forward in the future. Since the previous application, Waverley's Draft Local Plan: Strategic Policies and Sites has been through examination and the Inspector indicated that Waverley needed to deliver housing to meet some of Woking's unmet need. This has the consequence of raising housing numbers that will need to be delivered in Farnham. As such, it is likely that there will be a need for additional capacity over and above that available at Farnham Park. This change in circumstance weighs in favour of the proposal.

In this case, the suitability of the SANG to mitigate the proposed housing scheme, and its potential to mitigate other developments that may come

forward in the future, such to assist in the delivery of housing, is both a benefit and justification considered sufficient to override the need for protecting agricultural land. As such, the proposal is considered to comply with Policy RD9 of the Waverley Borough Local Plan 2002.

Impact on Countryside and visual impact

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Paragraph 17 of the NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised.

Policy C2 of the Local Plan 2002 states that building in the countryside, away from existing settlements will be strictly controlled. Policy C2 does not carry full weight as it is not considered to be entirely consistent with the NPPF as Policy C2 refers to protection for 'its own sake', whereas the NPPF places emphasis on protecting the intrinsic character and beauty of the Countryside.

Policy RE1 of the Draft Local Plan Part 1: Strategic Policies and Sites (2016) states that the intrinsic character and beauty of the Countryside will be recognised and safeguarded.

Policy RE3 of the Draft Local Plan Part 1 states that new development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located.

Policy FNP10 of the Farnham Neighbourhood Plan sets out that, outside of the Built up Area Boundary, priority will be given to protecting the countryside from inappropriate development and development will only be permitted, outside the Built Up Area Boundary, if it enhances the landscape value of the countryside.

It is considered that the proposed use of the site for outdoor recreation and leisure is likely to be compatible with the rural character of the site.

The current access to the field is relatively informal and typical of rural semi-improved farm tracks in the area. The proposal seeks to upgrade the access and provide a car park for public use. The information submitted proposes use of tarmac surfacing.

The associated infrastructure, in particular the laying of hard standing including the proposed car parking would result in a minor adverse visual impact. However, the scale of this infrastructure would be very limited, and

having regard to this, the proposed development is considered not to be materially harmful.

The proposals include indigenous planting to screen the car park in the longer term and scattered planting to break up the vast expanse of open field. This approach has a landscape impact in changing the current open landscape character, however this is considered not to be detrimental.

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. Given the small scale nature of the associated infrastructure to be provided to facilitate the SANG, no objection is raised in terms of the visual impact of the development, and the proposal is considered to accord with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002. However, the limited harm identified is material to the assessment of the proposal and should be weighed against the benefits.

A legal agreement to secure the long term management of the SANG is currently being drawn up and is necessary to give weight to the benefit of promoting access to and recreation within the Countryside.

Impact on Strategic Gap

The application site lies within the Farnham and Aldershot strategic gap. Policy C4 of the Waverley Borough Local Plan 2002 seeks to:

- a) protect the Strategic Gap by resisting inappropriate development
- b) promote the enhancement of the landscape and conservation of wildlife sites
- c) promote improved public footpaths and bridleways for informal recreation

Policy FNP11 of the Farnham Neighbourhood Plan states that development will not be permitted outside the Built Up Area Boundary, if it would result in increasing the coalescence between Farnham & Aldershot.

Having regard to the modest amount of operational or engineering development on site, officers are satisfied that the proposal would not conflict with criterion a) of Policy C4. The proposed use would help to preserve the open character of the land in the longer term which is considered to be consistent with the aims of Policy C4 and FNP11. Landscaping is proposed as part of the application, this would help to enhance the natural beauty and also facilitate enjoyment of the land.

The proposal would include new public footpaths through the site, and the existing Christmas Pie Cycle route would be improved using funds to be

secured by way of a legal agreement, which is currently being drawn up. Subject to the completion of the legal agreement, the proposal would comply with criterion c) of Policy C4.

The proposal would be compliant with Policy C4 of the Waverley Borough Local Plan 2002 and FNP11 of the Farnham Neighbourhood Plan.

Impact on AONB

The application lies just outside the Surrey Hills AONB which lies to the south and east of the application site and the residential development lies immediately adjacent to the AGLV.

Policy RE3 of the Draft Local Plan Part 1 states that new development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located.

Officers are satisfied that the proposed SANG, due to its open nature and absence of built form would satisfactorily preserve the landscape and scenic beauty of the nearby AONB. The key potential impacts of the proposal upon the AONB & AGLV are from the residential element of the scheme within Guildford Borough, owing to the increase in built form.

In respect of the proposed residential development the Surrey Hills AONB officer has commented that there are no significant views into the AONB that would be harmed by the proposed development. The retention of existing trees and hedgerows along the boundaries of the residential development would mean that there would not be any significant public view points of the AONB that would be adversely affected by the development.

In terms of implications for Waverley, the proposed residential development would have no impact on views of the AONB from viewpoints within Waverley.

The Surrey Hills AONB officer has advised that there would be no harm to the landscape character of the AONB or AGLV as a result of the development. Having regard to this, officers are satisfied that the proposal would comply with Policy C3 of the Waverley Borough Local Plan 2002.

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, Policy TD1 of the Draft Local Plan Part 1 and guidance contained within the Council's SPD for Residential Extensions.

The key neighbouring dwellings to the proposed SANG is West Farm which is located off Tongham Road some 190m to the west of the application site. No significant operational development is proposed close to this dwelling. However, there would be some potential impacts on this dwelling by way of increased noise and disturbance from visitors to the SANG. In particular, from vehicle movements and pedestrians along Tongham Road, which is immediately adjacent to the dwelling. It is noted that there are points along Tongham Road immediately adjacent to the dwelling where the road is single track in width, so there would be points where vehicles would be required to wait and/or reverse to require vehicles to pass.

The applicant has submitted Heads of Terms agreeing to enter into a management plan for the SANG land, which would include the proposed car park. The management plan would allow control over the opening hours of the car park, restrictions on entry, and signage to direct visitors.

These measures are considered to be sufficient to mitigate against the increased noise. The impacts on West Farm are considered to be acceptable subject to these improvements being secured.

There is also residential development to the south of the site. There is some separation between the rear gardens and the application site. It is considered that the use of the SANG would not be so intensive such to result in adverse impacts on these dwellings by noise and disturbance.

The residential development would be a sufficient distance from the nearest residential dwellings in Waverley to avoid any resulting adverse impacts. The indicative layout submitted indicates that an acceptable layout could be achieved at the reserved matters stage having regard to residential amenities. Nonetheless, this would be a matter for detailed consideration by Guildford Borough Council as the lead authority.

The proposal, subject to either an appropriate management plan to be secured by condition, would be acceptable in terms of residential amenities such to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

Highway safety and car parking

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

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

The NPPF states that in order to make the fullest possible use of cycling, development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists. Policy M5 of the Local Plan accords with the NPPF in requiring developments to include, where possible, safe and convenient cycle routes which can connect to the Borough-wide cycle network.

Policy ST1 of the Draft Local Plan Part 1 states that development schemes should be located where they are accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

Policy FNP30 of the Farnham Neighbourhood Plan sets out that large scale residential development proposals shall be accompanied by a Travel Plan and ensure that sustainable transport links are provided to the principal facilities. Development proposals shall not significantly add to traffic congestion in the town and add inappropriate traffic on rural lanes. Safely located vehicular and pedestrian access with adequate visibility splays shall be provided. Where adequate transport infrastructure is not available to serve the development, the development shall provide for, or contribute towards, appropriate measures to address the identified inadequacy.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The proposed residential development would be located within walking and cycling distance of many existing facilities. There is a continuous footway on the eastern side of The Street, opposite the site. There are existing bus stops within walking distance of the site which provide future occupiers with an alternative mode of transport to the private vehicle. The bus routes provide access to both Ash and Aldershot railway stations which provide sustainable travel further afield. Contributions secured would improve pedestrian and cycle infrastructure in the vicinity of the site; in particular, improvements to the Christmas Pie cycleway and Public Rights of Way Footpath 344 will be implemented. A Travel Plan has been approved by the County Council Travel Plan Officer and would be implemented upon first occupation. A Travel Plan Co-ordinator along with the continued monitoring by Surrey County Council would assess whether the objectives and targets of the Travel Plan are being met.

The County Highway Authority has reviewed the submitted Transport Assessment including an audit of the junction assessments. These show that junctions would continue to operate within capacity taking into account development traffic and future growth. Development traffic would not result in a significant increase in vehicular traffic compared with the existing position. The package of financial contributions would contribute to a capacity improvement scheme for the A331/A31 roundabout.

In addition, a contribution is being secured for a parking improvement scheme for The Street. This would include the formalisation of parking on the eastern side of The Street to effectively manage the flow of traffic. These contributions would help to mitigate against any impact of the development on the immediate highway and within the vicinity of the site.

A condition is recommended to ensure full details of the internal layout of the car park and SANG access to ensure priority for pedestrians and cyclists.

The impact of the SANG on Tongham Road would be minimal and not significant. The Transport Assessment suggests the impact of the proposal, if all parking spaces are occupied and turned over within a single hour, would be a maximum of 36 additional two-way vehicle movement in one hour, or one movement every two minutes. Taking this into account with the existing peak

hour two-way flows of 32, this would result in 68 two way movements or circa one every minute.

It is acknowledged that parts of Tongham Road are narrow and there are areas which are only single width. The highways information submitted by the applicant confirms this, showing that whilst the majority of the route is wide enough to allow simultaneous movement of two vehicles, there are areas on Tongham Road where it is not wide enough for two vehicles to pass. This would result in vehicles having to wait to allow oncoming vehicles to pass. However, this is an existing situation and having regard to the number of vehicle movements that would be generated, the proposed SANG would not exacerbate this to an unacceptable extent. It may cause some inconvenience, however, this would not result in a highway safety issue. The proposed access into the SANG car park would allow vehicles to enter and leave the site in forward gear.

It is also noted that there are no separate pedestrian footways along Tongham Road. The Manual for Streets identifies a threshold of around 100 vehicles per hour as being acceptable for use as a shared use; therefore footways do not need to be provided on Tongham Road for the scheme to be acceptable..

The S106 contributions detailed above will improve pedestrian/cyclist access from Grange Road to the SANG site. This would provide an attractive and safe route for future residents of the proposed housing scheme to access the SANG, in addition to the acceptable access to the SANG along the shared surface along Tongham Road. Officers are therefore satisfied that subject to improvements, an appropriate pedestrian and cycle route to the SANG would be provided.

A contribution is sought for the sum of £250,000 towards a capacity improvement scheme at the A31/A331 junction. This contribution would either contribute to the full signalisation of this junction if other funding becomes available or would be used to alter the alignment of the existing layout to improve capacity and reduce speed at which vehicles enter the roundabout. This would also deliver pedestrian improvements through the upgrade and re-positioning of the existing uncontrolled crossing points. Both schemes would offer capacity and highway safety improvements and would mitigate the impact of the development.

Natural England has confirmed that unless SANG is to be provided for the sole use of a local population living within a 400 metre catchment around the site, then the availability of adequate car parking at sites larger than 10 ha is essential. Given the scale of the SANG exceeding the minimum requirement for the proposed housing development, and its location, it may not be solely

used by the local population. As such, the SANG car park would have 18 parking spaces which would be accessed from Tongham Road. The County Highway Authority and Natural England are satisfied with number of car parking spaces provided. Secure cycle parking would also be provided at the SANG site.

A statement regarding the safety of the pedestrian access along the Christmas Pie Cycle Way (which crosses the A331) between the SANG and the residential scheme has been submitted by the County Council Road Safety Audit team. This statement advises the following:

“Surrey County Council is aware that the existing crossing points on the A331/A31 roundabout for pedestrians and cyclists are poor due to restricted sightlines; however there is no recorded accident history at this location.

There are two points of access to the proposed SANG which provide pedestrian and cycle access, one from the Christmas Pie route via Grange Road and the other from the Hogs Back via The Street. Walking distance from the centre of the site to the SANG via Grange Road and The Street are broadly similar, therefore not all pedestrian trips will be on the Christmas Pie route. The SANG is likely to generate approximately 4 to 6 visitors per hour given the size of the site and as such is unlikely to result in a significant increase in pedestrian/cyclist movements in the standard peak hours and as such it is evident that the number of additional pedestrian/cyclist movements crossing the A31 slips will be low.

However, given the existing situation and potential increase in vehicular traffic and footfall from the proposed development at Manor Farm, a contribution of £250,000 for an improvement scheme to assist pedestrians and cyclists cross the southern side of the A331/A31 roundabout and a contribution of £75,000 towards local pedestrian and cycle infrastructure improvements including the Christmas Pie Route were requested by the County Highway Authority. The developer agreed to these contributions through a S106 Agreement.

Guildford Borough Council has identified the A31/A331 junction in its emerging Local Plan Transport Strategy as a junction which requires improving in the future. However, the identified improvement scheme has not been subject to detailed design as no application which would deliver funding has been approved. Prior to applications being approved, it is not certain that the contributions will be received and thus designs will not be progressed. Development at Manor Farm would secure funding towards this improvement scheme. A scheme can combine contributions from up to five different applications; a sum of £44,000 for improvements to Christmas Pie Route has already been secured through a previous planning application on Grange

Road (14/P/02398). This can be included within this pedestrian / cycle improvement scheme.

If this application were to be given permission the County Highway Authority would design a scheme to improve pedestrian and cyclist safety whilst crossing the A331/A31. This scheme would be subject to a Road Safety Audit at this point, so any improvement works would be in accordance with HD 19/15, as per all other highway schemes within Surrey.

Surrey County Council has requested the various contributions as it is aware of the potential impact of the development on the surrounding highway network. Any additional pedestrian or cyclist movement across the A31 will be catered for through these improvements to the existing crossing which have funding of £369,000 secured/identified through this development and the development at Grange Road. The contributions will be used to implement a scheme which will improve on the existing conditions with focus on improving pedestrian and cyclist safety.”

The County Highway Authority has therefore concluded that the proposed access to the SANG would be acceptable and safe for pedestrians and cyclists. Furthermore, and notwithstanding this conclusion, as there is an alternative access to the SANG which does not cross the A31 slip road and is a similar distance to the SANG from the residential development, it would not be reasonable to object on this basis.

The residential development falls outside of Waverley Borough Council's boundary, and would not be subject to the Council's own parking guidelines. In addition, the application is outline and car parking would be a matter for consideration at the reserved matters stage. The County Highway Authority has raised no objection and both WBC and Guildford Borough Council officers are satisfied that an acceptable parking layout for the residential development could be achieved. As such, there would be no adverse impacts for Waverley in this respect, including no likely overspill of parking into Waverley Borough due to the distances involved.

In the absence of an appropriate legal agreement to secure contributions for off site highway works, the previous application was refused.

However, the current recommendation is subject to the completion of an appropriate legal agreement. Officers are satisfied that with the completion of this, the proposal would effectively limit any potential significant impacts on the surrounding highway network from the development.

On this basis, the previous reason for refusal would be addressed, and the application would meet the transport requirements of Policies M2 and M14 of the Waverley Borough Local Plan 2002 and paragraph 32 National Planning Policy Framework 2002.

Effect on SPA and effectiveness of proposed SANG

The SANG element of the proposal is necessary in order to mitigate the proposed residential element which falls within the Thames Basin Heaths Special Protection Area.

The proposed residential development (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified.

The application proposes the creation of a bespoke SANG to the south of the A31. The SANG has an area of approximately 17.5ha however it is intended to bring this forward in phases with Phase 1 being an area of approximately 12ha. The SANG would be mostly meadow grassland with areas of tree and shrub planting and would include a 2.3km circular walking route in the form of a mowed track. The SANG would be accessed from Tongham Road and an 18 space car park would be located adjacent to the access. A pedestrian access would also be provided from Hogs Back to the south and from the cycle track to the north of the site. The applicant has also submitted a Landscape and Environmental Management Plan (LEMP) that details the future management and maintenance arrangements for the proposed SANG.

The landscape and Environmental Management Plan (LEMP) outlines the ecological management proposals for the SANG. Natural England has advised that the individual 'bespoke' proposals for an onsite SANG offered with this development are appropriate. As such, the SANG offered with this development would be appropriate, subject to its management being secured by legal agreement.

The size of the proposed SANG, at 17.5 ha, would be sufficient in size to mitigate not only the residential element of the scheme, but would also have spare capacity over and above requirements for this development which the applicant has stated could be made available to facilitate delivery housing on other sites. There would be residual capacity for 371 units in Phase 1 and a further 287 units in Phase 2. Phase 2 SANG would come forward once the residual capacity on Phase 1 has been used up but could be made available

to facilitate the delivery of housing on other sites once that limit has been reached. The legal agreement would allow the use of the SANG to mitigate against impacts on the SPA from additional development projects, should it be required.

The potential for the SANG to be used as mitigation for future developments within Waverley and Guildford, having particular regard to the potential shortfall of SANG in the emerging Local Plan period, is a benefit to be weighed into the planning balance.

The recommendation is subject to the completion of an appropriate legal agreement to secure the provision and long term management of the SANG.

Subject to this, the proposal would both avoid and mitigate the likely significant effect of the proposed residential development upon the Thames Basin Heaths Special Protection Area. As such, no appropriate assessment is required and the application would be acceptable in this respect.

Biodiversity and compliance with Habitat Regulations 2010

The NPPF requires that 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.'

Ecology information has been provided in the form of a Preliminary Ecological Appraisal Report and Protected Species Survey Report and the Landscape and Ecological Management Plan (LEMP).

The proposed SANG includes two large arable fields, bordered by hedgerows and fences. Semi-natural broadleaved woodland occurs in the centre of the site and plantation broadleaved woodland and tall ruderal vegetation occurs in the centre of the eastern field. A small area of scrub surrounds a brick pill box in the south-eastern corner of the site; this has low potential for roosting bats and would be retained. The proposed SANG is likely to support populations of common reptiles and amphibians, although they are highly likely to be

restricted to the field boundaries, scrub and woodland; these habitats would not be adversely impacted by the SANG proposals. The hedgerow, scrub and woodland provides potential nesting and foraging habitat for birds, and navigating and foraging habitat for bats; these habitats would not be adversely impacted by the SANG proposals. Disused (inactive) badger holes were present within the semi-natural woodland.

The reports identify a number of mitigation measures which would be sufficient to prevent adverse impacts on protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development. Should permission be granted, a condition is recommended requiring these recommendations to be carried out.

Concerns have been expressed by the West Surrey Badger Group, regarding the lack of suitable foraging material within the residential scheme, where there are known badger setts in use. The applicant has provided information demonstrating that the development process would not result in the badgers being unable to forage successfully for food, and that provision has been made for green corridors throughout the site to ensure that their presence is maintained.

Concerns have been previously expressed regarding a potential conflict between dogs off leads and the presence of badgers on the site. The overall use of the site is likely to remain low. Notwithstanding this, the LEMP does indicate that thicket planting around the woodland within the vicinity of the setts, to screen and serve as an effective barrier to dogs entering the area. Officers are satisfied that these mitigation measures would be sufficient.

Surrey Wildlife Trust has requested additional information in respect of badgers, such to help to inform a Landscape Ecological Management Plan. Detailed information regarding badger usage of existing habitats on site is required to inform the LEMP as mitigation in this respect. Additional information has been provided. The supporting ecological information acknowledges that there would be a loss of approximately 14-16% of the badger group territory and notwithstanding mitigation to create additional habitat on site, there would be a long term overall reduction in foraging for badgers. This could cause badgers to forage outside their existing territory. This long term effect would be considered at the sub-parish level and would not be significant in overall terms. Any additional comments received from Surrey Wildlife Trust will be reported within an update to committee.

Natural England and Surrey Wildlife Trust have raised no objection to the proposal in respect of the development's impact on biodiversity, or on

protected species. Officers are satisfied that appropriate mitigation could be secured by condition and/or legal agreement. It is concluded that the development would enhance the biodiversity of the site, in accordance with Policy D5 of the Waverley Borough Local Plan 2002.

Heritage considerations

Paragraph 128 of the NPPF states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to 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'.

Paragraph 129 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage assets conservation and any aspect of the proposal.

The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Paragraphs 131 states that, 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness'.

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

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 134 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'

The NPPG 2014 provides guidance under the Section titled 'Conserving and Enhancing the Historic Environment'. Whilst not a policy document, it does provide further general advice to policies in the NPPF.

Pursuant to the decision of the High Court in Barnwell Manor Wind Energy, the Decision Maker should give considerable importance and weight to the setting of the Listed Building. If the harm is found to be less than substantial, it does not follow that the S66 duty can be ignored, although this would lessen the strength of the presumption against the grant of planning permission.

Pursuant to the decision of the Court of Appeal in Forge Field Society, the finding of harm to the setting of a Listed Building or a Conservation Area gives rise to a strong presumption against planning permission being granted. If harm is identified then the decision maker should acknowledge that there is a presumption against permission.

To the west of the Waverley portion of the application site are two listed buildings. Hewitts Farmhouse is Grade II* listed, and its significance lies in the survival of a 16th century or early timber framed building, and its architectural detail. West Farm, contains Grade II Listed Buildings (Farmhouse and barn). Their significance lies in the survival of seventeenth century fabric illustrating the importance of agriculture before the twentieth century.

The impact on the setting of the two heritage features is insignificant and would be preserved.

The proposal would not result in any harm to the significance of the nearby listed buildings and would accord with paragraphs 133 and 134 of the NPPF 2012.

Planning infrastructure contributions

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

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

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

The NPPF emphasises that to ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

The residential development is of a significant scale. It is important that adequate infrastructure provision is secured, in order to mitigate the impact of development on existing infrastructure which could include services within Waverley.

Waverley has consulted with infrastructure providers responsible for the provision of infrastructure within Waverley. As a result, the following Education Infrastructure projects have been identified as necessary:

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £842,076 – project at Ash Grange Primary School for the provision of new junior classrooms
- Secondary education £898,143 – projects at Ash Manor secondary school to expand and provide sufficient school places
- Total: £1,911,587

In addition, the following highways contributions are sought:

- £250,000 towards an improvement scheme for the A331/A31 roundabout

- £75,000 towards local pedestrian and cycle infrastructure improvements including the
- Christmas Pie route and Public Right of Way Route 344
- £40,000 towards road safety improvements within the vicinity of the site, including the parking formalization scheme on The Street.
- £6,150 for the monitoring fee of the Travel Plan

The applicant has submitted heads of terms confirming agreement to enter into a legal agreement to secure education infrastructure contributions. Subject to this being completed, and securing any other relevant contributions identified by Guildford Borough Council infrastructure providers, officers would raise no objection in respect of Planning Infrastructure

Response to Farnham Town Council objection

The matters raised in the objection from Farnham Town Council have been carefully considered in the assessment of this application.

It is stated that the development is contrary to the Farnham Neighbourhood Plan, with specific reference to FNP11. The concerns raised appear to relate to the impact of the housing, rather than the change of use of land to provide SANG. The provision of the SANG is considered to be in accordance with the Farnham Neighbourhood Plan for the reasons set out elsewhere in this report.

The proposed housing, does not fall within Waverley's administrative area, and falls outside of Farnham. As such, the policies of the Farnham Neighbourhood Plan would not apply to this element of the scheme.

It is noted that the letter of objection has also been sent to Guildford Borough Council, in relation to the associated application in that Borough. The matters raised by the Town Council, in respect of the acceptability of the proposed housing, will be considered in the assessment of that application.

Similarly, the matter of Air Quality, arising from the proposed housing, would be matter for Guildford Borough to consider.

Concern regarding traffic impacts are noted. A detailed assessment of the highway safety impacts of the development is included earlier in this report. Having regard to the response of the County Highway Authority, a reason for refusal could not be sustained on this basis.

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.

Environmental Impact Regulations 2017

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2017 or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

Pre Commencement Conditions

“Pre commencement condition” means a condition imposed on the grant of permission which must be complied with: before any building/ other operation/ or use of the land comprised in the development is begun.

Article 35 of the DMPO 2015 requires that for any application for planning permission, the Notice must state clearly and precisely the full reasons, in the case of each pre-commencement condition, for the condition being a pre-commencement condition.

Where pre commencement conditions are justified, these are provided with an appropriate reason for the condition.

Development Management Procedure Order 2015 - Working in a positive/proactive manner

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

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;

- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion

As has been noted above, there is no provision in planning law for situations where an application site lies partly within the area of one local planning authority, and partly within another. Officers have considered the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford.

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. This is considered to be wholly consistent with the aim of preserving the natural beauty of the Countryside. Existing biodiversity and ecological interests on site would be satisfactorily preserved and the proposal would be acceptable in relation to the nearby AONB.

There are potential impacts on neighbouring dwellings by way of noise and disturbance. These could, however, be appropriately mitigated through appropriate management of the car park and access.

The proposed Tongham Road SANG access would be sufficient to accommodate the proposed vehicle movements, and the proposed car parking would be sufficient to accord with Natural England guidance. Subject to appropriate contributions to off site highway improvements there would no adverse impacts on highway safety resulting from either the residential scheme or the proposed SANG.

The residential development, subject to the completion of an appropriate legal agreement towards planning infrastructure projects, would not adversely impact on existing infrastructure within Waverley.

The proposed SANG, which is necessary to mitigate the residential development, has the potential to also be used as mitigation for future developments within Guildford and Waverley. Furthermore, the SANG would enable the delivery of new housing within Guildford which is a further benefit to the application.

For these reasons, and subject to appropriate conditions and a legal agreement, it is concluded that the previous reasons for refusal have been addressed. It is concluded therefore that there are no adverse impacts that would outweigh the benefits of the application when assessed against relevant local plan policies and the National Planning Policy Framework.

Recommendation A

That, subject to the completion of an appropriate legal agreement in respect of SANG and Planning Infrastructure Contributions, as well as any other contributions required by Guildford Borough Council by 11/04/2018, subject to Guildford Borough Council resolving to approve the application and subject to conditions, permission be GRANTED:

1. Condition

Details of the reserved matters set out below ("the reserved matters") shall be submitted to the Local Planning Authority for approval within three years from the date of decision:

1. Appearance
2. Landscaping
3. Scale
4. Layout

The reserved matters shall be carried out as approved. Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason

To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Condition

The plan numbers to which this outline permission relates are 1613_01 Rev A Site Location Plan, Tf 997/TRR/200 Rev A Tree Survey Retention and Removal Plan Sheet 1 of 3, Tf 997/TRR/201 Rev A Tree

Survey Retention and Removal Plan Sheet 2 of 3, Tf 997/TRR/202 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, 14-074-01 Surface Water Drainage Strategy and PlanApp - Topographical Survey 6R6A Rev 2 Model - Manor Farm - 04 2015. 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.

4. Condition

The plan numbers to which this permission relates are 1613_01 Rev A Site Location Plan, D2298 L.200 Revision K (showing cycle bollards) Proposed SANG Land: Landscape Proposals, Tf 997/TRR/200 Rev A Tree Survey Retention and Removal Plan Sheet 1 of 3, Tf 997/TRR/201 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, Tf 997/TRR/202 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, 14-074-01 Surface Water Drainage Strategy and PlanApp - Topographical Survey 6R6A Rev 2 Model - Manor Farm - 04 2015. 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.

5. Condition

Before the development is be first brought into use the proposed vehicular access to the Suitable Alternative Natural Greenspace shall be constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, but generally in accordance with Drawing No. ITB10194-SK-014, Revision B, and thereafter permanently maintained.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy

M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

6. Condition

Before the development is first brought into use the proposed pedestrian accesses to the Suitable Alternative Natural Greenspace shall be constructed in accordance the approved plan Drawing No. D2298 L.100, and thereafter permanently maintained.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

7. Condition

The development hereby approved shall not be be first brought into use unless and until space has been laid out within the SANG site in accordance the approved plans, Drawing No. ITB10194-SK-014, Revision B, for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purposes.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

8. Condition

The development hereby approved shall not be first brought into use unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for secure cycle parking within the Suitable Alternative Natural Greenspace site.

Reason

In order to promote sustainable travel such to accord with Section 4 ""Promoting Sustainable Transport"" in the National Planning Policy Framework 2012.

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

Reason

The development proposed covers a large surface area and it is considered likely that it will affect currently unknown archaeological information. It is important that the site is surveyed and work is carried out as necessary in order to preserve as a record any such information before it is destroyed by the development in accordance with Policy HE15 of the Waverley Borough Local Plan 2002.

10. Condition
No development shall commence until a Construction Transport Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management)
 - (e) provision of boundary hoarding behind any visibility zones
 - (f) HGV deliveries and hours of operation
 - (g) vehicle routing
 - (h) measures to prevent the deposit of materials on the highway
 - (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - (j) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012. This is a pre commencement conditions as it relates to the construction process.

11. Condition
Construction works pursuant to this permission shall not take place other than between the hours 08:00 and 18.00 Monday to Fridays and

between 08.00 and 13.00 on Saturdays. No works shall take place on Sundays or Bank Holidays.

Reason

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

12. Condition

Prior to the commencement of the SANG development (southern site), a scheme for the prioritisation of vehicles and cyclists shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full, prior to the first use of the proposed SANG development.

Reason:

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and paragraph 32 of the NPPF 2012.

13. Condition

Prior to the commencement of development of the SANG (southern site), a management plan for soil handling for the areas of built/hard development shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include identifying when soils are dry enough to be handled and how to make the best use of the different soils on site and shall accord with guidance in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. The development shall be undertaken in full accordance with the approved management plan.

Reason

In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the development in accordance with Policies D1 and RD9 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

14. Condition

Appropriate signage shall be provided along Tongham Road to provide direction to the SANGS for future users, in accordance with details to be submitted to and approved in writing by the Local Planning

Authority. The agreed signage shall be implemented in accordance with the approved details prior to the first use of the SANG.

Reason

In order to avoid inconvenience to other road users and to protect the amenities of neighbouring occupiers in accordance with Policies D1, D4 and M2 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 Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any

works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licence/vehicle-crossovers-or-dropped-kerbs.

5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice
6. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
7. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. 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.

RECOMMENDATION B

That, in the event that the requirements of recommendation A are not met, that permission be REFUSED for the following reasons:

1. The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education infrastructure to mitigate the impacts of the development and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002.
2. The Local Planning Authority considers that the proposals (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NRM6 of the South East Plan and the NPPF 2012.

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