

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

When calling please ask for:
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Policy and Governance

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Direct line: 01483 523224

Calls may be recorded for training or monitoring

Date: 22 October 2018

Membership of the Joint Planning Committee

Cllr David Else (Chairman)	Cllr David Hunter
Cllr Peter Isherwood (Vice Chairman)	Cllr Jerry Hyman
Cllr Brian Adams	Cllr Simon Inchbald
Cllr Mike Band	Cllr Anna James
Cllr Maurice Byham	Cllr Denis Leigh
Cllr Carole Cockburn	Cllr Stephen Mulliner
Cllr Kevin Deanus	Cllr Nabeel Nasir
Cllr Paul Follows	Cllr Chris Storey
Cllr Mary Forszewska	Cllr Liz Townsend
Cllr Michael Goodridge	Cllr John Ward
Cllr John Gray	Cllr Nick Williams
Cllr Val Henry	

Substitutes

Appropriate Substitutes will be arranged prior to the meeting

Members who are unable to attend this meeting must submit apologies by the end of Tuesday, 23 October 2018 to enable a substitute to be arranged.

Dear Councillor

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

DATE: TUESDAY, 30 OCTOBER 2018

TIME: 6.30 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 3 October 2018 (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.

Members are advised that in order for a substitute to be arranged, a Member must give four clear working days notice of their apologies. For this meeting, the latest date apologies can be given for a substitute to be arranged is 23 October 2018.

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. QUESTIONS FROM MEMBERS

The Chairman to respond to any questions received from Members in accordance with Procedure Rule 11.

6. PERFORMANCE AGAINST GOVERNMENT TARGETS

Planning Performance and the Government target on quality on planning decision making will now be a standard item on the Joint Planning Committee agenda. This was an agreed recommendation at Executive on 28 November 2017 and is part of the Development Management Service Improvement Plan.

The latest available statistics had already been circulated this month at 3 October meeting and there are no new updated statistics available at present.

7. ITEM A1, WA/2018/0275 - LAND AT STURT FARM, STURT ROAD, HASLEMERE GU27 3SE (Pages 5 - 60)

Proposal

Approval of reserved matters for 132 dwellings (Appearance, Layout and Scale) for development for residential use pursuant to planning permission WA/2017/1346 (to reflect revised access arrangements to outline permission WA/2014/1054). (This is a subsequent application under the EIA Regulations, and is accompanied by a Statement of Conformity) (As amended by plans and information received 1/10/2018 and 16/09/2018)

Recommendations

RECOMMENDATION A

That, the Reserved Matters of Layout, Scale and Appearance be APPROVED, subject to conditions 1-14 and informatives 1-9.

RECOMMENDATION B

That details pursuant to the following be approved:

- Conditions 7 (surface water drainage), 8 (foul water drainage) and 10 (Drainage strategy) of WA/2017/1346
- The S106 Agreement requirements in respect of Affordable Housing for WA/2017/1346 (as required by clause 1.1 of schedule 2).
- The S106 Agreement requirement in respect of SANG for WA/2017/1346 (as required by clause 3.3 of schedule 2).
- The S106 Agreement requirement in respect of Play Area for WA/2017/1346 (as required by clause 3.1 of Schedule 2).
- The S106 Agreement requirement in respect of Open Space for WA/2017/1346 (as required by Clause 3.2.1 of Schedule 2).

8. ITEM B1, WA/2018/1230 - LAND AT GREEN LANE FARM, GREEN LANE, BADSHOT LEA GU9 9JL (Pages 61 - 104)

Proposal

Application under Section 73 to vary Conditions 2, 3, 5 & 8 of WA/2016/2456 (conditions relate to approved plan numbers, access, turning and parking) to allow change to affordable housing provision, addition of conservatories to Plots 1, 3, 38, 40 and 43, alterations to layout and amendments to Plots 34 and 35 to alter from semi-detached to detached dwellings.

Recommendations

RECOMMENDATION A

That permission be GRANTED subject to the conditions 1-25 and informative 1-4 outlined in the agenda report.

RECOMMENDATION B

That, in the event the requirements of recommendation A are not met within 6 months of the resolution, permission be REFUSED for the reason outlined in the agenda report.

9. 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.

10. 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 7.

A1 WA/2018/0275
Marlin Ltd
13/02/2018

Approval of reserved matters for 132 dwellings (Appearance, Layout and Scale) for development for residential use pursuant to planning permission WA/2017/1346 (to reflect revised access arrangements to outline permission WA/2014/1054). (This is a subsequent application under the EIA Regulations, and is accompanied by a Statement of Conformity) (As amended by plans and information received 1/10/2018 and 16/09/2018) at Land At Sturt Farm, Sturt Road, Haslemere GU27 3SE

Committee: Joint Planning Committee
Meeting Date: 30th October 2018

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 489012 N: 132310

Town: Haslemere
Ward: Haslemere Critchmere and Shottermill
Case Officer: Flo Taylor
Expiry Date: 04/06/2018
Time Extended Date: 02/11/2018
Neighbour Notification Expiry Date: 30/03/2018
Neighbour Notification
Amended/Additional Expiry Date: 04/07/2018

RECOMMENDATION A

That, the Reserved Matters of Layout, Scale and Appearance be APPROVED, subject to conditions.

RECOMMENDATION B

That details pursuant to the following be approved:

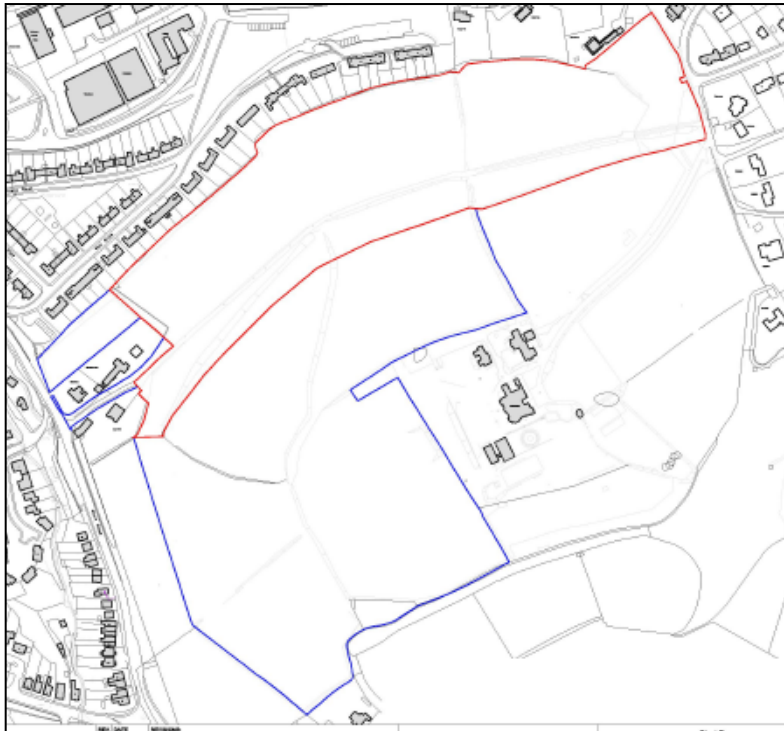
- conditions 7 (surface water drainage), 8 (foul water drainage) and 10 (Drainage strategy) of WA/2017/1346
- The S106 Agreement requirements in respect of Affordable Housing for WA/2017/1346 (as required by clause 1.1 of schedule 2).
- The S106 Agreement requirement in respect of SANG for WA/2017/1346 (as required by clause 3.3 of schedule 2).

- The S106 Agreement requirement in respect of Play Area for WA/2017/1346 (as required by clause 3.1 of Schedule 2).
- The S106 Agreement requirement in respect of Open Space for WA/2017/1346 (as required by Clause 3.2.1 of Schedule 2).

Introduction

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

Location plan



Site Description

The application site is located to the east of Sturt Road, Haslemere. The site covers approximately 4.29 hectares and is situated approximately 800m to the south of the centre of the urban area of Haslemere.

It comprises an area of open countryside which rises from west to east. To the west of the site are a cluster of residential buildings which are Grade II listed and Sturt Farm which is a Building of Local Merit.

To the north are residential properties in Sun Brow and, to the south, it adjoins open countryside which rises towards a highpoint at Longdene House.

There is a Public Footpath No.35 which runs along the existing access track and leads from Sturt Road to Hedgehog Lane to the north.

Background

The application seeks approval of reserved matters following the grant of S73 application WA/2017/1346.

Application WA/2017/1346 granted outline planning permission to vary conditions 3 (plan numbers), 18 (access) and 24 (landscaping) and remove condition 26 (details of retaining wall) of WA/2014/1054, to reflect revised access road which was approved under separate application WA/2017/0512.

WA/2014/1054 granted outline permission for the erection of up to 135 dwellings together with associated development including hard and soft landscaping, access roads including partial demolition of retaining walls, public open space, dedicated woodland and permanent footways and the upgrading of existing footpath to a pedestrian/cycle link (PROW No.35).

The means of access and landscaping were considered and approved as part of the previous applications.

- “Means of access” means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted, or, as the case may be, in respect of which an application for such a permission has been made.
- “Landscaping” means in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated.

Means of access and landscaping are not, therefore, before the Committee for consideration under the current application. In addition to this, this decision established the principle of up to 135 dwellings on the site.

Members should note that, if the reserved matters are approved, such an approval is not a planning permission in its own right but has to be read in conjunction with the outline planning permission, including the Section 106 agreement attached to that permission. Planning conditions imposed on the outline planning permission will remain in force and would not, therefore, be repeated on any reserved matters approval.

Proposal

Reserved matters approval is sought in respect of the appearance, layout and scale following the outline approval for the erection of up to 135 dwellings, together with associated development including hard and soft landscaping, access roads, public open space, dedicated woodland and permanent footways and the upgrading of existing footpath to a pedestrian/cycle link (PROW No. 35).

The reserved matters can be defined (as set out in the Town and Country Planning Development Management Procedure Order 2015) as follows:

“Layout” - the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

“Scale” - the height, width and length of each building proposed within the development in relation to its surroundings;

“Appearance” - the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

Layout:

- Layout is based on a central spine road with short cul-de-sacs leading off it to the north west and linear residential development to the south-east of the spine road.
- Local Area of Plan (LAP) and Locally Equipped Area of Play (LEAP) would be located at the north-eastern end of the site.
- A narrow landscaped buffer would be retained to the north-west between the site and the existing dwellings to the north-west and a small landscaped buffer to the south-west. More significant green open space would be provided to the north-east, beyond the LEAP and LAP, and to the south-east of the proposed development and the public right of way.
- Affordable housing clustered in small groups spread across site.

Scale:

- Proposed dwellings include a mix of 2.5 storey apartment blocks and 2.5 and 2 storey houses.
- Range of dwelling sizes with a mix of 1 and 2 bed apartments and 2, 3 and 4 bed houses.
- 14 Garages
- 6 communal cycle stores.
- 272 allocated parking spaces (including garages)

Appearance:

- Houses, predominantly detached and semi-detached to reflect local form.
- 6 apartment blocks in a contemporary rural design (31 affordable apartments and 31 private apartments).
- Tenure blind development.
- Traditional design approach reflecting local vernacular and using local and established materials. Some buildings pick up on detail of barns at Sturt Farm.
- The appearance of dwellings includes a range of window styles, varied brick detailing, red brick, hanging tiles, oak stained timber cladding, red clay tiles, slate tiles and balconies.

As part of the current application, the applicants have also submitted further information to discharge the requirements of conditions 7 (Surface water drainage), 8 (foul water drainage) and 10 (drainage strategy) of WA/2017/1346. The applicants have also sought to discharge the S106 legal agreement requirements for WA/2017/1346 relating to Affordable Housing and the proposed SANG.

Proposed Layout Plan



Streetscenes



Plots 121-75 north of spine road



Plots 67-105 to north of spine road



Plots 97-121 north of spine road



South-western elevations of Plots 33-37 and Plot 14



South-western elevation of Plots 86-91 and Plot 52



South-western elevations of plots 117-121 and Plot 108



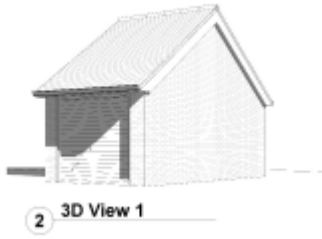
North-western elevations of plots 40-65 south-east of spine road



North-western elevations of Plots 57-110 south-east of the spine road



Street elevation Plots 04-48 to south-east of spine road



Proposed garages

3D visuals



View east along site



View north-east from by Plot 4



View north-east from by Plot 91



View north-east from by Plot 116

Relevant Planning History

<p>WA/2017/1346</p>	<p>Application under Section 73 to vary Conditions 3, 18 and 24 of WA/2014/1054 (plan numbers, access and landscaping) and to remove Condition 26 (details of retaining wall) to reflect revised access road proposed under WA/2017/0512 (amended description) (this is a subsequent</p>	<p>Full Permission 12/02/2018</p>
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	application under the EIA regulations and is accompanied by a statement of conformity)	
WA/2017/0512	The alteration, extension, landscaping and improvement to existing access from Sturt Road to land to the rear of Sturt Farm, and the provision of Suitable Alternative Natural Greenspace (SANG); to serve development approved under WA/2014/1054.	Full Permission 20/04/2018
SO/2017/0003	Request for Screening Opinion for the alteration and extension of the existing access from Sturt Road to serve the consented Sturt Farm development and the provision of substantial increase in public open space (including facilitating SANG)	EIA not required 21/03/2017
SO/2016/0001	Request for Screening Opinion for an alternative access road to serve the land to the rear of Sturt Farm	EIA Required 19/02/2017
WA/2016/2144	Hybrid application: Full application for the alteration, extension, landscaping and improvement to existing access from Sturt Road to land to the rear of Sturt Farm, to serve development approved under WA/2014/1054; Provision of Suitable Alternative Natural Greenspace (SANG) to serve development approved under WA/2014/1054; Change of use to public open space to provide potential additional SANG; Change of use, extension and alterations to office building to provide 1 dwelling with the erection of a detached garage: Outline application, with access and landscaping to be determined, for the erection of up to 13 dwellings following demolition of 2 dwellings, glasshouses and outbuildings.	Withdrawn 26/10/2016

WA/2016/1342	Alterations and extension to existing access from Sturt Road to the land to the rear of Sturt Farm to serve the development recently approved under ref. WA/2014/1054, including associated landscaping.	Withdrawn 22/08/2016
WA/2014/1054	Outline application for the erection of up to 135 dwellings together with associated development including hard and soft landscaping, access roads, public open space, dedicated woodland and permanent footways and the upgrading of existing footpath to a pedestrian/cycle link (PROW No. 35).	Full Permission 11/06/2014
SO/2013/0012	Screening Opinion Land at Sturt Road, Haslemere Request for Screening Opinion for up to 150 residential units.	Screening Opinion Given 24/12/2013 – requires EIA

Planning Policy Constraints

- Countryside beyond the Green Belt – Outside Developed Area
- Surrey Hills Area of Outstanding Natural Beauty (AONB)
- Area of Great Landscape Value (AGLV)
- Wealden Heaths II Special Protection Area 5 Km Buffer Zone
- Footpath No. 35
- Sturt Farmhouse – Grade II Listed Building
- Upper Barn – Grade II Listed Building
- Granary and shed to south of Sturt Farmhouse – Grade II Listed Building
- Sturt Farm Barn – Building of Local Merit
- River bank within 20m (to the south west of Sturt Road)
- Potentially contaminated land
- Section 106 (regarding land at Sturt Road)
- Gas Pipe Line

Development Plan Policies and Proposals

The development plan includes:

- Waverley Borough Local Plan, Part 1: Strategic Policies and Sites (adopted February 2018)

- Waverley Borough Local Plan 2002 (retained policies February 2018)
In accordance with paragraph 213 of the National Planning Policy Framework (NPPF) 2018 due weight has been given to relevant retained policies in the Development Plan according to their degree of consistency with the NPPF 2018.

The relevant policies to this application are:

Waverley Borough Local Plan, Part 1: Strategic Policies and Sites (adopted February 2018) Policies:

- Policy RE1 Countryside beyond the Green Belt
- Policy RE3 Landscape Character
- Policy TD1 Townscape and Design
- Policy NE1 Biodiversity and Geological Conservation
- Policy NE2 Green and Blue Infrastructure
- 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 AHN3 Housing Types and Size
- 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
- Policy HA1 Protection of Heritage Assets

Retained Policies of the Local Plan 2002:

- Policy C7 Trees, Woodlands and Hedgerows
- Policy D1 Environmental Implications of Development
- Policy D2 Compatibility of Uses
- Policy D4 Design and Layout
- Policy D6 Tree Controls
- Policy D7 Trees, Hedgerows and Development
- Policy D8 Crime Prevention
- Policy D9 Accessibility
- Policy HE2 Buildings of Local Architectural or Historic Interest
- Policy HE3 Development Affecting Listed Buildings or their Setting
- Policy HE15 Unidentified Archaeological Sites
- Policy M5 Provision for Cyclists
- Policy RD9 Agricultural Land

The Draft Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies has been published but does not form part of the Development Plan. The preferred options consultation closed in July 2018 and the representations have been considered. A further consultation will be held before the examination. Given the stage of preparation, some limited weight should be given to the Policies in this draft Plan. The degree of weight afforded to Policies will increase as the preparation of the plan progresses and will depend on the level of objection received to specific policies. The relevant Policies are:

Policy DM1 Environmental Implications of Development
Policy DM2 Quality Places through Design
Policy DM3 Safeguarding Amenity
Policy DM4 Public Realm
Policy DM5 Safer Places
Policy DM6 Comprehensive Development
Policy DM7 Accessibility and transport
Policy DM8 Trees, Woodland, Hedgerows and Landscaping
Policy DM12 Development in rural areas
Policy DM19 Development Affecting Listed Buildings, and/or their Settings
Policy DM24 Archaeology
Policy DM34 Access to the Countryside

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Settlement Hierarchy (Update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Viability Assessment (2016)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)

- Surrey Hills Management Plan (2014-2019)
- Haslemere Design Statement (2012)

Consultations and Town Council Comments

County Highway Authority	Recommends conditions in respect of the provision of cycle storage, electric vehicle charging points, parking space provision, works to Footpath 35. Notes that matters relating to access where considered by the Highway Authority as part of the approved outline application and that the current reserved matters application is compatible with that agreed at outline stage. Also notes that conditions 7, 17, 18 and 21 of the outline permission are relevant for the layout of the site.
Town Council	No comments
West Sussex Highway Authority	No comments No objection based on the amended plans
Surrey Hills AONB Officer	Site is not on the edge of AONB but within AONB. Unsure if the site can satisfactorily accommodate the proposed number and scale of dwellings. Proposals don't accord with Management Plan Policy LU3 above and is out of character with the Surrey Hills AONB
Natural England	10 year management plan for SANG needs to be extended for minimum 80 years. Costs and funding needs to be clear too.
Thames Water	Recommends condition in respect of foul water networks. No objection in respect of surface water infrastructure capacity. Inability of existing foul water network infrastructure to accommodate the current proposal. No one shall occupy until; all wastewater network upgrades have been completed or a housing and infrastructure phasing plan has been agreed. Surface water network infrastructure capacity is sufficient
Environment Agency	Conditions 7, 8 and 10 can be discharged.
County Archaeologist	No objection subject to condition. (Officer note: this was secured as part of the outline permission).
Surrey Wildlife Trust	Recommends that prior to development, an

	<p>updated badger survey should be taken to check on activity of setts around the site. Council should seek advice from Natural England to ensure development into Thames Basin Heath is appropriate.</p> <p>Seek confirmation that removal of any tree/shrub will be undertaken in a precautionary way to avoid adverse effects to legally protected species</p>
Surrey Police	Recommends the parking is accessed via an undercroft with control of access.
Lynchmere Parish Council	<p>Large retaining wall to the side of main road was installed to stop hillside from slipping into the valley. Part of this wall has to be removed for construction so stability of the hillside should be considered as a material matter and investigated.</p> <p>Wants consultation on educational proposals due to over subscribed schools and how traffic management schemes will impact their Parish.</p>

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 02/03/2018, site notices were displayed around the site on 21/02/2018, and neighbour notification letters were sent on 20/02/2018, 04/04/2018 and again on 13/06/2018 following the receipt of amended plans.

16 letters have been received, including one from Lynchmere Parish Council, raising objection for the following reasons:

Trees and biodiversity and Landscaping

Loss of trees

Lack of Tree Preservation Orders

Tree protection plan not following NHBC standards

Accuracy of tree constraints plan

Previously agreed landscaping will not be implemented

Little room for landscaping between dwellings

Hedgerows should be protected
Risk of tree root damage

AONB/AGLV

AONB/AGLV site/damage to landscape value
Need for housing should be met on less sensitive site
Little recognition given to site being with AONB
Intensity, layout, form and design do not accord with the Surrey Hills AONB Management Plan
Disregards natural character of Haslemere

Traffic, parking and access

Will create a hazard – concerns for safety of nearby residents, schoolchildren and road users
Already overburdened road
Poor sight lines of access road
Additional parking problems in town.
New access will be unsuitable

Flooding

Increase in surface water runoff
Flooding from hard surfacing

Residential amenity

Increased noise and disturbance
Overlooking and loss of privacy
Loss of light into neighbouring gardens in winter
3 storey dwellings in view from neighbouring properties

Design and visual amenity

Density
Urbanisation of rural area
Will diminish local visual amenity
2 ½ and 3 storey dwellings would have overbearing appearance to Sun Brow properties
Out of character with buildings in Haslemere area
3 storey buildings would be visible from outside site and dominate
Dwellings will be located in 17m exclusion zone
New road won't keep 'nucleated setting' of original site
Density of housing is out of keeping of area
Worries over how the estate will look in the future - Need more details of material quality

Infrastructure

Pressure on local schools, doctors and emergency services, sewers, health centre, poor roads
Lack of infrastructure to accommodate proposed houses/vehicles
Site should provided some infrastructure e.g. doctors
Worries over size of roads as it is difficult to scale off electronic drawings

Biodiversity

Loss of ecology/biodiversity and no protection for them
Classification of badger sett and measures not adequate for protection
Loss of habitat/foraging areas

Other

Impact on Listed Buildings from access road
Pollution from 300 vehicles and household activities
Other more appropriate sites available
Stability of hillside/retaining wall
Disregard for Green Belt Policy
Potential contamination of aquifer
Harm from change of footpath to cycle path
SANG would impact on wildlife/loss of agricultural land for SANG
SANG land unsuitable for proposed purpose
Light pollution
Not identified as a site in the Local Plan Part 1 or in line with NPPF
Conflict with Haslemere Design Statement
Location of LEAP/LAP on sloping land
Previous applications refused
Difficulty of topography for number of dwellings
Disregard of democracy – “hundreds of citizens object”
Worries of a planning creep leading to further loss
Lack of children’s play areas especially due to estate’s distance from others
LEAP/LAP situated on edge of the development by some woods

1 Letter has been received supporting the scheme for the following reasons:

Would enable local people to remain in Haslemere
Would relieve pressure on areas more worthy of being AONB
Not a naturally beautiful area compared to north, east and south of Haslemere. SANG site is much more worthy of title AONB.

1 letter making general observations set out below has been received:

West Sussex highway authority has no comment as it falls outside their boundaries

Determining Issues

Principle of development

Prematurity

Countryside beyond the Green Belt

Landscape Character

Design/Impact on visual amenity

Impact on residential amenity

Standard of accommodation and provision of amenity/play space

Housing mix

Affordable Housing

Infrastructure

Heritage

Trees and landscaping

Waste, recycling and cycle stores

Car Parking and highways

SANG

Drainage

Biodiversity and compliance with Habitat Regulations 2017

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

Implications

Sustainability

Environmental Impact Regulations 2017

Pre-commencement Conditions

Response to third party comments

Planning Considerations

Principle of development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development.

This application seeks consent for reserved matters following grant of outline permission under WA/2014/1054 and subsequent S73 application WA/2017/1346 in which outline permission was granted for the erection of up to 135 residential dwellings including access and landscaping. Therefore, the principle of development has already been established and only the reserved matters are to be considered in the assessment of this application.

The matters which have been reserved for consideration are:

- Layout
- Scale

- Appearance

The report will consider the reserved matters, in addition to any other relevant considerations.

Countryside beyond the Green Belt

The site is located within the Countryside beyond the Green Belt outside any defined settlement boundary.

Policy RE1 of the Local Plan (Part 1) 2018 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

Whilst the site is currently located in the Countryside Beyond the Green Belt, following the grant of outline planning permission, Local Plan Part 2: Site Allocations and Development Management Policies is proposing to amend the settlement boundary to include the site within the Developed area of Haslemere. As the document is progressing through public consultation, it can only be afforded limited weight at the present time. However, it does indicate that the Council consider that the site should be read as part of the developed area and this is a material consideration that the Committee should give some weight to.

As part of the determination of the outline application WA/2014/1054 it was found that the proposal would have minor to moderate adverse impacts on the character and beauty of the countryside, with the current open fields being replaced by substantial built form. It was noted that the established hedgerows would be retained as green infrastructure, and that the well treed established boundaries of the site would be retained. The views of the site would be localised, rather than far reaching, with longer distance views into the site being fairly limited from the south, due to the topography. Although the higher parts of the eastern end of the development would be visible from other parts of Haslemere, this impact could be mitigated with an appropriate design and layout. As part of the determination of outline application WA/2014/1054 it was concluded that the overall moderate negative impact on the countryside was outweighed by the benefits of the proposal, including the provision of housing to meet Waverley's housing need.

Officers consider that the current proposal for 132 dwellings would not result in any additional harm to the countryside over that already established in the outline application.

Landscape Character

The site is mainly located within the AONB and AGLV. Policy RE3 of the Local Plan (Part 1) 2018 sets out that new development must respect and where appropriate, enhance the character of the landscape in which it is located.

The Surrey Hills Management Plan 2014 – 2019 sets out the vision for the future management of the Surrey Hills AONB by identifying key landscape features that are the basis for the Surrey Hills being designated a nationally important AONB. It has been formally adopted by all the constituent planning authorities and the Surrey Hills AONB Board following public consultation. It is therefore a material planning consideration. The following policies are relevant to the determination of this application.

- Policy LU1 – In balancing different considerations associated with determining planning applications and development plan land allocations, great weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB.
- Policy LU2 – Development will respect the special landscape character of the locality, giving particular attention to potential impacts on ridgelines, public views, tranquillity and light pollution. The proposed use and colour of external materials will be strictly controlled to avoid buildings being conspicuous in the landscape.
- Policy LU3 – Development proposals will be required to be of high quality design, respecting local distinctiveness and be complimentary in form, setting and scale with their surroundings, and should take any opportunities to enhance their setting.

The Surrey Hills AONB Management Plan 2014-2019 emphasises the significant development pressures and threats to which the Surrey Hills are subjected to and states, being so close to London and other urban areas means there are significant development pressures on the Surrey Hills landscape. These pressures are expected to increase and justify especially stringent controls of development. The cumulative effect of many, often small, developments over decades and centuries would reduce the landscape and scenic beauty of the Surrey Hills and spoil it for future generations. These and other pressures and threats outlined in Section 1.8 are considered to justify the policies below for strict controls of development in this most sensitive of landscapes.

The potential impact on landscape character was considered at outline stage. Whilst the number of proposed homes would undoubtedly have some impact on landscape character, the benefits were considered to outweigh that harm

and principle for the erection of up to 135 dwellings was considered acceptable.

The Surrey Hills AONB Officer has been consulted on the application and considers that little recognition has been given to the site being within the AONB. Whilst the AONB officer acknowledges that outline permission has been granted for up to 135 dwellings, he considers that consideration should be given as to whether the proposed 132 dwellings and their scale can be satisfactorily accommodated on the site. The AONB officer considers that Policy RE3 of the Local Plan Part 1 2018 is no longer of relevance as outline permission was granted contrary and as an exception to national and local AONB planning policies and that the guiding Policy for scale, form and design of the development, excluding local plan design policies, is Policy LU3 of the Surrey Hills AONB Management Plan which states that “Development proposals will be required to be of high quality design, respecting local distinctiveness and be complementary in form, setting and scale with their surroundings, and should take any opportunities to enhance their setting”.

The Surrey Hills AONB officer considers that the intensity, layout, form and design of the proposed development are disappointing and would not accord with the Management Plan Policy LU3. He considers that the proposed development would be cramped and dominated by buildings, parked vehicles and hard surfacing and that insufficient space is provided for trees to grow to a sufficient size to soften the visual harshness. Concerns have also been raised in respect of the tunnelling effect from the spine road, absence of front gardens and parking directly to the front of dwellings.

Notwithstanding the comments raised by the AONB Officer, Officers are satisfied that the proposed scale, layout and appearance of the development would be acceptable in respect of impact on the AONB and AGLV, given that the principle of the development of this site for this quantum of dwellings has already been established by the granting of the outline permission.

Design/Impact on visual amenity

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2012.

The site is located within the ‘Special Green Area’ area set out in the Haslemere Design Statement 2012 which the Haslemere Design Statement seeks to retain.

As a further guide in respect of the existing built form in the area, the developed area to the north-west of the site falls within the Shottermill and Critchmere Area of the Haslemere Design Statement. Whilst the Haslemere Design Statement states that Generic Design Guidelines apply, it also states that the individual character of Shottermill should be retained and that any new development should be consistent with the prevailing character of the area.

Generic Design Guidelines set out in the Haslemere Design Statement relevant to the current application site include that development should:

- Provide public open space
- Introduce tree planting to break up large areas of car parking
- Seek to maintain and enhance tree and hedgerow cover on boundary lines of development sites to screen new schemes and reflect the local landscape character.
- Encourage developers of large volume buildings to provide extensive tree screening.
- Preserve, enhance and expand existing hedgerows.
- New trees and hedges should be native species or appropriate local or traditional fruiting varieties, more valuable to wildlife.
- Footpaths should be surfaces to reflect the local natural environment.

- Layout

The proposed layout comprises a central spine road with short cul-de-sacs running to the north-west of the spine road and linear accommodation to the south-east of the spine road. Officers are satisfied that this would be an appropriate approach, given the constrained linear nature of the site.

There would be a range of housing types and sizes spread across the site and these would be reasonably mixed across the site with the exception of a cluster of 4 bedroom market dwellings to the north-east of the site. The apartment blocks would all front the main spine road, however would be spread along the length of the road with 3 apartment blocks on each side. The 2.5 storey units would all be located adjacent to the spine road, making use of the topography to reduce their additional height over that of the 2 storey dwellings. The dwellings would have acceptable rear garden space and there would be shared open space for apartment blocks contained within the L-shape to the rear of each block.

Affordable housing would be well spread across the site, clustered in small groups. This approach is preferable and, given the design would be tenure

neutral, would not be identifiable. 3 of the mini-terraces would contain market dwellings and affordable shared ownership dwellings as neighbours.

Hardstanding allocated for parking provision appears dominant on the site plans and officers consider that this is not an ideal approach. There would be some frontage parking, parking courts and a number of detached and integral garages. Turning heads would be located within shared parking courts. However, given the proposed landscaping, the parking courts being shielded by buildings with undercrofts which provide access to parking areas, and topography, officers consider that the visual impact of parking and hardstanding would be acceptable.

A Local Area of Play (LAP) and Local Equipped Area of Play (LEAP) would be located adjacent to each other to the north-east of the site, surrounded by open space, with a significant area of open space to its north-east. The proposed play equipment for the LEAP would utilise natural materials for much of the equipment and would be visually acceptable. There would be natural surveillance from fronting dwellings on plots 110-112, however, care needs to be taken over the landscaping details to ensure that the opportunity for natural surveillance is retained. Notwithstanding, the agreement to landscaping details would be pursuant to Condition 23 of WA/2017/1346 rather than as part of the current Reserved Matters application. Further open space would be provided to the south-east of the main built form.

Space would be retained between buildings, preventing the built form from appearing dominant and oppressive and allowing some views to be retained from within the site, through to the open countryside.

A narrow landscaped buffer between dwellings/plots and the boundary to the north-west/north would be retained, along with a small landscape buffer to the south-west of the proposed dwellings.

Links to adjacent sites would be provided using the proposed vehicular access to/from Sturt Road and from Public Right of Way 35 (footpath) which runs north-east/south-west across the site and would be upgraded to a footpath/cycleway as part of the proposed development on the site. Whilst there would be no immediate links to Sun Brow, which would be desirable in planning terms, this would not be achievable due to existing development in private ownership to the north/north-east of the site.

- Scale

The proposed development would be a mix of 2.5 storey apartment blocks and 2 and 2.5 storey dwellings. Dwellings would be predominantly detached

and semi-detached to reflect local character, however, there would be 3 dwelling terraces in 6 locations and 6 apartment blocks spread across the site. Officers consider that the scale of the development would be appropriate, making best use of the topography of the site so that the higher buildings would be located in the valley alongside the central spine road. This will prevent these buildings appearing inappropriately dominant and would act to minimise the bulk of the proposed development.

The proposed dwellings would span a range of sizes from one and two bedroom apartments to two, three and four bedroom dwellings. Design approaches have included half-hips to flat blocks with the eaves kept low which would help to reduce the scale and bulk of development and hips to some of the proposed dwellings which would have a similar benefit in terms of bulk reduction.

There would be 14 garages, mainly integral, and 4 single detached garages located adjacent to proposed dwellings.

- Appearance

The proposals include various house types along the spine road to add variety and interest, mainly detached and semi-detached with apartment blocks interspersed. There would be various materials and detailing to help further add cohesion to the scheme, whilst retaining variety.

Whilst the scale and design of the flat blocks was of concern to officers when the initial scheme was submitted, the applicants have responded to officer comments and addressed the scale and bulk through an amended architectural approach which better reflects the character of the surrounding area and reflects a rural feel with the barn detailing. This approach is also reflected in some of the other units, with the use of timber cladding, and would add interest overall.

4 principal traditional styles of elevation have been developed that reflect the local vernacular, including that at Sturt Farm. The different style dwellings are mixed across the site with no more than 4 dwellings of the same material in a row, and where there would be four similar dwellings in a row, variation in detailing between adjacent dwellings and those opposite. This would create interest without appearing overly engineered.



Style 1
For houses, flats and FOGs with a tile hung first floor, red stock brick ground floor and a red plain tile roof.



Style 2
For flats and FOGs, picking up the details of the barns at Sturt Farm and nearby Sickle Mill Court, with oak stained cladding and a red plain tile roof.



Style 3
For houses, flats and FOGs with red stock brick walls with a dentil course at first floor level and a red plain tile roof.



Style 4
For houses, flats and FOGs with red multi stock walls, red stock quoins and corners to openings and a grey slate roof.

The proposed house types, as illustrated above, would include the following, however, there would be design variation within each of the house types:

- Type 1 – red brick, tile hanging at first floor and red plain tile roof.
- Type 2 – detailing from barns at Sturt Farm with oak stained cladding and red plain tile roof.
- Type 3 – red brick with dentil course at first floor level and red plain roof tile.
- Type 4 – red multi-stock walls, red stock quoins and corners and grey slate roof.

Design of flat blocks



Not only would there be variation between materials, there would be varied scale and bulk resulting from the use of features such as half-hips, gables, barn hips and window styles and dormer windows. Balconies would appear as features on apartment blocks and 'Flat over garages' which would add extra interest, as well as benefit these units with additional private amenity space.

During the application process chimneys, both single and double, have also been added to more of the dwellings so that they are now scattered across the site, rather than only concentrated to the north-eastern end of the site.

Overall, officers consider that the variety resulting from the above features would result in an interesting and visually pleasing development. Officers particularly consider that the interspersed use of oak stained cladding and barn detailing to reflect on the historic Sturt Farm buildings would add interest and reflect the adjacent rural character of the area, albeit in a more contemporary way, whilst the more traditional built form of Haslemere would also be reflected in the proposed design approach. Samples of materials would be secured by a condition, should planning permission be granted, to ensure that suitable quality materials are used for the development.

Affordable dwellings would be tenure neutral and distributed throughout the site. This is considered an acceptable approach.

It is considered that overall, given the quantum of development allowed as part of the outline application, that the proposed scale, layout and appearance of the proposed development would be acceptable, and accord with Policy TD1 of the Local Plan Part 1 2018, retained Policies D1 and D4 of the Local Plan 2002 and the Haslemere Design Statement 2012.

Impact on residential amenity

Policy TD1 of the Local Plan 2018 (Part1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2012.

When considering the impact on residential amenity it is necessary to consider the impact on the existing neighbouring dwellings at both Sturt Farm and on Sun Brow.

In respect of properties adjacent to Sturt Farm, Plot 3 would have windows at first floor level fronting Sturt Farm. As these windows would be secondary windows to bedrooms 1 and 2 and a bathroom, officers consider that it would be reasonable to require these to be obscurely glazed by a relevant condition. The built form would be adequately separated from this property to prevent any overbearing impact or loss of light or outlook.

Officers consider that there would be no requirement for obscure glazing to the south-west of Plots 18, 19 and 20 as they would front agricultural land.

To respect the amenity of existing occupiers along Sun Brow, there would be a need for an obscure glazing condition and a condition preventing the insertion of additional windows at first floor level in the north-west and northern elevations of proposed dwellings. The scheme has been designed so that there would be a planted buffer between the proposed dwellings and gardens and the boundary with the dwellings on Sun Brow to the north-west/north, with the exception of plot 132, which would add additional separation between the proposed development and existing residential plots. To the north-west of plot 132 there would be parking rather than a planted buffer.

Plot 18 would be located 5.4m to the south-east of the rear boundary of the adjacent properties on Sun Brow. Given the length of the rear garden in the properties on Sun Brow, officers consider that plot 18's dwelling would not be overbearing to these properties. Officers would impose a condition to prevent

the insertion of windows at first floor level in the north-wester elevation of plot 18 to prevent future harm from overlooking.

Plots 21 and 132 would be located 4.3m and 3.2m respectively south-east of the shared boundary with properties on Sun Brow, with a dwelling to dwelling distance of 16.6m in both cases. This would be the closest distance between a proposed and neighbouring dwelling on the scheme. This would fall below the separation distance in the Council's Residential Extensions SPD 2010. For this reason, officers consider that a condition to prevent future windows at first floor level would be reasonable. Officers are satisfied that the separation and slope down from Sun Brow to the proposed dwellings would be sufficient to prevent the proposed dwellings being overbearing or resulting in any unacceptable loss of light or outlook. The proposed buffer planting to Plot 21 would further aid this.

Plot 33 would be located 3.8m from the shared boundary to the north-west and there would be 21m overall dwelling to dwelling separation distance which would be acceptable. Plot 66 would be located 7.15 m to the south-east of the shared boundary and with a 20.1m dwelling to dwelling separation. There would be a 21.1m minimum separation between Plot 76 and the neighbouring dwellings on Sun Brow and 4.16m to the shared boundary. Plot 88 would be located 9.5m south of the shared boundary and 30.13m from the dwelling to the north. Plot 92 would be located 26.7m from the dwelling to the north and 9.54m from the boundary to the north. Plot 96 would be located 7.9m from the northern boundary and 25.8m from the dwelling to the north. Plot 113 would be located 6.6m from the shared boundary and there would be 40.7m to the dwelling to the north, Honey Hill. Plots 117 and 118 would be located 15m from the shared boundary and 46m from Bella Vista to the north. Plot 119's dwelling would be located 8m from the boundary with Bella Vista and 45m from the dwelling.

All the dwellings located adjacent to plots of existing built form would be 2 storey dwellings. Officers are satisfied that the separation distances from boundaries, sloping topography and proposed landscape buffer would prevent neighbouring occupiers from suffering material harm from overbearing development or loss of light or outlook.

Officers consider that, in conjunction with conditions to prevent the insertion of any additional windows at first floor level in elevations fronting neighbouring properties and the use of obscure glazing, where appropriate, the proposed development would be located and designed suitably, such that the proposed development would not result in material harm to neighbouring residential amenity from over looking, loss of light or being overbearing to neighbouring

occupiers in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Local Plan 2002.

Standard of accommodation and provision of amenity/play space

Policy TD1 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site play space provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing standards – nationally described space standards (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

The application is accompanied by an accommodation schedule which demonstrates that the proposed dwellings would provide appropriate internal space. This is summarised in the table below.

Whilst all the dwellings would provide appropriately sized overall accommodation size, officers note that there would not be any bedrooms meeting the two person standard in the 2 bedroom ‘flats over garages’. This, however, is a very modest shortfall and, in the absence of a formal policy to require compliance with the guidelines, no objection is raised.

	Internal floor area (sqm)	Technical Space Standard (sqm)
1 bed flat (affordable)	50	50
1 bed flat (market)	51.5	50
2 bed flat (affordable)	72.4 and 70.9	61
2 bed house (affordable)	79.4	70
2 bed flat (market)	73.7, 70.9 and 79.6	61
3 bed house (market)	94.2 and 108	84
3 bed house (affordable)	94.2 and 93.5	84
4 bed house (affordable)	126.5	103
4 bed house (market)	120.8, 139.1, 139.7 and 143.4	103

The proposal would provide appropriate separation distances between proposed dwellings, such to provide appropriate light, outlook and privacy to

proposed dwellings, subject to a condition in respect of obscure glazing, where necessary. Some of the back to back window to boundary distances of proposed plots are below the standards set out within the Council's Residential Extensions SPD 2010, and would not be ideal. This would be a negative impact of the scheme which would need to be weighed into the planning balance. Officers also note that outline permission has already been granted for the proposed quantum of development and the developable space is limited. The only alternative solution to increase spacing would be to increase the number and size of apartment blocks which overall officers consider could be more visually harmful. Officers consider the proposed approach to be an efficient use of land that would enable the delivery of 132 units.

Each proposed house would be served by its own private garden. The blocks of flats have a reasonable amount of communal space surrounding the blocks and some apartments would have private balconies.

The site would have a sizeable quantity of open space within it. Furthermore, the outline permission secures the adjacent land as SANG, which would provide opportunities for outdoor recreation.

A LAP and a LEAP are both proposed within the north-east portion of the site. These are proposed with some overlooking and natural surveillance from neighbouring properties. They are also positioned close to public footpaths/right of ways and the open space.

Clause 3.1.1 of Schedule 2 of the Section 106 Agreement in respect of Play Area requires:

“To submit as part of a reserved matters application made pursuant to the Planning Permission or otherwise to the Borough Council for its approval the details of and specifications for the Play Area Works and no more than 50% of the Open Market Units shall be Occupied until the Play Area Works have been completed in accordance with the approved details and specifications for the Play Area Works (or such subsequent details and specifications that may be approved by the Borough Council).

The proposed details of the play space equipment have been set out within the Design and Access Statement and would incorporate equipment and natural space. Equipment would include a nest swing made of larch, a larch tower combination, a wobble dish, balance blocks, stepping logs, boulders, fallen log and twin see saw as well as 2 benches. Officers are satisfied that they would be visually acceptable and provide a good standard of accommodation.

The proposal is considered to provide a good standard of accommodation and to make appropriate provision for amenity space and play areas.

Housing mix

Policy AHN3 requires new housing to make provision for an appropriate range of housing types and sizes, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA).

Outline application WA/2014/1054 proposed the erection of 135 units with the following indicative housing mix:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Number of units	43	40	42	10	135
%	31.9%	29.6%	31.1%	7.4%	100%

Scale is a reserved matter for consideration as part of this application. The overall mix from the current application would be as follows:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Number of units	30	38	41	23	132
%	22.7%	28.8%	31.1%	17.4%	

Bed size	SHMA Requirement – Market	Proposed scheme - Market	SHMA Requirement Affordable	Proposed scheme – Affordable
1	10%	9 (11.4%)	40%	21 (39.6%)
2	30%	22 (27.8%)	30%	16 (30.2%)
3	40%	27 (34.2%)	25%	14 (26.4%)
4 +	20%	21 (26.5%)	5%	2 (3.8%)
		79 (100%)		53 (100%)

The above table shows that, as a result of the current scheme, there would be a slight over provision in the number of 4 bedroom market dwellings proposed and a slight under provision of 3 bedroom market homes in relation to the indicative requirements of the SHMA 2015.

Officers note that, in terms of market housing, there has been a noticeable change since the outline scheme with a reduction in one bedroom market units and increase in 4 bedroom market units. The market housing mix at the outline stage would not have now been in line with the indicative requirements of the SHMA 2015, however, officers note that the mix of the current reserved matters scheme, both market and affordable housing, would be broadly in line with the SHMA 2015 indicative requirements. As such, officers consider that the proposed mix would be acceptable.

Affordable Housing

Outline application WA/2014/1054 proposed 53 affordable units, representing 39.2% of the overall development. The tenure split set out in the attached Section 106 Agreement is 46% intermediate housing (shared ownership) and up to 54% affordable rented.

The proposed affordable housing mix for WA/2014/1054 was as follows:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Number of units	20	16	17	0	53
%	37.7%	30.2 %	32.1%	0%	100%

The current application proposes 53 affordable units, the same as that at outline stage. Due to the drop in overall units for the current scheme, this would represent 40.15% of the overall development (in comparison with 39.3% proposed in the outline scheme).

The proposed affordable housing mix, as set out in the table below, would almost exactly match the indicative requirements of the SHMA 2015.

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Number of units	21	16	14	2	53
%	39.6%	30.2%	26.4%	3.8%	100%
SHMA 2015 %	40%	30%	25%	5%	100%

The proposal would comprise 46% shared ownership and 54% affordable rented. The Council's Housing Strategy and Enabling Manger is satisfied that the proposed bed size split is in line with the SHMA 2015 needs and that the mix proposed in the Affordable Tenure Plan would be acceptable.

Additionally, in respect of affordable housing, the Section 106 Agreement attached to WA/2017/1346 required the following:

“with or before any reserved matters application made pursuant to the Planning Permission to submit to the Borough Council for its approval the Affordable Housing Plan”

Affordable Housing Plan is defined in the Section 106 as:

“means the Affordable Housing Plan to be agreed in writing with the Borough Council detailing the number, location, size, tenure and type of construction of Affordable Housing Units within the Development”.

This has been submitted, along with a covering letter containing further explanation in order to meet the requirements of Schedule 2 Clause 1 of the Section 106 Agreement. Given that the proposed mix would exactly match the agreed outline permission Section 106 Agreement mix, the principle of which has already been found to be acceptable, it is considered that the Affordable Housing Plan would meet the requirements of the Section 106 agreement. This has been confirmed by the Housing Strategy and Enabling Manager.

Officers are therefore satisfied that the relevant obligation in Clause 1.1 of Schedule 2 of the he Section 106 can be agreed.

Infrastructure

As part of the current Reserved Matters proposal, the proposed housing mix has significantly changed since the indicative outline mix and the total number of units has been reduced by 3.

Infrastructure contributions were sought as part of the outline permission WA/2014/1054 comprising the following contributions:

- Community Facilities Contribution
- Environmental Improvements Contribution
- Playing Pitches Contribution
- Recycling Contribution
- Sports and Leisure Contribution
- Education Contribution
- Transport Improvement Works Contribution
- Library Contribution

With the exception of the library contribution, all of the above contributions secured via the S106 Agreement were agreed with a sliding scale to mitigate

for any changes in number or mix of dwellings as a result of scale details submitted at Reserved Matters stage. In light of this, officers are satisfied that the infrastructure impact of the development has been acceptably mitigated for.

The library contribution sought was not subject to a sliding scale, however, whilst the proposal would increase the size of some of the dwellings over the indicative outline mix, it would reduce the number of dwellings overall. As such, the contribution previously secured would adequately mitigate the impact of the proposal on library infrastructure.

Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Retained Policies HE3 and HE5 of the Local Plan 2002 are afforded significant weight owing to their consistency with the NPPF 2018.

In this instance, consideration is given to the impact of the proposal on the setting and special architectural merits of the adjacent Grade II Listed Buildings (Sturt Farmhouse, Upper Barn, Granary and shed to south of Sturt Farmhouse) and the Buildings of Local Merit (Sturt Farm Barn) in accordance with Local Plan Part 1 Policy HA1 and retained Local Plan 2002 Policy HE3.

The significance of Sturt Farm and its agricultural buildings lie in the survival of the complex and the continued opportunities to recognise, understand and appreciate the agricultural character of the collection of historic buildings and their spatial arrangement. Despite the separation of ownership of the buildings and the conversion of the agricultural buildings to domestic use, the arrangement and its relationship with the land continues to be perceptible. The farm complex and its immediate setting are in contrast to the suburban arranged development to the north and west. The significance of the farm lies in the fact it is separate from this later residential development and acts as a reminder of the historic relationship between the town of Haslemere and the surrounding countryside. The type of dwellings and their functions do contrast between settlement and countryside. The essential characteristic is the

dispersed nature of rural farm dwellings and a close spatial relationship with their associated ancillary buildings.

When considering outline application WA/2014/1054, officers concluded that the proposal would cause less than substantial harm in relation to its impact on the heritage assets. Officers were of the view that as there would be some harm to the setting of the heritage asset. As a result, the proposals would not meet the statutory tests of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 of preserving or enhancing the heritage asset and its setting.

When considering the outline application, it was considered that there would be significant public benefits arising from the proposed scheme, which included the provision of a significant contribution of housing which would outweigh the less than substantial harm caused to the heritage assets.

In assessing the Section 73 application, WA/2017/1346, officers also concluded that, whilst there would be less than substantial harm to the heritage assets, it was considered that none of the changes as part of that application altered the original conclusion that the significant public benefits arising from the scheme identified in the original outline application, which included the provision of a significant contribution of housing, would outweigh the less than substantial harm caused to the heritage assets.

In assessing the current Reserved Matters application, officers are satisfied that the resulting harm from the additional layout, scale and appearance details would be no greater than that previous identified on the outline and Section 73 applications, during which the provision of built form commensurate with up to 135 dwellings was considered acceptable. Whilst officers acknowledge that there would be less than substantial harm to the adjacent Listed Buildings, officers are satisfied that the public benefit, resulting from the significant contribution of housing, including 40% affordable housing provision, would outweigh the less than substantial harm caused to the heritage assets.

Trees and landscaping

Proposed landscaping was an outline consideration and is therefore not a consideration in this reserved matters application. As part of outline permission WA/2017/1346, the landscaping was considered to be acceptable, subject to condition 23 which requires the submission of a detailed landscaping scheme for the proposed development. The applicants have not applied to discharge this as part of this application and so this will require a further submission prior to commencement.

The proposal is considered to be in accordance with the landscaping approved in the outline application, subject to the consideration of the details in accordance with the above permission.

Furthermore, Clause 3.2.1 required details of Open Space Works are defined as:

“the works to provide public open space shown indicatively hatched green on the Plan (the “Open Space”) within the Development in accordance with the details submitted and approved by the Borough Council”.

The Open Space works are shown on Landscape Masterplans 1027.20B 1 of 2 and 1027.21B 2 of 2. This would be in accordance with the outline permission and is acceptable.

Notwithstanding this, the impact of the proposal on existing trees and landscaping is a consideration for this scheme as the layout and scale of the proposal are reserved matters considerations in this application.

It was noted as part of original application WA/2014/1054 and subsequent outline application WA/2017/1346 that tree and hedgerow loss/diminution associated with the development would be principally limited to the removal of trees for the access creations. It was considered that the impact from the loss of these trees would be relatively low and could be mitigated with appropriate consideration of levels and tree and hedgerow planting/enhancement measures.

The Council’s Tree and Landscape officer has raised concerns in respect of the accuracy of the tree survey and that the layout has been designed without due consideration to the mature trees. Concerns were raised in respect of the siting of the access road and housing, in close proximity to mature and veteran trees.

Further to recent tree felling on site, there are now less tree constraints on the site than had previously been the case. The large veteran beech by the Public Right of Way has been felled. This tree was not subject to a Tree Protection Order and its removal could lawfully take place.

The off-site trees on the northern boundary are not within the applicant’s control and are therefore still in existence and remain as constraints on the site. Concerns have been raised by the Council’s Tree and Landscape officer that the proposals do not respect the minimum British Standard recommendations in respect of these trees.

As such, it is considered that the proposal would have some impact on the health and long term retention of trees on and around the site. However, this is a direct consequence of delivering this quantum of development on the site. This would be a negative aspect of the scheme that needs to be weighed into the planning balance. Officers consider that the layout of the scheme has been designed to retain a strong landscaped buffer to the north-west of the site, in line with the outline permission. This is considered appropriate and Officers consider that the benefits of the scheme, including the delivery of 132 homes would outweigh this negative impact.

Whilst full details of the landscaping would be secured by the aforementioned condition, an indicative plan has been submitted with this application. Native planting is proposed in the around the LEAP/LAP and near plots 110, 111 and 12. Officers raise concerns in respect that this may grow to 2m in height, dependent on future management, and end up screening the LEAP and LAP which should benefit from natural surveillance from the adjacent ground floor windows. Concern has also been raised in respect of plants, such as 3m high hazels, which officers consider are unlikely to be sourced easily.

However, notwithstanding these concerns raised in respect of landscaping, the agreement of landscaping details does not fall into the details to be agreed as Reserved Matters. The landscaping details would need to be submitted and considered in respect of the requirement of Condition 23 of WA/2017/1346 which requires that the landscaping scheme should be based on the Landscape Plan 1027.07Gr1 (August 2013). Officers are satisfied that these issues could be resolved when the details for this condition are submitted for the Council's consideration.

Waste, recycling and cycle stores

Cycle parking spaces would be provided in accordance with the Council's Parking guidelines with 1 space for each 1 and 2 bed unit, and 2 spaces for each of the 3/3+ bed units. Bicycle storage would either be communally provided in the 6 cycle stores provided at ground floor level in the 'Flat over garage' buildings, in garages or in dedicated cycle stores for the remaining dwellings. Full cycle storage details would be secured by condition, should planning permission be granted.

The Design and Access statement sets out the recycling and refuse provision has been designed in accordance with the Council's 'Requirements for Refuse and Recycling Provision on New Developments'.

In terms of waste and recycling, the layout has been designed so that there would be adequate kerbside bin collection points. Bins for dwellings,

comprising 1 x 240 litre refuse bin, 1 x 140 litre recycling bin and 1 x 240 litre garden waste bin and a food waste bin and kitchen caddy which will be able to be stored in gardens with access out through gates for all units. Flats would have communal bin storage at ground floor level in some of the 'Flat over garage' units near each of the apartment blocks.

The maximum waste requirement for apartment blocks would be 1490 litres for refuse and 1490 litres for recycling. The communal bin stores in the 'Flat over garage' units would have sufficient capacity for 4 x 1100 litre waste bins. This would provide sufficient waste and recycling storage for 2 x 1100 litre waste bins and 2 x 1100 litre recycling bins for the nearest apartments to each bin store which would in all cases exceed the requirements in the Council's Waste and Recycling Guidance Notes for Applicants and Agents.

A swept path analysis plan has also been submitted to demonstrate that the key turning movements within the proposed site layout could accommodate refuse vehicles. Residents and collection crews would not have to walk further than the specified limits.

Officers consider that acceptable bin storage could be achieved on site. Full details of bin storage locations and details, including for dwellings, can be secured by condition, should planning permission be granted.

Car Parking and highways

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. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

The Council's adopted Parking Guidelines (2013) set out the following guidelines for new residential development:

Dwelling size (and number proposed)	Spaces required per dwelling	Total required
1-bedroom (30)	1	30
2-bedroom (38)	2	76
3-bedroom + (64)	2.5	160
Total required spaces		266

The proposal includes 272 spaces, which exceeds the parking requirement. The parking requirement includes an allowance for visitor parking.

The 272 spaces are made up of:

- 4 Single storey detached garages
- 10 integral garages
- 234 allocated parking spaces
- 24 visitor parking spaces

The proposed level of parking is considered to be acceptable. It is considered that all the allocated parking spaces would be relatively well located, relative to the plots they would serve.

The County Highway Authority has been consulted on the proposal and is satisfied that the current reserved matters application is compatible with the access arrangements agreed by the Highway Authority for the outline application WA/2017/1346. There were relevant highways conditions on the outline permission which are relevant to the layout being considered as part of the current outline application.

The County Highway Authority is satisfied with the details submitted for the proposed car parking and is also satisfied that the proposed site layout includes adequate space for the movement of refuse and emergency vehicles to enter and exit the site in forward gear.

The County Highway Authority is also satisfied with the information submitted in respect of safe routes for pedestrians and cyclists, however, further details would need to be secured by condition in respect of a scheme for upgrading Public Footpath No.35. Additionally, whilst the Design and Access statement details that secure bicycle storage and Electric Vehicle Charging Points will be provided, in accordance with the relevant guidance, officers consider it appropriate to impose a condition to secure these. The Design and Access Statement sets out that single dwellings would have 1 fast charge socket per dwelling. Apartments would have 20% of available spaces to be fitted with a fast charge socket.

The County Highway Authority also note that neither a Construction Transport Management Plan (required by Condition 18 of WA/2017/1346) or a Travel Plan (required by Condition 21 of WA/2017/1346) have been received, however, these will still be required to be discharged in relation to the outline permission. There is therefore no need to impose further conditions in these regards in respect of the current reserved matters application.

SANG

The Section 106 Agreement for WA/2017/1346 had the following requirement in respect of SANG:

“prior to or contemporaneous with the first submission of an application for a Reserved Matters Approval, or as part of that reserved matters application to submit to the Borough Council for its approval in writing the following (which may be one document):

- (a) the SANG Delivery Plan;
- (b) the SANG Management Plan;
- (c) unless that is the Lands Trust details of the SANG Management Body.

SANG Delivery Plan is defined as:

“the delivery plan for the SANG Land submitted to and approved by the Borough Council and which shall include the details of the SANG Land which shall include a circular walk and informal open space”.

SANG Management Plan is defined as:

“the management and maintenance plan for the SANG Land in the form or substantially in the form attached to this Deed as Appendix 6 and which shall have been submitted to and approved by the Borough Council”.

A SANG Delivery Plan and a SANG Management Plan have been submitted with this application in order to meet the requirements of Clause 3.3 of Schedule 2 of the Section 106 Agreement.

Natural England has assessed the submitted details and has raised no objection in light of the specific clauses within the Section 106 Agreement agreed as part of the outline permission (WA/2017/1346).

The Section 106 also required further agreement of details in respect of the SANG prior to the commencement of development and prior to first occupation. Natural England would be consulted as a matter of course when these details are submitted.

In light of Natural England’s position, officers are satisfied that the SANG requirements for the current stage in the process have been met and the relevant obligation within Clause 3.3.1 of Schedule 2 in the Section 106 Agreement can be discharged.

Drainage

As part of the current Reserved Matters application, the applicants have sought to discharge the requirements of conditions 7 (surface water drainage), 8 (foul water drainage) and 10 (Drainage Strategy) of WA/2017/1346.

Condition 7 stated:

Prior to the commencement of development on site, a surface water drainage scheme, to include future maintenance, for the site shall be first submitted to and agreed in writing by the Local Planning Authority. No infiltration of surface water into the ground shall be permitted. The development shall be carried out in strict accordance with the approved details and plans.

Condition 8 stated:

Prior to the commencement of development on the site, a foul water drainage scheme for the site shall first be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details and plans.

Condition 10 stated:

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. The development shall be carried out in full accordance with the approved details.

The Environment Agency, who originally recommended the conditions for outline application WA/2014/1054 (which was amended by WA/2017/1346), has reviewed the relevant additional information submitted as part of the current application.

The Environment Agency considers that, having reviewed the Drainage Strategy Issue 2 by Fairhurst, that there would be no infiltration drainage at the site at the site, and therefore Condition 7 of WA/2017/1346 can be discharged.

In respect of Condition 8 of WA/2017/1346, the Environment Agency note that the proposed development would connect to the public foul sewer network which it considers to be a preferred and reasonable approach. It also

considers this to be the safest option in terms of water quality as discharges from wastewater treatment plants owned and operated by sewerage undertakers are significantly less likely to cause pollution than discharges from private plants treating domestic sewage or trade effluent. The Environment Agency is therefore satisfied that Condition 8 of WA/2017/1346 can be discharged.

In respect of Condition 10 of WA/2017/1346, the Environment Agency notes that the existing network does not have spare capacity to accommodate the additional flows from the proposed development. The Environment Agency considers that the drainage strategy has successfully outlined the works required in order to accommodate the additional effluent flows and that condition 10 can therefore be discharged.

Biodiversity and compliance with Habitat Regulations 2017

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

The outline planning permission WA/2017/1346 is already subject to a condition in respect of the undertaking of recommendations and biodiversity enhancements set out in the Ecology section of the Environmental statement by Concise Construction Ltd May 2014.

Surrey Wildlife Trust has been consulted on the application and recommend that the Local Planning Authority ensures that an identified badger sett is protected from disturbance and seeks confirmation from the applicant that any other active setts are not adversely affected by the development works. Surrey Wildlife has also recommended that the Local Planning Authority seeks confirmation that any tree/shrub removals would be undertaken in a manner as to avoid adverse effects to legally protected species and that retained native species trees on or adjacent to the site should be appropriately protected from adverse effects resulting from development works.

The applicant has commented that they are committed to ensuring that there would be no adverse effect on any setts within the vicinity of the site and is continually updating the relevant surveys to ensure that legal obligations are met. It is considered that a condition could be imposed to prevent the

commencement of development until a further badger survey has been undertaken and necessary mitigation be approved.

Accessibility and Equalities Act 2010

Policy AHN3 of the Local Plan Part 1 (2018) states that the Council will require the provision of new developments to meet Building Regulations M4 (2) Category 2 standard: "Accessible and adaptable dwellings" to meet the needs of older people and those with disabilities.

The supporting text to the policy states that this will be delivered through the implementation of planning permissions. As such, this will be picked up by the building control process when planning permission is implemented.

The Design and Access Statement submitted states that the proposed dwellings have been designed to comply with Part M of the Building Regulations 2004 and the requirements of the Equality Act (2010). It goes on to say that the proposed development would place an emphasis on pedestrian, mobility impaired and cycle use over car travel and that it has been designed to allow movement choice. It also states that the site layout has been planned so that approved routes would be level, gently sloping, ramped or, where unavoidable, stepped. Additionally, the internal layout of the dwellings would allow for wheelchair or mobility impaired access in accordance with Part M of the Building Regulations 2004.

Crime and Disorder

Surrey Police's Designing Out Crime Officer has reviewed the application and recommended that the parking courts accessed via undercrofts should be secured to prevent unauthorised access. However, officers consider that gated areas would not be considered appropriate in design terms.

There would be no other crime and disorder implications.

Human Rights Implications

There are no human rights implications for this application.

Sustainability

Policy CC2 seeks to ensure all new development includes measures to minimise energy and water use. The Policy goes on to say that new dwellings shall meet the requirement of 110 litres of water per person per day.

A condition is recommended requiring the submission of details to confirm that the dwellings have been designed and completed to meet the requirement of 110 litres of water per person per day, prior to the occupation of the dwellings.

Environmental Impact Regulations 2017

Outline planning application WA/2014/1054 was deemed to constitute EIA development. In light of this, a Statement of Conformity has been submitted as part of the current application. The Statement of Conformity does not change any of the conclusions previously reported in the Statement of Conformity for Section 73 Application WA/2017/1346 or the Outline application Environmental Statement. It is concluded that the proposed development would not result in any additional significant adverse or beneficial environmental effects and therefore remains in conformity with the Section 73 Statement of Conformity and the 2014 Environmental Statement.

The council agrees with the statements within the submitted Statement of Conformity and considers that the Environmental Impact assessed under the original Environmental Impact Assessment is sufficient for the current Reserved Matters proposal.

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.

Response to third party comments

Officers have considered the comments raised in the assessment of the application and specialist consultee comments have been referred to where appropriate. Whilst acknowledging the breadth of comments raised, officers also note that the principle of the development of up to 135 dwellings on site has already been established, together with details in respect of access and landscaping. As such, the only matters for consideration as part of the current

Reserved Matters application are those in respect of Layout, Scale and Appearance. A large number of the comments raised relate to issues not for consideration as part of the current application or details which have been secured by condition as part of the outline application. The remainder of the issues raised have been addressed in the report above.

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

The principle of development has already been established through the granting of outline permission for the erection of up to 135 dwellings, including access and landscaping.

The proposed development is considered to be of an appropriate scale, layout and appearance such that it would be acceptable in visual terms and officers consider that the development would reflect the character of the surrounding area.

The proposed development would provide sufficient separation to neighbouring dwellings to avoid any materially adverse impacts by way of overbearing form, loss of light or loss of privacy.

Whilst there would be a minor shortfall with regard to distances between some dwellings, Officers are satisfied that overall the proposed dwellings would provide a good standard of accommodation for future residents having regard to proposed separation distances, light, outlook, privacy and size of accommodation.

The proposed level of car parking is considered to be acceptable and would meet the Council's Parking Guidelines.

A negative impact of the scheme relates to potential negative impacts on trees and landscaping. Notwithstanding, the quantum of new development has been established and the details in respect of landscaping and trees can not be agreed as part of the Reserved Matters application as they have already been approved at outline stage, subject to a condition in respect of further details.

Whilst there would be less than substantial harm to the setting of adjacent Listed Buildings, this was assessed as part of the outline application. Officers are satisfied that the harm to the setting of the near by Listed Buildings would be no greater than that previously accepted as part of the grant of outline permission and that the public benefits of the proposal would outweigh the less than substantial harm.

It is considered that, whilst the proposal would not be entirely in accordance with the Development Plan, the benefits of 132 dwellings, 40% of which would be affordable, of a visually acceptable design suitable to the site and the surrounding area without resulting in material harm to neighbouring amenity would outweigh the adverse impacts in relation to impact on trees and the setting of the nearby Listed Buildings. As such, officers consider that the Reserved Matters of Layout, Scale and Appearance be approved.

Officers are also satisfied that the details submitted in respect of Conditions 7, 8 and 10 of WA/2017/1346 is satisfactory. Furthermore the details with regard to the Section 106 Agreement requirements in respect of Affordable Housing, Open Space and SANG and LEAP/LAP for WA/2017/1346 are acceptable.

RECOMMENDATION A:

That, the Reserved Matters of Layout, Scale and Appearance be APPROVED, subject to the following conditions:

1. Condition
The plan numbers to which this permission relates are:

- S101 Site Location Plan
- S102A Existing Site Survey
- C101G Coloured Site Layout
- P103A Site Sections Sheet 1
- P104A Site Sections Sheet 2
- P108 Site Section Sheet 3
- P110B Plot 7 Plans and Elevations
- Plot 111B Plots 79-80 Plans and Elevations
- P112B Plots 12-13 and 52-53 Plans and Elevations
- P113B Plots 14-17 and 54-55 Plans and Elevations
- P114A Plot 8 Plans and Elevations
- P115B Plots 10-11, 19-20, 21-22 and 50-51 Plans and Elevations
- P116B Plot 9 Plans and Elevations
- P117A Plots 18 and 86 Plans and Elevations
- P118A Plots 23-132, 33-34 and 92-93 Plans and Elevations
- P119A Plots 76-78 Plans and Elevations
- P120A Plots 38 and 39 Plans and Elevations
- P121B Plots 49 and 56 Plans and Elevations
- P122B Plots 66 and 96 Plans and Elevations
- P123B Plots 1-3 Plans and Elevations
- P124A Plots 81 and 82 Plans and Elevations
- P125A Plots 83-85 Plans and Elevations
- P126A Plots 87-88 and 94-95 Plans and Elevations
- P127A Plots 106-108 and 119 Plans and Elevations
- P128B Plot 109 Plans and Elevations
- P129B Plots 110-112 Plans and Elevations
- P130A Plots 113-116 and 120-121 Plans and Elevations
- P131A Plots 117 and 118 Plans and Elevations
- P132B Plot 131 Plans and Elevations
- P133B Plots 40-48 and 57-65 Floor Plans
- P134C Plots 40-48 and 57-65 Elevations
- P135D Private Apartments – Floor Plans
- P136D Private Apartments – Elevations
- P137B Affordable Apartments – Plots 24-32
- P138B Affordable Apartments – Plots 24-32
- P139A Plots 35-37 and 89-91 Plans and Elevations
- P140A Plots 4-6 Plans and Elevations
- P141 Ancillary Buildings (garages)
- 17028-003 Rev C Pedestrian Visibility Splays

- 17028-004 Rev B Vehicle Visibility Splays for Internal Access
- 9172-KC-XX-YTREE Tree Constraints Plan Rev B
- 9172-KC-XX-YTREE Tree Protection Plan Rev C

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan Part 1 2018 and Policies D1 and D4 of the Waverley Borough Local Plan 2002.

2. Condition

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

Reason

In the interests of the visual amenities of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as the matter goes to the heart of the permission.

3. Condition

No development shall take place until details of all proposed screen walls or fences, or other means of enclosure, have been submitted to and approved by the Local Planning Authority in writing and such walls or fences or means of enclosure as may be approved by the Local Planning Authority shall be erected prior to the date of first occupation of any part of the approved development, and thereafter be maintained.

Reason

In the interest of the character and visual appearance of the area in accordance with retained policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Local Plan Part 1 2018.

4. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed at first floor level or above, in the elevations set out below without the written permission of the Local Planning Authority:

- North-east and south-west Plot 7
- North-east and south-west of Plot 8
- South-east and north-west of Plot 9
- South-west of Plot 10
- North-east of Plot 11
- South-west of Plot 12
- North-east of Plot 13
- South-west of Plot 14
- North-east of Plot 15
- South-west of Plot 16
- North-east of Plot 17
- South-East and North-west of Plot 18
- North-west of Plot 19
- South-east of Plot 20
- North-west of Plot 21
- South-east of Plot 22
- South-east of Plot 23
- South-west and north-west of apartment block containing Plots 24-32
- North-west of Plot 33
- South-east of Plot 34
- North-west of Plot 35
- South-west of Plot 38
- North-east of Plot 39
- South-west and north-east of apartment block containing Plots 40-48
- North-east and south-west of Plot 49
- South-west of Plot 50
- North-east of Plot 51
- South-west of Plot 52
- North-east of Plot 53
- South-west of Plot 54
- East of Plot 55
- East and west of Plot 56

- West of apartment block containing Plot 57-65
- North-west and south-east of Plot 66
- North-west of apartment block containing Plots 67-75
- North-west of Plot 76
- South-east of Plot 78
- North-east of Plot 80
- North-west of Plot 81
- South-east of Plot 82
- North-west of Plot 83
- North-west and south-east of Plot 86
- North-west of Plot 87
- South-east of Plot 88
- North-west of Plot 89
- North of Plot 92
- South of Plot 93
- South-west of Plot 94
- North-east of Plot 95
- North and south of Plot 96
- North and east of apartment block containing Plots 97-105
- North-east and south-west of Plot 106
- North-east and south-west of Plot 107
- North-east and south-west of Plot 108
- West and east of Plot 109
- North of Plot 110
- South and north of Plot 113
- South and north of Plot 114
- South and north of Plot 115
- South and north of Plot 116
- East and west of Plot 117
- East and west of Plot 118
- North, west and south of Plot 119
- South and north of Plot 120
- South and north of Plot 121
- North-west and north-east of apartment block containing Plots 122-130
- South-west and north-east of Plot 131
- North-west of Plot 132

Reason

To safeguard the privacy of neighbouring occupiers and to accord with retained Policies D1 and D4 of the Waverley Borough Local Plan 2002 and TD1 of the Local Plan Part 1 (2018).

5. Condition

The garages hereby approved shall be used for the parking of vehicles and domestic storage incidental to the residential occupation and enjoyment of the dwelling (the subject of this application) only and shall at no time be used for habitable accommodation or for any trade or business.

Reason

In order to maintain sufficient parking for the development and to protect the character and residential amenities of the area in accordance with Policies ST1 and TD1 of the Local Plan Part 1 (2018).

6. Condition

No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason

To ensure that the drainage system has been designed with sufficient capacity and to avoid adverse environmental impact upon the community and to accord with Policy TD1 of the Local Plan Part 1 2018 and Policies D1 and D4 of the Waverley Borough Local Plan 2002.

7. Condition

The development hereby approved shall not be first occupied unless and until the secure cycle storage for each dwelling (houses and flats), has been provided in accordance with a design to be submitted to and approved in writing by the Local Planning Authority. The secure cycle storage shall then be permanently provided for its designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users and in order to promote sustainable travel in accordance with Policies TD1 and ST1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Local Plan 2002 and the NPPF.

8. Condition

The development hereby approved shall not be first occupied unless and until a scheme detailing the type of electric vehicle charging points for every dwelling and a communal charging point for visitors has been provided (including a strategy for their ongoing management and maintenance), to include 1 7kw electric vehicle charging point per dwelling and 20% of spaces for flats, has been submitted to and approved writing by the Local Planning Authority. The approved electric vehicle charging scheme shall then be provided prior to first occupation of the development.

Reason

To promote sustainable transport in accordance with Policy ST1 of the Local Plan Part 1 2018.

9. Condition

No dwelling hereby approved shall be first occupied unless and until space for the parking of vehicles and space for vehicles to turn so that they may enter and leave the site in a forward gear has been provided for that dwelling in accordance with the approved plans.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy ST1 of the Local Plan Part 1 2018.

10. Condition

The development hereby approved shall not be first occupied unless and until Public Footpath No. 35 has been upgraded and dedicated as a shared route for pedestrians and cyclists, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

To promote sustainable transport and in order that the development should not prejudice highway safety in accordance with Policy ST1 of the Local Plan Part 1 2018.

11. Condition

Prior to the occupation of the dwellings, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day.

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018).

12. Condition

Prior to the first occupation of the development hereby permitted, details of bin stores shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented and completed and made available for use, and thereafter retained.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan Part 1 2018 and Policies D1 and D4 of the Waverley Borough Local Plan 2002.

13. Condition

The first floor windows in the following elevations shall be formed of obscure glazing and fixed shut below 1.7 metres from finished floor level to the extent that intervisibility is excluded and shall be retained:

- South-west of Plot 3
- South-west of Plot 10
- North-east of Plot 11
- South-west of Plot 12
- North-east of Plot 13
- North-west of Plot 19
- South-west of Plot 20
- North-west of Plot 21
- South-west of Plot 38
- North-East of Plot 39
- West of Plot 50
- East of Plot 51
- South-East bedroom and bathroom window of Plot 78
- North of Plot 110

Reason

In the interest of the amenities of the area, in accordance with Policy TD1 of the Local Plan 2002 and Policies D1 and D4 of the Waverley Borough Local Plan 2002.

14. Condition

No development shall commence until a further badger survey, by a suitably qualified ecologist, is undertaken to assess current badger status on the site. An updated survey report and any necessary mitigation measures, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of

development. The development shall be carried out in strict accordance with the approved details.

Reason

To safeguard the ecological interest of the site in accordance with Policy NE1 of the Local Plan Part 1 2018. This is a pre-commencement condition as the details go to the heart of the matter.

Informatives

1. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
2. 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.
3. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
4. 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/flooding-advice.

5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, 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.
7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy:
<http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol>
9. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Bury, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk
For further information please see the Guide to Street and Property Naming on Waverley's website.

RECOMMENDATION B:

That the details submitted with regards to conditions 7 (surface water drainage), 8 (foul water drainage) and 10 (Drainage strategy) of WA/2017/1346 be agreed.

That the details submitted in respect of Affordable Housing for WA/2017/1346 (as required by Clause 1.1 of Schedule 2 of the Section 106 Agreement) be agreed.

That the details submitted in respect of SANG for WA/2017/1346 (as required by Clause 3.3 of schedule 2 of the Section 106 Agreement) be agreed.

That details submitted in respect of Play Area for WA/2017/1346 (as required by Clause 3.1.1 of Schedule 2 of the Section 106 Agreement) be agreed.

That details submitted in respect of Open Space for WA/2017/1346 (as required by Clause 3.2.1 of Schedule 2 of the Section 106 Agreement) be agreed.

Agenda Item 8.

B1 WA/2018/1230
I Urry
03/07/2018

Application under Section 73 to vary Conditions 2, 3, 5 & 8 of WA/2016/2456 (conditions relate to approved plan numbers, access, turning and parking) to allow change to affordable housing provision, addition of conservatories to Plots 1, 3, 38, 40 and 43, alterations to layout and amendments to Plots 34 and 35 to alter from semi-detached to detached dwellings at Land At Green Lane Farm, Green Lane, Badshot Lea GU9 9JL

Committee: Joint Planning Committee
Meeting Date: 30/10/2018

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 485943 N: 148304

Town: Farnham
Ward: Farnham Weybourne and Badshot Lea
Neighbour Notification Expiry Date: 31/08/2018
Expiry Date: 01/10/2018
Time Extended Date: Not Agreed

RECOMMENDATION A

That, subject to the completion of a Deed of Variation to the Section 106 agreement to secure affordable housing, permission be GRANTED.

RECOMMENDATION B

That, in the event the requirements of recommendation A are not met within 6 months of the resolution, permission be REFUSED.

Introduction

The application has been brought before the Joint Planning Committee at the request of the Head of Planning.

Location Plan



Site Description

The application site comprises an irregularly shaped parcel of land of some 2.03 ha, located on the western side of Green Lane at its southern junction with Badshot Lea Road.

The southern and eastern boundaries to Monkton Lane and Green Lane are enclosed by low level hedges. There is sporadic tree and hedge growth to the common boundary with the rugby club pitches to the west, with a ditch running along this boundary.

The surrounding area comprises a rugby ground to the west, sewerage works to the south west, a Business Park to the south and dispersed residential development to the north of Green Farm itself.

Proposal

Permission is sought under Section 73 to vary Condition 2 of WA/2016/2456 (approved plan numbers), Condition 3 (site access), Condition 5 (provision of pedestrian footway/cycleway) and Condition 8 (parking and turning) to allow the following alterations to the layout:

- Plot 11 amended from affordable house (house type A1) to private house (house type N)
- Plot 12 amended from affordable house (house type A1) to private house (house type N)
- Plot 21 amended from affordable house (house type AFC) to private house (house type C)
- Plot 22 amended from affordable house (house type AFC) to private house (house type C)
- Plot 35 amended from affordable house (house type A3) to private house (house type G)
- The addition of rear conservatories to Plots 1, 3, 38, 40 and 43
- Plot 34 and Plot 35 amended from semi detached units to detached units
- Amendment to the wording of Condition 3 amended to reflect updated plan number
- Amendment to the wording of Condition 5 amended to reflect updated plan number
- Amendment to the wording of Condition 8 amended to reflect updated plan number

Site Layout Plan (Current Application)



Relevant Planning History

WA/2016/2456	Erection of 43 dwellings including 18 affordable with associated parking; new access from Monkton Lane (as amplified by a revised layout and affordable dwelling mix on 20/02/2017)	Refused Appeal Allowed	31/03/2017 21/02/2018
WA/2016/1335	Erection of 64 Dwellings including 22 affordable with associated parking; new access from Monkton Lane.	Refused	07/10/2016
WA/1993/0986	Change of use of land from agricultural to residential caravan	Refused	17/09/1993
WA/1975/1364	Layout and use of 10 1/4" or 7 1/4" model railway complete with landscaping and parking area	Refused	29/01/1976

Planning Policy Constraints

Countryside Beyond the Green Belt
Farnham/Aldershot Strategic Gap
Thames Basin Heaths 5km Buffer Zone
Potentially Contaminated Lane
Minerals Safeguarding Area

Development Plan Policies and Proposals

The development plan includes:

- Waverley Borough Local Plan, Part 1: Strategic Policies and Sites (adopted February 2018)
- Waverley Borough Local Plan 2002 (retained policies February 2018)
- South East Plan (saved policy NMR6)
- Farnham Neighbourhood Plan (made May 2017)
- Surrey Minerals Plan Core Strategy Document (2011)

In accordance with paragraph of the National Planning Policy Framework (NPPF) due weight has been given to relevant retained policies in the Development Plan depending on their level of consistency with the NPPF.

The relevant policies to this application are:

Local Plan, Part 1, Strategic Policies and Sites:

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy
ST1	Sustainable Transport
ICS1	Infrastructure and Community Facilities
AHN1	Affordable Housing on Development Sites
AHN3	Housing Types and Size
LRC1	Leisure, Recreation and Cultural Facilities
RE1	Countryside beyond the Green Belt
RE3	Landscape Character
TD1	Townscape and Design
NE1	Biodiversity and Geological Conservation
NE2	Green and Blue Infrastructure
NE3	Thames Basin Heath Special Protection Area
CC1	Climate Change
CC2	Sustainable Construction
CC3	Renewable Energy Development
CC4	Flood Risk Management

Farnham Neighbourhood Plan (made May 2017):

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
FNP27	Public Open Space
FNP30	Transport Impact of Development
FNP31	Water and Sewerage Infrastructure Capacity
FNP32	Securing Infrastructure

Retained Local Plan 2002 Policies:

D1	Environmental Implications of Development
D4	Design and Layout
D7	Trees, Hedgerows and Development
D8	Crime Prevention
D9	Accessibility
C7	Trees, Woodlands and Hedgerows
HE14	Sites and Areas of High Archaeological Potential
HE15	Unidentified Archaeological Sites
RD9	Agricultural Land

M5 Provision for Cyclists

Saved Policy NRM6 of the South East Plan (2009)

Policy MC6 of the Surrey Minerals Plan Core Strategy Document (2011)

The Draft Waverley Borough Local Plan Part 2: Site Allocations and Development Management Policies has been published but does not form part of the Development Plan. The preferred options consultation closed in July 2018 and the representations have been considered. A further consultation will be held before the examination. Given the stage of preparation, some limited weight should be given to the Policies in this draft Plan. The degree of weight afforded to Policies will increase as the preparation of the plan progresses and will depend on the level of objection received to specific policies.

A consultation has been carried out on the partial review of the Farnham Neighbourhood Plan and as such, the Council considered that limited weight can be attached to the partial review of the Farnham Neighbourhood Plan.

Other Guidance:

- National Planning Policy Framework (2018)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (Update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2018)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)
- Farnham Design Statement (2010)

Consultations and Town/Parish Council Comments

Farnham Town Council	Farnham Town Council objects to the reduction in affordable housing. The Inspector's decision to allow at appeal was based on a scheme with 40% affordable housing, this should remain unchanged.
Natural England	Natural England have no comments to make on this application, as long as the relevant avoidance and mitigation measures specified in the Appropriate Assessment are secured.

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 10/08/2018, site notices were displayed around the site and neighbour notification letters were sent on 31/07/2018.

No representations have been received.

Determining Issues

- Principle of Development
- Impact on Countryside Beyond the Green Belt and the Strategic Gap
- Housing Mix
- Affordable Housing
- Impact on Visual Amenity
- Impact on Residential Amenity
- Odour
- Infrastructure
- Impact on SPA
- Biodiversity and Compliance with Habitat Regulations 2010
- Town Council Representations
- Development Management Procedure Order 2015 - Working in a positive/proactive manner

Planning Considerations

Principle of Development

The principle of development was established by the granting of planning permission WA/2016/2456 at appeal. Whilst the applicant is applying for a variation of Conditions 2, 3, 5 and 8 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to Conditions 2, 3, 5 and 8.

In considering the current application, Officers have been mindful of any material changes in planning circumstances since the granting of that original permission, including the publication of the NPPF 2018 and the commencement of consultation on the Waverley Borough Local Plan Part 2 2018 and the Farnham Neighbourhood Plan 2018 review.

It is noted that the appeal decision was issued the day after the adoption of the Waverley Borough Local Plan Part 1 2018 (although the decision notice was corrected 05 March 2018) and it was not recognised in the Inspectors decision that this did not form part of the Development Plan. He did, however recognise that significant weight should be given to the Local Plan Part 1 and in any event, he found that the proposal was in accordance with this document.

Furthermore, in light of the European Court of Justice ruling (Case C 323/17 - People Over Wind and Sweetman 2018) relating to the Habitats Directive, mitigation cannot be taken into consideration at screening stage. This judgement affects the way the Council approaches Habitats Regulations Assessments and therefore an Appropriate Assessment has been undertaken for the site.

However, it is a highly material planning consideration that there is an existing permission which could be implemented on site. It would be inappropriate and unreasonable to revisit the principle of the entire development.

Comparison Block Plans

WA/2016/2456:



Current scheme:



Officers consider that the assessment made in the Officer Report under WA/2016/2456 with regards to the following issues would not be affected by the variation of this condition, and the original assessments and conclusions on these issues remain:

- Loss of Agricultural Land
- Location of Development
- Housing Land Supply
- Highway Considerations
- Impact on Trees
- Impact on Archaeology
- Noise Impacts
- Contaminated Land
- Flood Risk and Drainage Considerations
- Provision of Amenity and Play Space
- Health and Well Being
- Crime and Disorder
- Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications
- Environmental Impact Regulations 2011 (as amended)

Impact on Countryside Beyond the Green Belt and the Strategic Gap

In considering the impact of the proposed development on the Countryside beyond the Green Belt during the appeal of WA/2016/2456, the Inspector noted that as development surrounds the site and adjacent small fields, they are essentially cut off from the surrounding countryside, with an urban context and for this reason, the site does not make a material contribution to the landscape character of the area, and makes only a minor contribution to the Strategic Gap.

Furthermore, as the proposed development would retain a landscape frontage that would reduce the landscape impact of the development, particularly in views from the road and railway bridge, residential development of the site would be seen within that setting and would reflect the urban context of the immediate environs of the site.

For these reasons, the Inspector concluded that the proposed development would not materially affect the character and appearance of the area and would not materially affect the Strategic Gap, in accordance with Policies C2, C4, D1 and D4 of the Local Plan 2002, Policies RE1 and RE3 of the Draft Local Plan and Policies FNP10 and FNP11 of the Farnham Neighbourhood Plan.

Having regards to the conclusions of the Inspector, Officers are satisfied that the minor changes to the proposal would have an acceptable impact upon the Countryside beyond the Green Belt and the Strategic Gap, in accordance with Policies RE1 and RE3 of the Waverley Local Plan (Part 1) 2018, retained Policies D1 and D4 of the Waverley Local Plan 2002.

Whilst Officers acknowledge that the site has been incorporated in the 'built up area of Farnham' within the partial review of the Farnham Neighbourhood Plan, the Council considered that limited weight can be attached to the Farnham Neighbourhood Plan. Notwithstanding this, the Inspector found the impact of the development upon the Countryside and the Strategic Gap to be acceptable.

Housing Mix

Policy AHN3 of the Local Plan (Part 1) 2018 states the proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment 2015 (SHMA).

The West Surrey SHMA 2015 provides the updated likely profile of household types within Waverley as follows:

Unit Type	1 Bed	2 Bed	3 Bed	4+ Bed
Market	10%	30%	40%	20%
Affordable	40%	30%	25%	5%

The current application proposes the following mix of dwellings on site:

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Market	13% (4)	30% (9)	37% (11)	20% (6)
Affordable	46% (6)	31% (4)	23% (3)	0% (0)

The indicative housing mix is broadly in line with the SHMA 2015 and as such, Officers consider that the indicative mix of housing would provide a suitable mix of house types, sizes and tenures of market and affordable homes to comply with evidence contained within the SHMA 2015, in accordance with Policy AHN3 of the Local Plan (Part 1) 2018.

Affordable Housing

Policy AHN1 of the Local Plan (Part 1) 2018 states that the Council will require a minimum provision of 30% affordable housing on all housing developments.

When planning application WA/2016/2456 was considered, there was no up to date, adopted policy for affordable housing on sites outside of settlements. This was due to the fact that development outside of settlements under the 2002 Local Plan was unacceptable in principle, including affordable housing.

However, in the interests of creating a balanced and mixed community and meeting the identified need for affordable housing in the Borough, the provision of affordable housing was a requirement at that time to meet the requirements of the NPPF 2012. Furthermore, the provision of a significant level of affordable housing was put forward as a benefit of considerable weight which would need to be evaluated when considering whether to make an exception to planning policy.

At the time WA/2016/2456 was considered (March 2017), Part 1 of the Council's Draft Local Plan was at the pre-submission stage and was therefore given limited weight.

The scheme proposed under WA/2016/2456 offered 43% (18 units) affordable housing provision as a benefit of the scheme. Notwithstanding this, Officers considered that the adverse impacts of the scheme proposed under WA/2016/2456 would significantly and demonstrably outweigh the benefits (which included the proposed affordable housing provision), when assessed against the National Planning Policy Framework and relevant policies of the Local Plan 2002 and the Draft Local Plan Part 1.

The application was subsequently appealed in September 2017. At the time of this appeal, the Draft Local Plan had been subjected to an independent examination in June 2017 and, subject to those policies that required modifications to be sound, significant weight could now be given to policies where no modifications were proposed.

In allowing the appeal, whilst the Inspector acknowledged the provision of 18 affordable dwellings on the site exceeded the requirements of Policy H5 of the Local Plan 2002 and Policy ANH1 of the Draft Local Plan (Part 1) 2018, he did not attach any material weight to this, nor did he consider this excess a benefit to the scheme that would otherwise outweigh any harm, as he considered the proposal to accord with the Development Plan in all other respects.

It therefore follows that the Inspectors decision to allow the scheme would not have differed if 30% affordable housing was secured (in accordance with the draft Local Plan Policy), rather than 43%.

Furthermore, the Council's current adopted Local Plan (Part 1) 2018 Policy seeks 30% affordable housing on all development sites. The proposal complies with this.

For these reasons, Officers can find no policy basis to resist the change to the affordable housing provision, which would meet with the requirements of Policy AHN1 of the Local Plan (Part 1) 2018.

Impact on Visual Amenity

Policy TD1 of the Local Plan (Part 1) 2018 requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2018.

Policy FNP1 of the Farnham Neighbourhood Plan 2017 states that development will be permitted where it is designed to a high quality which responds to the heritage and distinctive character of the individual area of Farnham in which it is located

The Inspector concluded in allowing the appeal that proposed development would be of an attractive and traditional appearance, typical of a modern housing estate, with the proposed dwellings consistent with other dwellings within the vicinity and their character and appearance would reflect this edge of town location and adjacent development within Farnham.

The proposed amendments to the layout of the scheme are very minor in nature. They include the subdivision of a pair of semi detached dwellings into detached dwellings and single storey rear conservatories added to five dwellings. These changes would not significantly alter the previous approved layout.

As such, it is considered that the proposal would accord with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan, retained Policies D1 and D4 of the Local Plan 2002 and the Farnham Design Statement 2010.

Impact on Residential Amenity

Policy TD1 of the Local Plan 2018 (Part1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2018.

The closest neighbouring residential occupiers are well separated from the site. The proposed changes are minor in scale and are of a nature that would not cause harm to either future occupants of the development or those neighbouring occupiers surrounding the development in terms of loss of light, overlooking, overshadowing or overbearing nature.

The proposals are therefore considered to accord with Policy TD1 of the Local Plan (Part 1) 2018, retained Policies D1 and D4 of the Local Plan 2002 and the guidance contained within the Council's Residential Extensions SPD 2010.

Odour

In considering the potential odour impacts from the nearby Farnham Sewerage Treatment Works upon future occupiers of the proposed development, the Inspector gave significant weight to an Odour Assessment Report submitted in support of the appeal and prepared by consultants specialising in odour assessments. Although both the Council and Thames Water queried the absence of full sample surveys with dispersion modelling from the Odour Assessment Report, which would have scientifically analysed the travel of odour, the Inspector concluded that, given the extensive sniff tests carried out, such dispersion modelling would not have added materially to the assessment.

Furthermore, the Inspector gave significant weight to both implemented and future changes proposed at the Sewerage Treatment Works that have reduced, and would further reduce, the effect of odour on the site.

For these reasons, the Inspector concluded that the proposed development would not be subject to excessive odours, such as their living accommodation would be acceptable, in accordance with Policies D1 and D4 of the Local Plan 2002.

Having regards to the conclusions of the Inspector, Officers are satisfied that the Farnham Sewerage Treatment Works would not have an unacceptable impact upon the living conditions of future occupiers of the proposed development in terms of impact of odour, in accordance with TD1 of the Waverley Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

Impact on SPA

In light of the European Court of Justice ruling (Case C 323/17 - People Over Wind and Sweetman 2018) relating to the Habitats Directive, mitigation cannot be taken into consideration at screening stage.

This judgement affects the way the Council approaches Habitats Regulations Assessments and therefore an Appropriate Assessment has been undertaken for the site.

The scheme has provided appropriate contributions (in accordance with the Thames Basin Heaths SPA Avoidance Strategy (2016) towards the provision of SANG identified by the Council. There is sufficient capacity at Farnham Park SANG. The SANG and SAMM payments were secured as part of the original Section 106 agreement. An amended section 106 agreement is required as part of this scheme (for affordable housing rather than SPA reasons) and this will secure the same contribution for SPA avoidance. The applicant has indicated a willingness to enter into an amended Section 106 agreement, however, this has not yet been received. In the event that it is not received, the previous section 106 included a clause to relate this requirement to any future Section 106 agreements.

As such, it is concluded that the development will not affect the integrity of the SPA, either alone or in combination with other plans and projects in relation to urbanisation and recreational pressure effects. The Appropriate Assessment has been approved by Natural England and the proposal would not affect the integrity of the SPA.

Infrastructure

Policy ICS1 of the Local Plan (Part 1) 2018 states that infrastructure considered necessary to support new development must be provided either on- or off-site or by the payment of contributions through planning obligations and/or the Community Infrastructure Levy.

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 infrastructure payments were secured as part of the original Section 106 agreement. The requirements would be identical for this amended scheme. An amended section 106 agreement is required as part of this scheme (for affordable housing rather than infrastructure reasons) and this will secure the same contribution for the provision of infrastructure, services and facilities directly made necessary by the development. The applicant has indicated a willingness to enter into an amended Section 106 agreement, however, this has not yet been received.

In the event that it is not received, the previous section 106 included a clause to relate this requirement to any future Section 106 agreements. As such, it is concluded that the proposal would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of the Waverley Borough Local Plan (Part 1) 2018.

Biodiversity and Compliance with Habitat Regulations 2010

The NPPF 2018 requires that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity.

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

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.' Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity within Waverley. Development should retain, protect and enhance features of biodiversity and geological interest and ensure appropriate management of those features. Adverse impacts should be avoided or, if unavoidable, appropriately mitigated. Within locally designated sites, Policy NE1 sets out that development will not be permitted unless it is necessary for appropriate on site management measures and it can demonstrate no adverse impact to the integrity of the nature conservation interest.

In considering the impacts of the proposed development upon the ecological value of the site, the Inspector gave significant weight to a Reptile Survey Report submitted in support of the appeal, which addressed the Council's concerns and concluded that there were no reptiles present on this site.

Having regards to the conclusions of the Inspector, Officers are satisfied that the proposal would not prejudice the ecological value of the site and the proposal would therefore accord with Policy NE1 of the Local Plan (Part 1) 2018 and the requirements of the NPPF 2018.

Town Council Representations

Officers note that the Town Council have objected to the reduction of the affordable housing provision on the basis that the Inspectors decision was based on a scheme securing 43% affordable housing. As discussed in the above report, Officers are satisfied that the Inspector considered the scheme allowed under WA/2016/2456 to accord with the Development Plan and did not attach material weight to the excess provision above the policy requirement.

Furthermore, the Council's current Local Plan (Part 1) 2018 seeks 30% affordable housing on all development sites and the proposal complies with this requirement.

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 feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

Conclusion

The original appeal found the proposal acceptable in relation to loss of agricultural land; location of development; housing land supply; highway considerations; impact on the SPA; odour; trees; archaeology; noise; contaminated land; flood risk and drainage; provision of amenity and play space; health and well being and crime and disorder and this current application would not alter these conclusions.

Subject to the signing of the Section 106 Agreement, the proposal would provide a level of affordable housing that would be compliant with Policy ANH1 of the Local Plan (Part 1) 2018.

Following the conclusions of the Inspector, Officers are satisfied that the proposal would have an acceptable impact upon the Countryside beyond the Green Belt and the Strategic Gap, in accordance with Policies RE1 and RE3 of the Waverley Local Plan (Part 1) 2018, retained Policies D1 and D4 of the Waverley Local Plan 2002

The proposed development is considered to be of an appropriate scale, layout and appearance, such that it would be acceptable in visual terms and would not result in any material harm to visual amenities.

The proposal is therefore considered to be in accordance with the Development Plan and as such, planning permission is recommended to be granted.

Recommendation A

That permission be GRANTED subject to the following conditions:

1. Condition

The development hereby permitted shall be carried out in accordance with the following approved plans:

WA/2016/2456

- LGH 58806-100B Site Location Plan
- LGH 58806 126 Rev A Plot 42
- LGH 58806 145 Rev B Plots 4, 6, 18, 36
- LGH 58806 146 Rev A Plots 2, 37, 39, 41
- LGH 58806 147 Rev B Plot 5
- LGH 58806 161 Plots 30/31
- LGH 58806 180 Rev B Plots 28,29,32,33
- LGH 58806 183 Plot 10
- LGH 58806 250 Single Garage
- LGH 58806 251 Rev A Double Garage

WA/2018/1230

- LGH 58806-101 Rev G Site Layout Plan
- LGH 58806-102 Rev F External Materials and Boundary Treatments

- LGH 58806-103 Rev F Surface Materials Plan
- LGH 58806-104 Rev F Refuse Management Plan
- LGH 58806-110 Rev F Street Scenes AA & BB
- LGH 58806-111 Rev E Street Scenes CC & DD
- LGH 58806-120 Rev A Plots 23 & 27
- LGH 58806-124 Rev B Plots 1, 3, 38, 40, 43
- LGH 58806-125 Rev C Plots 1, 3, 38, 40, 43
- LGH 58806-126 Rev A Plot 42
- LGH 58806-144 Rev D Plots 17, 19, 20, 21, 22, 24, 25, 26
- LGH 58806-145 Rev B Plots 4, 6, 18, 36
- LGH 58806-146 Rev A Plots 2, 37, 39, 41
- LGH 58806-147 Rev B Plot 5
- LGH 58806-149 Rev A Plot 7, 8, 11, 12
- LGH 58806-150 Plot 35 Handed
- LGH 58806-161 Plots 30, 31
- LGH 58806-162 Rev A Plot 34
- LGH 58806-180 Rev B Plots 28, 29, 32, 33
- LGH 58806-181B Rev C Plots 9,13, 14, 15, 16
- LGH 58806-183 Plot 10
- LGH 58806-250 Single Garage
- LGH 58806-251 Rev A Double Garage

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 Policy TD1 of the Local Plan 2018 (Part 1) and retained Policies D1 and D4 of the Local Plan 2002.

2. Condition

Prior to the commencement of the development the applicant shall construct the proposed vehicular site access onto Monkton Lane in accordance with drawing no. 58806-101 Rev G and subject to the Highway Authority's technical and safety requirements.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

3. Condition

No dwelling shall be occupied unless and until the proposed pedestrian links between the site and Green Lane and Monkton Lane have been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the development leads to improvements in accessibility, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

4. Condition

No dwelling shall be occupied until construction has been completed of a 3.0m wide shared pedestrian footway/cycleway along the southern boundary of the site, with associated crossing points, between Green Lane and the Monkton Lane junction with Water Lane, in accordance with drawing no. 58806-101 Rev G and subject to the Highway Authority's technical and safety requirements.

Reason

In order that the development leads to improvements in accessibility, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

5. Condition

No dwelling shall be occupied until construction has been completed of a shared pedestrian/cycling facility on Green Lane, between its junctions with Badshot Lea Road and Crown Lane, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the development leads to improvements in accessibility, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

6. Condition
No dwelling shall be occupied until the existing shared pedestrian footway/cycleway on Monkton Lane has been widened to a consistent 3.0m width, between the new crossing point on Monkton Lane and the Sainsbury access roundabout junction on Water Lane, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the development leads to improvements in accessibility, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

7. Condition
No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no. 58806-101 Rev G for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

8. Condition
No dwelling shall be occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority for:
- (a) Independently accessible secure parking of bicycles integral to each dwelling within the development site;
 - (b) One fast charge electric vehicle charging socket for every dwelling and flat, with a charge point specification of 7kw Mode 3 with Type 2 Connector and a power requirement of 230v AC 32 Amp single phase dedicated supply and;
 - (c) Travel plan welcome packs to each dwelling, including information relating to the availability of and whereabouts of local public transport, walking, cycling, car clubs, local shops, schools and community facilities.

The approved facilities shall be thereafter retained and maintained.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018.

9. Condition

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) programme of works (including measures for traffic management);
- v) Means of construction;
- vi) the erection and maintenance of security hoarding;
- vii) vehicle routing;
- viii) measures to control the emission of dust and dirt during construction;
- ix) measures to control noise;
- x) measures to prevent the deposit of materials on the highway;
- xi) on site turning for construction vehicles;
- xii) details of any floodlighting to be used;
- xiii) no burning of any waste or other materials on the site;
- xiv) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

10. Condition

Prior to the commencement of development, the following details, relating to the proposed sustainable urban drainage system (SuDs), shall be submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority:

- (a) Drainage Design - Finalised drawings for construction to include: a finalised drainage layout detailing the location of SuDS elements (including permeable paving where feasible), pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.
- (b) Source Protection Zones - confirmation from the Environment Agency that the level of surface water treatment provided prior to infiltration is adequate.
- (c) Infiltration Tests - In accordance with Section 3.2 of the Foul & Surface Water Drainage Strategy prepared by Turner Jomas & Associates, infiltration tests at the final location of the proposed infiltration tests to confirm infiltration rates. The final size of the soakaways shall be in accordance with their respective infiltration rates.
- (d) Exceedance Flow Routes - Details of how the SuDS will cater for system failure or exceedance events, both on and offsite. Proposed ground levels of the site shall be provided as evidence of the exceedance flow routes.
- (e) Construction Management and Maintenance - details of how the SuDS will be protected and maintained during the construction of the development.
- (f) Lifetime Management and Maintenance plan - details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetime of the systems shall be submitted.

The development shall be undertaken in complete accordance with the approved details prior to the first occupation of the development.

Reason

To ensure that the drainage system has been designed to fully accord with the requirements of the National SuDS Technical Standards and to avoid adverse environmental impact upon the community and to accord with Policy CC4 of the Waverley Borough Local Plan (Part 1) 2018 and retained policies D1 and D4 of the Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

11. Condition
Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

Reason

To ensure that the drainage system has been designed to fully accord with the requirements of the National SuDS Technical Standards and to avoid adverse environmental impact upon the community and to accord with Policy CC4 of the Waverley Borough Local Plan (Part 1) 2018 and retained policies D1 and D4 of the Local Plan 2002.

12. Condition
Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the Local Planning Authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason

To ensure adequate sewerage capacity and to comply with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

13. Condition
No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.

Reason

To avoid adverse environmental impact upon the community in accordance with retained Policies D1 and D4 of the Local Plan 2002.

14. Condition

Prior to commencement of development, other than that required to be carried out as part of an approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

(a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the National Planning Policy Framework.

(b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include

(i) All works to be undertaken

(ii) Proposed remediation objectives and remediation criteria

(iii) Timetable of works

(iv) Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

(c) Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out.

Reason

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

15. Condition

Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 14, the Local Planning Authority

shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works:

- a) An investigation and risk assessment, undertaken in the manner set out in Condition 14 (a) of this permission.
- b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 14 (b).
- c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 14 (c)

Reason

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

16. Condition

The development shall be undertaken in complete accordance with the impact avoidance, mitigation and enhancement measures detailed within the Ecological Mitigation and Enhancement Plan and the Reptile Survey Report.

Reason

To safeguard the ecological interests of the site in accordance with Policy NE1 of the Waverley Local Plan (Part 1) 2018.

17. Condition

Prior to the commencement of development, a revised bat mitigation strategy to include compensation for a loss of foraging and commuting opportunities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in complete accordance with the approved strategy.

Reason

To safeguard the ecological interests of the site in accordance with Policy NE1 of the Waverley Local Plan (Part 1) 2018. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

18. Condition
No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. No development shall take place other than in accordance with the Written Scheme of Investigation.

Reason

In the interests of preserving the archaeology of the site in accordance with retained Policy HE14 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

19. Condition
No development shall take place until samples of all external facing materials, including that to be used on boundary walls, buildings and hard surfacing, have been submitted to and approved in writing by the Local Planning Authority. The relevant works shall be carried out in accordance with the approved sample details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

20. Condition
No development shall take place until cross sections/details indicating the proposed finished floor levels of the buildings hereby permitted and finished ground levels surrounding the buildings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after

the permission has been implemented. The matter goes to the heart of the permission.

21. Condition

No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

22. Condition

No development shall take place until a protective fence consisting of chestnut paling (1.2m height) fastened to a post and rail fence, shall be erected to a minimum of 8m from the centre of the nearest protected tree, so as to exclude storage of materials, level increases, excavation or other building activities likely to be harmful to roots. Such fencing shall remain in place throughout the duration of the construction works. The Local Planning Authority's Tree Officer shall be informed of the proposed date of commencement, at least one working week in advance, to allow inspection of protection measures.

Reason

To adequately protect all trees worthy of retention from development harm in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1, D4 and D6 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

23. Condition
No development shall commence until there shall have been submitted to and approved in writing by the Local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason

In the interest of the character and amenity of the area and to adequately protect all trees worthy of retention from development harm in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1, D4 and D6 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because the details cannot be reasonably discharged after the permission has been implemented. The matter goes to the heart of the permission.

24. Condition
All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason

In the interest of the character and amenity of the area and to adequately protect all trees worthy of retention from development harm in accordance with Policy TD1 of the Local Plan (Part 1) 2018, Policy FNP1 of the Farnham Neighbourhood Plan 2017 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002

25. Condition
Prior to the occupation of the development hereby permitted, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the development has been completed to meet the requirement of 110 litres of water per person per day.

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018).

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. In respect of Condition 19 above (submission of materials), the applicant is required, at the time of submission, to specify in respect of the materials the manufacturer, product name and product number. The materials samples will not be accepted by the Council without this information and without the appropriate fee for the discharge of the condition.
3. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail waverley.snn@waverley.gov.uk.

For further information please see the Guide to Street and Property Naming on Waverley's website.

4. 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 38 of the National Planning Policy Framework 2018.

Recommendation B:

That, in the event the requirements of recommendation A are not met within 6 months of the resolution, permission be REFUSED for the following reason:

1. In the absence of a completed legal agreement, the proposal would fail to provide appropriate on site affordable housing and as such, the development would fail to provide a sustainable, inclusive and mixed community. The proposal would be contrary to Policy ANH1 of the

Local Plan Part 1: Strategic Policies and Sites 2018 and paragraphs 62 and 64 of the NPPF 2018.

Appendices:

Appendix A: Inspectors Decision for WA/2016/2436 dated 05 March 2018.

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Appeal Decision

Hearing held on 5 December 2017

Site visit made on 6 December 2017

by AJ Steen DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2018

Appeal Ref: APP/R3650/W/17/3180922

Green Lane Farm, Green Lane, Badshot Lea, Farnham GU9 9JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr I Urry of Farnham Estates against the decision of Waverley Borough Council.
 - The application Ref WA/2016/2456, dated 31 October 2016, was refused by notice dated 31 March 2017.
 - The development proposed is the construction of 43 dwellings and associated parking, with new access from Monkton Lane.
-

This decision is issued in accordance with Section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 21 February 2018.

Decision

1. The appeal is allowed and planning permission is granted for the construction of 43 dwellings and associated parking, with new access from Monkton Lane at Green Lane Farm, Green Lane, Badshot Lea, Farnham GU9 9JL in accordance with the terms of the application, Ref WA/2016/2456, dated 31 October 2016, subject to the conditions set out in a schedule at the end of the decision.

Preliminary Matters

2. A legal agreement under Section 106 of the Town and Country Planning Act 1990 was submitted at the hearing that the parties agreed has overcome the reasons for refusal relating to the effect of the development on the Thames Basin Heaths Special Protection Area (TBHSPA) and the provision of infrastructure including affordable housing, education, leisure, recycling and highways. I will return to this in my reasoning below.
3. The Waverley Borough Local Plan Part 1: Strategic Policies and Sites (draft LP) is currently at examination stage and I understand that a number of policies have been modified and subject of further consultation during the examination process. Given the stage of preparation of the draft LP, significant weight can be attached to it.

Main Issues

4. The main issues are:

- The effect of the proposed development on the character and appearance of the countryside and on the Strategic Gap between Farnham and Aldershot; and
- whether prospective occupiers would enjoy satisfactory living conditions, having particular regard to the proximity to the waste water treatment works in relation to odour.

Reasons

Character and appearance, Strategic Gap

5. The site at Green Lane Farm is within the Strategic Gap between Farnham and Aldershot as defined by Policy C4 of the Waverley Borough Local Plan (LP) that seeks to resist inappropriate development in this location. Policy FNP11 of the Farnham Neighbourhood Plan (FNP) seeks to prevent coalescence between a number of settlements, including between Farnham and Aldershot and between Badshot Lea and Weybourne. Background to the policy states that the gap between the built up areas of Farnham (at Badshot Lea and Weybourne) and Aldershot is very narrow. This suggests that it is the gap on the other side of Badshot Lea that is most important in retaining a Strategic Gap between the settlements, rather than that between Farnham and Badshot Lea in which the appeal site is located.
6. The appeal site is flat, set on low ground below Badshot Lea on higher ground a short distance to the east. The site comprises the larger of two open fields to the north of Monkton Lane, with Green Lane running to one side and leading to the buildings at and around Green Lane Farm and Century Farm, and another field over that lane with the railway and Badshot Lea beyond. The railway line between the settlements of Badshot Lea and Farnham marks the boundary of those settlements, and provides a physical barrier between them. To the south is development within the settlement of Farnham, that closest to the site and over Monkton Lane predominantly being in commercial use. Immediately to the west are the sports pitches associated with the rugby club with the substantial group of sport and leisure buildings, including a children's nursery, beyond.
7. As a result of this, development surrounds this site and adjacent small fields, such that they are essentially cut off from the surrounding countryside, with an urban context. For this reason, the appeal site does not make a material contribution to the landscape character of the area, and makes only a minor contribution to the Strategic Gap.
8. The proposed development would retain a landscaped frontage that would reduce the landscape impact of the development, particularly in views from the road and railway bridge. As a result, residential development of the site would be seen within that setting and would reflect the urban context of the immediate environs of the site.
9. The dwellings would be of an attractive and traditional appearance, typical of a modern housing estate. Their scale would be consistent and reflect that of other dwellings in the vicinity. Whilst they have limited features relating to the local Surrey vernacular and there would be limited variety to the design of

dwelling through the development, their character and appearance would reflect this edge of town location and adjacent development within Farnham.

10. Policy FNP11 of the FNP confirms that development proposals within the Strategic Gap will be assessed in terms of their impact on the visual setting and landscape features of the site. In terms of Policy C4 of the LP, the location of the proposed development and its effect on the landscape would mean that it would not materially affect the Strategic Gap between settlements.
11. For the reasons set out above, I conclude that the proposed development would not materially affect the character and appearance of the area and it would not materially affect the Strategic Gap. As such, it would not conflict with Policies C2, C4, D1 and D4 of the LP, Policies RE1 and RE3 of the draft LP and Policies FNP10 and FNP11 of the FNP and the National Planning Policy Framework (the Framework). These policies recognise the intrinsic beauty of the countryside and seek development to be of a high quality design that does not harm the visual character and distinctiveness of the locality.

Odour

12. The appeal site is located in close proximity to the Farnham Sewage Treatment Works. A number of processes at those works can generate odours that may be transmitted over the local area and could adversely affect the living conditions of occupiers of dwellings in the area.
13. An Odour Assessment Report has been submitted, prepared by experienced consultants specialising in odour assessments. Including the tests completed after preparation of the report, a total of 24 sniff tests have been carried out. Odour was not detected at the appeal site during any of those tests. However, the Council and Thames Water have queried these tests and suggested that full sample surveys with dispersion modelling should have been carried out that would show, theoretically, where odour would travel. Such assessment is a scientific analysis that would show whether the site may be subject to odour. However, given the extensive sniff tests carried out, and taking into account the results of them, I do not accept that such modelling would have added materially to the assessment.
14. Changes have occurred at the works that have reduced the amount of odour generated and further changes are due to take place shortly. These works should ensure that the effect of odour on the appeal site would be further reduced. I understand that a dispersion assessment carried out by Thames Water pre-dates this and is, therefore, unlikely to be up to date. Following the works, Thames Water suggest that the odours would be of an intensity of 3 on the site as measured against the Institute of Air Quality Management's (IAQM) odour guidance, which they suggest would be unacceptable. However, that would not outweigh the evidence provided in the Odour Assessment Report that odour was not detected on the site during those sniff tests.
15. I note that there have been a number of complaints relating to the smell from the works, but it is not clear where these emanated from or whether the changes to the works will address those complaints. Reference is made to these within the Odour Assessment Report submitted in support of the appeal. That report also confirms that those undertaking the field surveys complied with IAQM odour guidance that they should not have a cold at the time of visits, they avoid scented toiletries, strong foods or drinks and were not

hungry, thirsty or tired. The field surveys sought to ensure a representative sample of weather conditions.

16. For these reasons, I conclude that prospective occupiers of the proposed development would not be subject to excessive odours, such that their living conditions would be acceptable. As such, the proposed development would comply with Policies D1 and D4 of the LP and the Framework that concern the environmental implications of development and seek high quality design that would provide adequate living conditions for occupiers of proposed development.

Other matters

17. The application was refused due to the effect of the development on biodiversity habitats and protected species. However, during the course of the appeal a Reptile Survey Report was submitted that addressed the Council's concerns and concluded there were no reptiles present on the site. As such, the proposed development would not result in harm to protected species.
18. Reference is made to surface water flooding on the site, but the site is not within an area identified as being at risk of flooding and appropriate drainage would be provided to meet the needs of the development. The access would be on a straight section of Monkton Lane, with adequate visibility to either side that would provide safe access to the proposed development. I understand that the adjacent sports pitches are flood lit and some light spillage is possible to the proposed houses, and that commercial uses on the opposite side of the road can be noisy. However, the boundary treatments and gaps to the nearest proposed dwellings would ensure this would not materially affect the living conditions of occupiers of the proposed development.
19. The site lies within the zone of influence of the TBHSPA that is designated under the Habitats Directive. Policy NRM6 of the South East Plan (SEP), Policies NE1 and NE3 of the draft LP and Policies FNP12 and FNP13 of the FNP require appropriate avoidance and/or mitigation measures be provided to mitigate the effects of recreational disturbance on those sites from residents of new residential development. The S106 legal agreement confirms that the contributions would be put toward the Council's costs in maintaining and managing areas of Suitable Accessible Natural Green Space (SANGS) pursuant to the strategy and toward Access Management and Monitoring of the TBHSPA.
20. Regulation 123(3) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) restricts the use of pooled contributions toward items that may be funded via CIL. If five or more obligations for a project or type of infrastructure have been entered into since 6 April 2010 and it is a type of infrastructure that is capable of being funded by CIL, no more contributions may be collected toward that project. As the money would be put toward management and maintenance that does not constitute new infrastructure, it is clear that the contributions would not be caught by the pooling restrictions.
21. As such, they would 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, in accordance with Regulation 122 of the CIL Regulations. In addition, they would be in accordance with Policy NRM6 of the SEP, Policies NE1 and NE3 of the draft LP and Policies FNP12 and FNP13 of the NP that seek to mitigate the effects of recreational

disturbance on the TBHSPA from residents of new residential development. For these reasons, I conclude that the financial contributions contained within the S106 legal agreement would mitigate the effects of the proposed dwellings on the TBHSPA.

22. The S106 legal agreement would ensure provision of 18 dwellings on the site to be affordable and provides a mechanism to determine the mix and provision of these dwellings. This exceeds the requirements of Policy H5 of the LP, Policy ANH1 of the draft LP and the Framework relating to provision of affordable housing. As a result, the S106 legal agreement meets the requirements of Regulation 122 of the CIL Regulations in relation to the provision of affordable housing.
23. Highway works relating to the proposed access, comprising footways to the southern boundary of the site, pedestrian and cycling facilities on Green Lane as well as open space including a local area of play and a locally equipped area of play would also be provided through the S106 legal agreement and would meet the requirements of Regulation 122 of the CIL Regulations.
24. The financial contributions toward highway improvements, cycle scheme, sports and leisure, waste and recycling, education and environment enhancement are not in dispute between the parties. These relate to provision of services and facilities that would meet the requirements of Regulation 122 of the CIL Regulations. They would not result in more than five contributions to those services and facilities in accordance with Regulation 123(3) of the CIL Regulations.
25. I conclude that the obligations contained within the S106 legal agreement would mitigate the effects of the proposed residential units on local services and facilities. As such, they would be in accordance with Regulations 122 and 123(3) of the CIL Regulations. On this basis, the S106 legal agreement is of significant weight in favour of the proposal.
26. The Council has confirmed that it has a 5 year housing land supply, although that is disputed by the appellant. I have not identified any conflicts with relevant policies within the Development Plan or Framework. As such, there would not be adverse impacts arising from development of the site that could significantly and demonstrably outweigh the benefits. I conclude that the proposal would comply with the Development Plan and the Framework as a whole. As such, my decision would not be affected whether or not there is a 5 year supply of deliverable housing land.

Conditions

27. To meet legislative requirements, a condition shall be imposed to address the period for commencement. I shall also impose conditions for the following reasons. I have imposed a condition specifying the relevant drawings as this provides certainty. Conditions are necessary to ensure pedestrian and cycle links, adequate parking and vehicle turning are provided prior to occupation of the dwellings to meet the needs of the occupiers and in order to protect highway safety. The proposed access is required to be built prior to development commencing to ensure it can adequately provide for construction traffic. A condition is necessary to provide cycle parking, electric vehicle charging points and travel plan welcome packs to meet the needs of the occupiers of the proposed dwellings in order to protect highway safety.

28. A condition is necessary to provide, prior to development commencing, and ensure compliance with a construction method statement so the development works take place without undue disturbance to occupiers of nearby properties and to maintain highway safety. I do not consider that a requirement for before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused would be precise, reasonable or enforceable.
29. Conditions requiring details and implementation of a surface water drainage system are necessary in order to reduce the impact of the development on flooding and manage run-off flow rates. Conditions relating to a drainage strategy and piling are required to ensure the works would not affect underground sewerage utility infrastructure as it is in close proximity to the development. Conditions relating to contamination are necessary in order to ensure contamination does not affect future residents of the development, occupiers of nearby properties, ecology or controlled waters.
30. Conditions relating to ecological mitigation are required to ensure the development does not result in harm to protected species. A condition is required to ensure any archaeology on the site is preserved and recorded. A condition is necessary for samples of materials to be submitted and approved prior to development commencing to ensure that they would maintain the character and appearance of the area.
31. Conditions relating to ground and floor levels on the site are required in order to ensure the development would maintain the character and appearance of the area and protect existing trees and hedgerows around the site. A condition requiring a protective fence around trees is also required to protect existing trees around the site. Approval, implementation and retention of landscaping works, including hard surfacing and means of enclosure, are necessary prior to development commencing in order to ensure the development would reflect the character and appearance of the area.
32. In some cases I have amended the wording of conditions suggested by the Council in the interests of clarity. I have amalgamated a number of conditions relating to construction management in the interests of clarity, including that relating to the bulk movement of materials to prevent the creation of dangerous conditions for road users and hours of construction and deliveries. A condition relating to odour modelling assessment is not necessary given my conclusions on the effect of odour on the living conditions of prospective occupiers. The Odour Assessment Report did not recommend mitigation measures against odour, so I have not included a requirement for further measures in the conditions.

Conclusion

33. For the above reasons and taking into account all other matters raised I conclude that the proposed construction of 43 dwellings and associated parking, with new access from Monkton Lane would comply with the development plan and the appeal should succeed.

AJ Steen

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 58806-100B Site Location Plan, 58806-101F Site Layout Plan, 102E external materials and boundary treatments, 103E surface materials plan, 104E Refuse management plan, 110E Street scenes AA & BB, 111E Street scenes CC & DD, 120A Plots 23 & 27, 124A Plots 1, 3, 38, 40, 43; 125B Plots 1, 3, 38, 40, 43; 126A plot 42, 144C plots 17, 19, 20, 24, 25, 26; 145B plots 4, 6, 18, 36; 146A plots 2, 37, 39, 41; 147B Plot 5; 149 Plot 7 and 8; 161 Plots 30/31; 162C Plot 34 & 35; 180B Plots 28, 29, 32, 33; 181B Plots 9, 11, 12, 13, 14, 15, 16; 182 Plot 21/22; 183 Plot 10; 250 Single Garage and 251A Double Garage.
- 3) Prior to the commencement of the development the applicant shall construct the proposed vehicular site access onto Monkton Lane in accordance with drawing no. 58806-101F, and subject to the Highway Authority's technical and safety requirements.
- 4) No dwelling shall be occupied unless and until the proposed pedestrian links between the site and Green Lane and Monkton Lane have been constructed in accordance with a scheme to be submitted to and approved in writing by the local planning authority.
- 5) No dwelling shall be occupied until construction has been completed of a 3.0m wide shared pedestrian footway/cycleway along the southern boundary of the site, with associated crossing points, between Green Lane and the Monkton Lane junction with Water Lane, in accordance with drawing no. 58806-101F, and subject to the Highway Authority's technical and safety requirements.
- 6) No dwelling shall be occupied until construction has been completed of a shared pedestrian/cycling facility on Green Lane, between its junctions with Badshot Lea Road and Crown Lane, in accordance with a scheme to be submitted to and approved in writing by the local planning authority.
- 7) No dwelling shall be occupied until the existing shared pedestrian footway/cycleway on Monkton Lane has been widened to a consistent 3.0m width, between the new crossing point on Monkton Lane and the Sainsbury access roundabout junction on Water Lane, in accordance with a scheme to be submitted to and approved in writing by the local planning authority.
- 8) No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no. 58806-101F for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
- 9) No dwelling shall be occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the local planning authority for:
 - (a) Independently accessible secure parking of bicycles integral to each dwelling within the development site.
 - (b) Electric vehicle charging points for every dwelling and communal charging points for blocks of flats.

- (c) Travel plan welcome packs to each dwelling, including information relating to the availability of and whereabouts of local public transport, walking, cycling, car clubs, local shops, schools and community facilities.

The approved facilities shall be thereafter retained and maintained.

- 10) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) programme of works (including measures for traffic management);
 - v) Means of construction;
 - vi) the erection and maintenance of security hoarding;
 - vii) vehicle routing;
 - viii) measures to control the emission of dust and dirt during construction;
 - ix) measures to control noise;
 - x) measures to prevent the deposit of materials on the highway;
 - xi) on site turning for construction vehicles;
 - xii) details of any floodlighting to be used;
 - xiii) no burning of any waste or other materials on the site;
 - xiv) delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

- 11) Prior to the commencement of development, the following details, relating to the proposed sustainable urban drainage system (SuDs), shall be submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority:
- Drainage Design - Finalised drawings for construction to include: a finalised drainage layout detailing the location of SUDs elements (including permeable paving where feasible), pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions.
 - Source Protection Zones - confirmation from the Environment Agency that the level of surface water treatment provided prior to infiltration is adequate.
 - Infiltration Tests - In accordance with Section 3.2 of the Foul & Surface Water Drainage Strategy prepared by Turner Jomas & Associates, infiltration tests at the final location of the proposed infiltration tests to confirm infiltration rates. The final size of the soakaways shall be in accordance with their respective infiltration rates.
 - Exceedance Flow Routes - Details of how the SuDs will cater for system failure or exceedance events, both on and offsite. Proposed ground levels of the site shall be provided as evidence of the exceedance flow routes.
 - Construction Management and Maintenance - details of how the SuDs will be protected and maintained during the construction of the development.

- Lifetime Management and Maintenance plan - details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetime of the systems shall be submitted.

The development shall be undertaken in complete accordance with the approved details prior to the first occupation of the development.

- 12) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the local planning authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.
- 13) Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.
- 14) No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling shall be undertaken in accordance with the terms of the approved piling method statement.
- 15) Prior to commencement of development, other than that required to be carried out as part of an approved scheme of remediation, the following shall be submitted to and approved in writing by the local planning authority:
 - (a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the National Planning Policy Framework.
 - (b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include
 - (i) All works to be undertaken
 - (ii) Proposed remediation objectives and remediation criteria
 - (iii) Timetable of works
 - (iv) Site management proceduresThe scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The local planning authority shall be given two weeks written notification of commencement of the remediation scheme works.
 - (c) Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out.

- 16) Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 15, the local planning authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the local planning authority prior to the recommencement of works:
 - a) An investigation and risk assessment, undertaken in the manner set out in Condition 15 (a) of this permission.
 - b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 15 (b).
 - c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 15 (c)
- 17) The development shall be undertaken in complete accordance with the impact avoidance, mitigation and enhancement measures detailed within the Ecological Mitigation and Enhancement Plan and the Reptile Survey Report.
- 18) Prior to the commencement of development, a revised bat mitigation strategy to include compensation for a loss of foraging and commuting opportunities shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in complete accordance with the approved strategy.
- 19) No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority. No development shall take place other than in accordance with the Written Scheme of Investigation.
- 20) No development shall take place until samples of all external facing materials, including that to be used on boundary walls, buildings and hard surfacing, have been submitted to and approved in writing by the local planning authority. The relevant works shall be carried out in accordance with the approved sample details.
- 21) No development shall take place until cross sections/details indicating the proposed finished floor levels of the buildings hereby permitted and finished ground levels surrounding the buildings have been submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.
- 22) No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
- 23) No development shall take place until a protective fence consisting of chestnut paling (1.2m height) fastened to a post and rail fence, shall be erected to a minimum of 8m from the centre of the nearest protected tree, so as to exclude storage of materials, level increases, excavation or other building activities likely to be harmful to roots. Such fencing shall remain in place throughout the duration of the construction works. The local planning authority's Tree Officer shall be informed of the proposed date of

- commencement, at least one working week in advance, to allow inspection of protection measures.
- 24) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 25) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

APPEARANCES

FOR THE APPELLANT:

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Dr Nicholas Davey Turner Jomas & Associates Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Louise Yandell MRTPI Area Team Leader
Rachel Kellas MRTPI Principal Planning Officer
Gisella De Gennaro Senior Environmental Health Officer

INTERESTED PARTY

Mark Dickinson Thames Water

DOCUMENTS SUBMITTED AT THE HEARING:

- Document 1: Appeal decision reference APP/R3650/W/16/3155714
- Document 2: Drawing nos. 250 and 251a
- Document 3: Copies of amended draft LP policies
- Document 4: Missing drawing 161
- Document 5: Policy D1 of the LP and ICS1 of the draft LP
- Document 6: Consultation responses missing from that submitted with the Questionnaire
- Document 7: Five year housing land supply July 2017 update
- Document 8: Statement on the Council's position on the five year housing land supply in response to appeal decision reference APP/R3650/W/16/3155714
- Document 9: Executed legal agreement under Section 106 of the Town and Country Planning Act 1990
- Document 10: Extract from the Examiner's Report into the Farnham Neighbourhood Plan
- Document 11: Comments from Surrey County Council regarding highways
- Document 12: Infrastructure response concerning contributions
- Document 13: Letter from Elizabeth Sims, Interim Head of Planning Services concerning infrastructure contributions