

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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Calls may be recorded for training or monitoring

Date: 29 May 2015

**Membership of the Joint Planning Committee**

Cllr Peter Isherwood (Chairman)  
Cllr Maurice Byham (Vice  
Chairman)  
Cllr Brian Adams  
Cllr Paddy Blagden  
Cllr Carole Cockburn  
Cllr Brian Ellis  
Cllr Jenny Else  
Cllr Mary Forsyszewski  
Cllr Pat Frost  
Cllr John Gray  
Cllr Michael Goodridge  
Cllr Christiaan Hesse

Cllr Stephen Hill  
Cllr Nick Holder  
Cllr David Hunter  
Cllr Anna James  
Cllr Andy MacLeod  
Cllr Stephen Mulliner  
Cllr Stewart Stennett  
Cllr Chris Storey  
Cllr Bob Upton  
Cllr Liz Wheatley  
Cllr John Williamson

**Substitutes**

Appropriate substitutes will be arranged prior to the meeting.

Dear Councillor

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

DATE: MONDAY, 8 JUNE 2015

TIME: 7.00 PM

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

The Agenda for the Meeting is set out below.

Yours sincerely

ROBIN TAYLOR  
Head of Policy and Governance

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**This meeting will be webcast and can be viewed by visiting [www.waverley.gov.uk](http://www.waverley.gov.uk)**

## 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. APPOINTMENT OF CHAIRMAN

To confirm that Cllr Peter Isherwood be appointed as the Chairman of the Joint Planning Committee for the Council year 2015/16.

2. APPOINTMENT OF VICE-CHAIRMAN

To confirm that Cllr Maurice Byham be appointed as the Vice-Chairman of the Joint Planning Committee for the Council year 2015/16.

3. MINUTES

To confirm the Minutes of the Meeting held on 21 April 2015 (to be laid on the table half an hour before the meeting).

4. 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.

5. 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.

6. QUESTIONS BY MEMBERS OF THE PUBLIC

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

7. APPLICATION FOR PLANNING PERMISSION - WA/2015/0317, LAND AT BAKER OATES STABLES, GARDENERS ROAD, WRECCLESHAM (Pages 5 - 80)

Proposed Development

Outline application, with all matters reserved except access, for the erection of up to 43 dwellings together with associated works following demolition of existing equestrian buildings (revision of WA/2014/2028) at **Land At Baker**

## **Oates Stables, Gardeners Hill Road, Wrecclesham**

### Recommendation

That permission be GRANTED subject to the applicant entering into a legal agreement to secure 40% affordable housing and financial contributions towards secondary education, playing pitches, highways improvements, the setting up of a Management Company for the management of the open space and the LAP and the setting up of a Management Company for the management of the SUDS; a S278 agreement with the County Highway Authority to secure the creation of a gateway feature, revisions to the road marking regime including a coloured surface strip to manage vehicle speeds and give pedestrians and cyclists more space, improvements to the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road, improvements to the junction of Gardeners Hill Road and Longdown Road and updated bus stop infrastructure to closest bus stops on Boundstone Road and subject to the conditions and informatives noted in the agenda report.

### 8. 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.

### 9. LEGAL ADVICE

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

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

# Agenda Item 7.

SCHEDULE "A1" TO THE AGENDA FOR THE  
JOINT PLANNING COMMITTEE  
1<sup>ST</sup> JUNE 2015

Applications subject to public speaking.

## Background Papers

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

A1	WA/2015/0317 Focus Homes Ltd 10/02/2015	<u>Outline application, with all matters reserved except access, for the erection of up to 43 dwellings together with associated works following demolition of existing equestrian buildings (revision of WA/2014/2028) (as amended by details received 31/03/2015 &amp; 06/05/2015) at Land At Baker Oates Stables, Gardeners Hill Road, Wrecclesham</u>
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Committee:	Joint Planning Committee
Meeting Date:	01/06/2015

Public Notice	Was Public Notice required and posted: Yes
Grid Reference:	E: 483641 N: 143872

Town:	Farnham
Ward:	Farnham Wrecclesham and Rowledge
Case Officer:	Louise Yandell
13 Week Expiry Date	12/05/2015
Neighbour Notification Expiry Date	27/03/2015
Neighbour Notification	Yes
Amended Notification Expiry Date	26/05/2015
Time extension agreed to	02/06/2015

## RECOMMENDATION

That, subject to the applicant entering into a legal agreement to secure 40% affordable housing and financial contributions towards secondary education, highways improvements, playing pitches, the setting up of a Management Company for the management of the open space

and the LAP and the setting up of a Management Company for the management of the SUDS; a S278 agreement with the County Highway Authority to secure the creation of a gateway feature, revisions to the road marking regime including a coloured surface strip to manage vehicle speeds and give pedestrians and cyclists more space, improvements to the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road, improvements to the junction of Gardeners Hill Road and Longdown Road and updated bus stop infrastructure to closest bus stops on Boundstone Road; and conditions, permission be GRANTED.

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## Introduction

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

The planning application seeks outline permission for access only, with all other matters reserved.

**Access** - covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.

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

Reserved matters include:

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

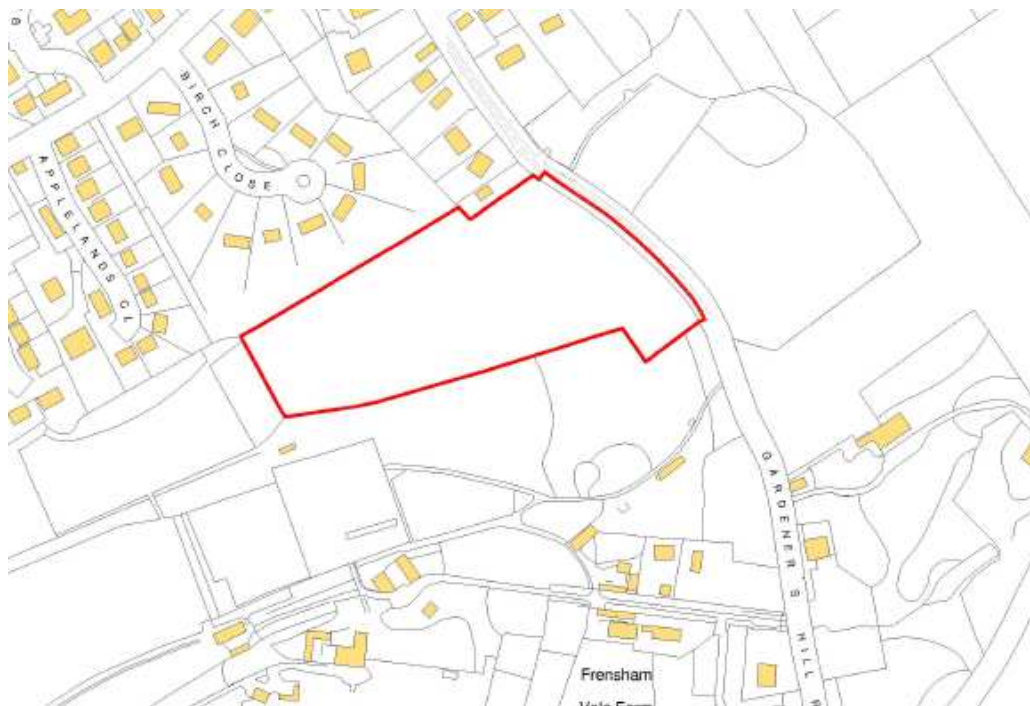
**Landscaping** - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen.

**Layout** - includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.

**Scale** - includes information on the size of the development, including the height, width and length of each proposed building

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

### Location Plan





## Aerial View



## Site Description

The application site measures 2.54 hectares and is located on the south western side of Gardeners Hill Road.

The site is located in the countryside and is currently used for grazing horses. The lawful use of the land appears therefore to be an agriculture use. There are three stable buildings on the site, two towards the northern boundary with the site, close to the boundary with 16 Gardeners Hill Road and one in the south eastern corner of the site. The site is open in character with a cluster of trees in the centre of the site. Each of the boundaries of the site is defined with trees. The site slopes from north to south.

The site abuts the developed area of Farnham to the north, with this area being residential in character comprising mainly detached properties set in a mixture of plot sizes. The areas to the south, east and west consist of areas of open countryside. The area to the south has a wooded character.

## Proposal

The proposal is for the development of the existing grazing land with up to 43 new residential dwellings, areas of open space, new planting and landscaping and transport infrastructure.

Vehicular access to the site is proposed towards the north eastern boundary of the site, close to the position of the existing access which is to be improved.

A foul water pumping station would be provided to the south east of the site which would utilise the existing access from Gardeners Hill Road, at the southern boundary of the site.

The indicative layout shows that the larger detached housing would be positioned at the front of the site, close to the boundary with Gardeners Hill Road, reflecting the existing character of Gardeners Hill Road, with the density increasing towards the rear of the site. Two areas of communal soft landscaping would be provided in the centre of the site, positioned to retain the existing trees. The site would retain its landscaped edge with trees being retained around the perimeter and a landscaped buffer would be introduced to the north of the site. An area of soft landscaping would be provided to the north of the site between the entrance and 16 Gardeners Hill Road.

The indicative density of the site would be 23.42 dwellings per hectare. All the properties would be two storeys with garages being single storey.

The proposed indicative housing mix is as follows:

Unit Type	1 bed	2 bed	3 bed	4 bed	5 bed	Total
No. of units	6	10	13	8	6	43
%	14%	23%	30%	19%	14%	100

Highway improvements are proposed as part of this application to provide a gateway feature at the entrance, a shared pedestrian/cycle and vehicle surface along Gardeners Hill Road to the north of the site to improve pedestrian and cycle accessibility and changes to the highway to improve junction visibility at the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road. Improvements to the closest bus stops on Boundstone Road would also be provided.

94 car parking spaces would be provided.

17 affordable housing units (40%) would be provided within the site as follows:

Housing Mix	Private	Affordable	Total
1 bed	0	6	6
2 bed	4	6	10
3 bed	9	4	13
4 bed	7	1	8
5 bed	6	0	6
Total	26	17	43

A Local Area of Play (LAP) would be provided in an area of communal open space.

Sustainable Urban Drainage Systems would be used in order to ensure that the developed site achieves greenfield run off rates.

#### Heads of Terms

The following matters have been offered to be subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

- Financial Contribution towards infrastructure (Planning Infrastructure Contribution – PIC) to provide towards primary education, playing pitches and transport.
- Management Company to manage and maintain the SUDS and the LAP/communal open space.
- S278 highway works to secure:
  - Gateway feature
  - Revisions to the road marking regime including a coloured surface strip to manage vehicle speeds and give pedestrians and cyclists more space
  - Improvements to the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road
  - Improvements to the junction of Gardeners Hill Road and Longdown Road
  - Updated bus stop infrastructure to closest bus stops on Boundstone Road

## Indicative Block Plan



## Details of Community Involvement

The applicant has submitted a Statement of Community Involvement and carried out the following consultation exercises locally:

- Workshop event
- Public exhibition
- Email correspondence

The submitted Statement of Community Involvement indicates that the majority of respondents did not support development on the site and their main concerns were:

- Concerns regarding an increase in traffic;
- Lack of infrastructure to support development – in particular school capacity and doctors;
- Apprehension surrounding the capacity, size and quality of the existing road network to support new development;
- Specific concerns regarding the proposed access and visibility;
- Construction disturbance and increased traffic;
- Concerns relating to flooding;
- Concerns that the scale and density of the scheme would be out of keeping with the rural nature of the area; and
- Loss of wildlife and ecology.
- The incompatibility of residential development on the site and the potential for a Vodafone Mast on the site;

- The impact on the local character, the wider countryside and nearby designated areas;
- Increased pressure on on-site trees;
- The access to the site and the proposed highways works. One respondent suggested that the access should be as close as possible to the top of the hill and the speed limit reduced to 30mph.

When responding to what design solutions they would like to see on site, residents commented:

- Be low density in keeping with the surrounding area with a maximum density of 15dph similar to Applelands Close or only a few large houses;
- Not be completed until a new school had been built in the local area;
- Be zero carbon, with no cars; and
- Have a housing mix similar to the local area with no affordable housing.

The applicant indicated that the feedback has informed the proposal in the following ways:

- Layout and design – further density works carried out – average local density 10.32dph. The net density proposed is 23.42dph which takes into account the surrounding density and officers comments in relation to housing mix and Policy H4 of the Local Plan.
- Access and highways – additional plans produced to demonstrate that there is enough space for highway improvements.
- Flooding and Drainage – foul water through the development via gravity drains to a pumping station which will be connected to the main sewer, surface water strategy to attenuate flows with permeable paving and permavoid cellular storage systems connected to pipework which will discharge surface water to the channels within the site at greenfield run off rates, foul water connections subject to Thames Water approval.
- Landscaping – increased planting along the site boundary.
- Ecology – retention of trees and retention of 28% of the site as open space with additional parking.

#### Relevant Planning History

WA/2015/0317	Outline application with all matters reserved except access for the erection of up to 43 dwellings together with associated works following demolition of existing equestrian buildings	Refused	29/01/2015
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SO/2014/0015	Request for Screening Opinion for a residential development of up to 50 new dwellings.	EIA Not Required	19/08/2014
WA/2014/0124	Change of use of land and erection of a 20 metre telecommunication mast with antennae, dish and associated equipment cabinets with ancillary works.	Full Permission	25/03/2014 (Extant - not yet implemented)
WA/2010/0385	Replacement of existing stables and tackroom with two new stable buildings.	Full Permission	06/05/2010
WA/2008/1653	Erection of an 18 metre telecommunication mast with antennae, dishes and associated equipment cabinets with ancillary works. (As amplified by letters dated 24.9.08 & 27.10.08 and plans 26.9.08)	Refused  Allowed at appeal	25/02/2009  25/06/2009
WA/2001/0289	Application for a Certificate of Lawfulness under Section 191 in respect of two loose boxes and two field shelters (as amplified by letter dated 8/10/01).	Certificate of Lawfulness Refused	20/10/2003

### Planning Policy Constraints

- Countryside beyond the Green Belt - outside the developed area
- Wealden Heaths I SPA 5km Buffer Zone

### Development Plan Policies and Proposals

Saved Policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D13, D14, RD9, C2, C7, H4, H10, HE15, M1, M2, M4, M5 and M14 of the Waverley Borough Local Plan 2002.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The



adopted Local Plan (2002) and the South East Plan 2009 (solely in relation to policy NRM6) therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. Paragraph 215 states that where a local authority does not have a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The Council is in the process of replacing the 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Development Management and Site Allocations) will follow the adoption of Part 1. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy/ approach is not likely to change significantly. Public consultation on potential housing scenarios and other issues took place in September/October 2014. The timetable for the preparation of the Local Plan (Part 1) is currently under review.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Policy Guidance (2014)
- Strategic Housing Land Availability Assessment (2014 update)
- Draft West Surrey Strategic Housing Market Assessment (2014)
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (Draft 2010 and factual 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 (2010)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Waverley Borough Council 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 Transport Assessment (Surrey County Council, September 2014)
- Surrey Design Guide (2002)
- Farnham Design Statement (2012)
- Surrey Hills AONB Management Plan 2014 – 2019
- Reaching Out to the Community – Local Development Framework-Statement of Community Involvement – July 2014

Consultations and Town/Parish Council Comments

<p>County Highway Authority</p>	<p>No objection subject to a S.278 agreement securing the highway safety and pedestrian improvement scheme on Gardeners Hill Road and bus stop accessibility and infrastructure improvements on Boundstone Road, S106 financial contributions of £25,000 and conditions to secure access and visibility splays, parking, a Construction Transport Management Plan, movement of earthworks, cycle parking and pedestrian and cycle routes within the site &amp; Travel Plan leaflet.</p> <p>The Highway Authority is satisfied that the proposed package of highway mitigation measures seek to maximise opportunities for travel by sustainable transport modes.</p> <p>The Highway Authority is satisfied that the proposed access and movement strategy for the development would enable all highway users to travel to/from the site with safety and convenience.</p> <p>The Highway Authority is satisfied that the traffic impact assessment undertaken by the applicant provides a robust and realistic assessment of</p>
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	<p>the likely impact of the development on the highway network. The applicant has agreed to provide a package of mitigation measures that directly mitigates the impact of traffic generated by their development.</p> <p>The Highway Authority is satisfied that the proposed development is in accordance with the relevant 'movement' Local Plan policies.</p>
Farnham Town Council	<p>Farnham Town Council objects. In our NP we describe this as a prominent greenfield site. Development on this site would extend the well-defined edge of the settlement and represent an intrusion into the countryside. Gardeners Hill Road is a well-treed, narrow lane with no footways. It is unsuitable for a substantial residential development. Large development and associated access to this site would cause detriment to this rural lane.</p>
Natural England	<p>Original Response 30/04/2015:</p> <p>Objection – application likely to damage the interest features of the Thames Basin Heaths SPA and SSSI as the application does not include information that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered – a Habitats Regulations Assessment, Appropriate Assessment should be submitted.</p> <p>Further response based on additional information 07/05/2015:</p> <p>Statutory nature conservation sites (Thursley, Hankley &amp; Frensham Common SSSI) – no objection</p>

	<p>Protected Species – Refer to Standing Advice</p> <p>Biodiversity – the application may provide opportunities to incorporate features into the design that are beneficial to wildlife e.g. roosting opportunities for bats or bird boxes. The Local Authority should consider securing measures to enhance the biodiversity of the site.</p> <p>Other advice – The LPA should assess and consider possible impacts when assessing the proposal to:</p> <ul style="list-style-type: none"> <li>• Local sites (biodiversity and geodiversity)</li> <li>• Local landscape character</li> </ul> <p>Local or national biodiversity priority habitats and species.</p>
Surrey Hills AONB Officer	<p>Protected landscape advice remains the same as the previous application:</p> <p>Do not consider it could reasonably be argued that development of the site would harm public views either into or from the AONB.</p>
Surrey Wildlife Trust	<p>The “Summary of climbing inspection works to determine the presence/likely absence of roosting bats in T24” addresses our previous comments with regarding possible bat roosts in this tree.</p> <p>Other ecological comments in relation to the previous application remain:</p> <p>Should the Local Authority be minded to grant this planning application, the applicant should be required to undertake all the recommended actions in section 8 of the Report,</p>

	<p>including the biodiversity enhancements detailed in sub-section 8.4. External lighting should comply with the Bat Conservation Trust's document "Bats and lighting in the UK – Bats and The Built Environment Series"</p> <p>These measures will help to prevent adverse effect to legally protected species resulting from the proposed development works and help to offset adverse effects to the biodiversity value of the site resulting from the proposed development.</p> <p>In relation to badgers we support the ecologists findings that a further survey should be carried out if more than 12 months elapse between the date of the original survey report and the commencement of works on site.</p> <p>The development is likely to offer some opportunities to restore or enhance biodiversity in the following ways:</p> <ul style="list-style-type: none"><li>• Using native species in the planting scheme which are suitable for site conditions, complementary to surrounding natural habitat and preferably using plants of local provenience. Any native tree saplings should be UK-grown to help avoid the import and spread of exotic pathogens.</li><li>• Using cultivated species, where these are required, which provide nectar-rich flowers and/or berries as these can also be of considerable value to wildlife. Plantings of foreign species should be</li></ul>
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	<p>avoided adjacent to natural habitat, particularly those which are potentially invasive. The use of peat-based composts, mulches and soil conditioners should be avoided due to the loss of important natural habitat.</p> <ul style="list-style-type: none"> <li>• Using native hedgerow species in boundary plantings instead of close boarded fencing; with an appropriate planting mix they can provide security for householders as well as a wildlife resource once established. Native species hedgerows can facilitate the movement of animals through a developed area and should ideally be lightly managed in order to maximise their value for wildlife and biodiversity, with a cutting regime which allows plants to produce fruits and nuts. A buffer zone of uncut vegetation left at the hedge base further enhances this habitat. If close-boarded fencing is used , some gaps should be left at the base to ensure this potential barrier remains permeable for small animals such as hedgehogs.</li> </ul>
Thames Water	<p>Waste – Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of the application. No objection subject to condition requiring details of on and off site drainage works &amp; no discharge of foul or surface water shall be accepted until the works have been completed.</p>

	<p>Surface Water – It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. The applicant should ensure that storm flows can be attenuated or regulated into the receiving public network through on or off site storage. Connections to the public sewer are not permitted for the removal of groundwater. Where the developer proposes to discharge into a public sewer, prior approval from Thames water will be required.</p> <p>Groundwater – where a developer proposes to discharge water into a public sewer, a groundwater discharge permit will be required.</p>
Council's Environmental Health Officer (Air Quality)	<p>Concerns relating to potential emissions during construction phases from fugitive dust emissions and increased traffic. The introduction of residential properties may expose the future occupants to air pollution associated with road traffic and increase road usage in the area by occupants.</p> <p>The site is likely to create additional traffic within Farnham Town Centre and therefore affect the AQMA. Recommended conditions relating to a site management plan to control dust and emissions, prohibit burning of materials on site, consideration given to DEFRA good practice guidance "Low Emission Strategy: Using the Planning System to Reduce Transport Emissions" including EVPs, secure cycle parking and restriction of hours of construction</p>
Council's Environmental Health	Concerns regarding construction

Officer (Pollution)	<p>noise and therefore recommends a Construction Environment Management Plan.</p> <p>Concerns regarding light pollution and therefore recommends conditions for details of lighting and illumination have been submitted and approved.</p> <p>Request for further details regarding the installation of Sewage Treatment works.</p>
County Archaeologist	<p>There is a need for further archaeological work to clarify the archaeological potential of the site to include geophysical survey and archaeological evaluation trial trenching exercise which will aim to establish rapidly what Archaeological Assets are and may be present. The results will enable suitable mitigation measures to be developed.</p> <p>Recommends that a condition is attached requiring a programme of archaeological work in accordance with a written scheme of investigation to be submitted with the reserved matters application.</p>
Environment Agency	<p>The proposed development is located in Flood Zone 1 (low probability) based on our flood zone map.</p> <p>Refer to standing advice: Surface water run-off should not increase flood risk to the development or third parties, SuDS to be used to attenuate to at least pre-development run-off rates and volumes or where possible achieving betterment in the surface water run-off regime. This should incorporate an allowance for extra peak rainfall for climate change.</p>

	Residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event. Overland flow routes should not put people and property at unacceptable risk. This could include measures to manage residual risk such as raising ground levels where appropriate.
County Lead Local Flood Authority	No comments - any planning application received and validated prior to the statutory consultee role should be referred to the Environment Agency as per the previous arrangements.
Crime Prevention Officer	No additional comments that deviate from those made in the previous application:  Recommendations in relation to road surfaces, car parking areas, open spaces, perimeter boundaries and lighting.  Recommends that developer considers the Secured by Design Award.
Health Watch	No response received
Guildford & Waverley Clinical Commissioning Group	No response received
NHS England	No response received
Director of Public Health for Surrey	No response received

### 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 06/03/2015 site notices were displayed around the site 26/02/2015 and neighbour notification letters were sent on 19/02/2015. Additional consultation letters were sent to neighbours on 11/05/2015 following amendments to the housing mix and level of affordable housing and the receipt of additional highways and ecology information.

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

#### Rural Character

- Loss of woodland
- In an AONB
- Loss of green space
- Adds to urban sprawl
- Loss of countryside
- Contrary to Waverley C2 Planning Policy
- Rowledge, Lower Bourne and Frensham will cease to be individual villages but will be an extension to the town
- Overdevelopment
- Destruction of rural character
- Too large
- Additional street furniture and road markings out of character with the surrounding area.

#### Density

- Density of development is out of keeping with the area
- Density too high for the semi rural location
- Houses will be tightly packed
- Will inevitably lead to further proposals for continuous build out

#### Ecology

- Protected species use the field as a source of food
- Loss of wildlife
- Ecology study carried out in December and should be repeated in spring/summer
- Our bat population is close to extinction because of habitat encroachment
- Hunting territory for Tawny, Barn owls and bats which live all around this site and feed on the animals that live in pasture land
- Great demand for grazing land in this area for horses
- Animals cannot pass through fences – should be a rule that people must have animal kind fences so people can pass through.
- Development would spoil this beautiful view and destroy the meadows with valuable wildlife. Hugely affecting our environment
- The access to Gardeners Hill road will lead to the direct loss of many mature trees
- Rich biodiversity in the proposed site and surrounding area, this includes protected and important species



### Drainage/flooding

- Drainage problems
- Road prone to flooding
- Increased flooding
- Near to a high risk flood area – construction of new houses would exacerbate this
- New housing will exacerbate surface water run-off
- Loss of trees will result in fewer roots to soak up excess water
- Disruption to underground streams

### Infrastructure

- Strain on local infrastructure
- Insufficient local school places.
- GP and dental practices under pressure
- Healthcare facilities operating beyond capacity
- Poor transport facilities. Bus service is very infrequent and unreliable and do not run with the train timetable.
- Sewage system is currently running at full capacity

### Proximity to amenities

- 3 miles from Farnham Town Centre
- No shops or other amenities proposed for residents
- No local amenities in Boundstone
- Poor access to public transport
- Unsustainable location
- Location encourages use of car
- Too dangerous to walk to local amenities due to lack of pavements

### Highways Issues

- Traffic survey expected to take 7-14 days rather than 1 day
- Traffic survey conducted at the peak of the holiday season therefore inaccurate
- Concern about mixing pedestrians and vehicles
- Gardeners Hill Road is only 4.4m in parts and does not allow safe and easy passage of cars and the proposal is to make it narrower
- Visibility splays at junction with Gardeners Hill Road and Longdown Road drawn incorrectly on drawing number 13-111-007
- Natural springs cause ice on the road which contributes to traffic accidents
- Refuse and fire vehicles need to encroach on the southbound carriageway to complete turning manoeuvre

- Junction to site is not easily visible from the south and the proposed access would not facilitate safe access and egress
- Increase in traffic
- Insufficient pavements
- Gardeners Hill Road is unfit for the volume of traffic this development would generate. The road has many bends and poor sight lines making it very dangerous
- Road impassable if there is ice/snow
- Assessment should involve a road safety authority
- No lighting along Gardeners Hill Road
- Increase in accidents
- No footpaths
- Dangerous for horse riders
- Painted pavements would not be safe
- Junction with Boundstone Road and Burnt Hill Way not ideal for increased usage
- Junction of Gardeners Hill Road and Boundstone Road cannot accommodate increased traffic
- Blind spots on road and at junctions
- No space to widen road
- Cyclists dangerous on these roads
- People will not be encouraged to walk along this stretch of road
- Already extremely busy during school runs due to six schools in the surrounding area.

#### Policy

- Contrary to Farnham Neighbourhood Plan which has rejected it as being unsuitable
- Outside of the Built Area of Farnham
- The application was given an amber score in the SHLAA
- Approval should not be given in advance of the Local Plan
- Farnham Neighbourhood Plan has not been agreed

#### Special Protection Area

- No avoidance or mitigation for Wealden Heaths SPA
- Has not demonstrated that there will not be adverse effects on the SPA
- Provision of SANG will need to be provided

#### More suitable sites

- Housing can be better met on brownfield sites or more suitable Greenfield sites
- Dunsfold site more suitable

- SHLAA suggests that there are a number of alternative brownfield sites that the Council should be pursuing first.
- Only scored amber in the SHLAA, green sites would be more suitable

### Pollution

- Increase in noise and disturbance resulting from increased traffic
- Increase in light pollution
- The site already has planning permission for a 20m telecoms mast. Young families will not wish to live in close proximity to a mast.
- Air pollution causing health problems, due to the destruction of green lung between Wrecclesham and Frensham
- Farnham already exceeds EU environmental levels so more cars and houses will challenge any efforts to reduce carbon emissions.

### Crime

- Crime prevention hasnot been considered
- Narrow unlit road to an unlit estate likely to facilitate criminal activity, and no proposals to increase lighting

### Other Issues

- Increase in affordable housing should not influence the Council's decision to reject the plans.
- Creation of homes in Green Belt unacceptable
- Developers' motives must be financial
- No changes from previous plans
- Contrary to the NPPF
- Add to air pollution in Farnham
- Contravenes planning concept of sustainability
- No allowance for SANGS on the site
- Increase in noise and light pollution
- Overlooking of existing properties to the north, west and east of the site.
- No provision is being made for horse riders from the equestrian properties in Frensham Court to safely access off road riding facilities
- Benefits of the proposed development do not outweigh the adverse impacts.
- No mention of sustainability issues
- Fails to comply with the Policy BE3, South Farnham Area of Special Environmental Quality – development not allowed if believed would lead to an erosion of its semi-rural character

## Submissions in support

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

- Adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits of the proposal
- Council unable to demonstrate a 5 year housing supply therefore countryside designations are out of date
- Provision of 40% affordable housing
- Site not subject to any protected or statutory landscape designations
- Landscape and Visual Assessment concludes that “whilst the proposed development would be visible from its immediate surroundings to include four properties on Birch Close and a small stretch of Gardeners Hill Road, new tree and hedgerow planting together with garden fencing would screen these views and soften the appearance of the new development.
- Logical extension to Farnham settlement
- Development of a greenfield site should not be an overriding reason to refuse planning permission
- Agreement to provide highways improvements through a section 106 agreement
- Agreement to provide infrastructure contributions through a section 106 agreement
- Additional bat surveys have been undertaken determining that the tree which is to be felled has no evidence of roosting bats
- Amber RAG score in the Strategic Housing Land Availability Assessment (April 2014)
- Geographically located in an area where the Council’s emerging consultation Local Plan considered that housing could be located
- In depth analysis of the site constraints have informed the illustrative layout.
- Landscaped buffer at the entrance of the site between the development and 16 Gardeners Hill Road.
- Respects existing landscape features (trees) and provides pleasant aspect to new houses.
- Site access achieved without the removal of large areas of vegetation.
- Location of development provides access to regular, hourly bus services.
- Gardeners Hill Road capable of serving vehicle generation from 43 houses
- Car and cycle parking to be provided in accordance with Waverley’s standards
- Surface water will discharge at greenfield run-off rates

- On site surface water sewers will be designed to accommodate flows to accommodate the 1 in 30 year storm event plus 30% climate change
- No increase to off-site flood risk for flood events up to and including the 1 in 100 plus 30% climate change year flood event
- Foul drainage scheme includes a network linked to a pumping station and then into the existing public sewer system
- Proposed development will provide means of conveying flow during extreme flood events away from buildings and along the road network by way of level design
- Increase in tree and hedgerow planting
- Proposal will change the character of the area but the urban character already extends to the northern boundary of the site
- New opportunities for biodiversity
- Negligible impact on SPA due to distances, location, exclusion of public access and the small scale of the proposal
- Low archaeological potential
- Proposal would not lead to crime and disorder in the local community

### Determining Issues

- Principle of development
- Planning history and differences with previous proposal
- Prematurity
- Environment Impact Assessment
- The Lawful Use of the Land and the Loss of Agricultural Land
- Location of development
- Impact on Countryside beyond the Green Belt and Landscape
- Housing Land supply
- Housing mix and density
- Affordable housing
- Highways, including impact on traffic and parking
- Impact on visual amenity and trees
- Impact on residential amenity
- Provision of Amenity and Play Space
- Air Quality
- Flooding and Drainage
- Archaeology
- Crime and disorder
- Infrastructure
- Financial considerations
- Health and Wellbeing
- Climate change and sustainability

- Biodiversity and compliance with Habitat Regulations 2010
- Effect on the SPA
- Water Frameworks Regulations 2011
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications
- Cumulative Effects
- Third Party Comments
- Working in a positive/proactive manner
- Conclusion

## Planning Considerations

### Principle of development

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

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access. As such, the applicant is seeking a determination from the Council on the principle of the residential development and associated access.

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

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

and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

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

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: inter alia any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised.

#### Planning history and differences with previous proposal

The planning history is a material consideration.

Planning permission was refused under application WA/2014/2028 for an outline application with all matters reserved except access for the erection of up to 43 dwellings together with associated works following demolition of existing equestrian buildings.

The previous application was refused on the following grounds:

1. The proposal, by virtue of the number of dwellings, scale, urbanising impact and harm to the landscape character, would cause material and detrimental harm to the character and setting of the existing settlement and the intrinsic character, beauty and openness of the countryside contrary to Policies C2, D1 and D4 of Waverley Borough Local Plan 2002 and paragraphs 17 and 118 of the National Planning Policy Framework 2012. The adverse impact would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the National Planning Policy Framework 2012 taken as a whole.
2. The proposal by reason of its indicative details, has failed to demonstrate to the Council that the proposal provides a satisfactory mix of housing in order to meet the housing needs of the Borough identified in the Draft West Surrey SHMA 2014, Policy H4 of the

Waverley Borough Local Plan 2002 and paragraph 50 of the National Planning Policy Framework 2012.

3. The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development, as such the proposal would fail to effectively limit the significant impacts of the development. Furthermore, the proposal would therefore fail to improve accessibility to the site by non-car modes of travel. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.
4. The applicant has failed to comply with the Waverley Borough Council Infrastructure Contribution SPD (April 2008) and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002.
5. The applicant has failed to demonstrate that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts would not be significantly harmed as a result of the development proposed. The proposal is therefore in conflict with Policy D5 of the Waverley Borough Local Plan 2002 and the objectives of the National Planning Policy Framework 2012.

The differences between the current proposal and this previously refused scheme are:

- Provision of affordable housing increased from 32.5% to 40%
- Housing mix amended as follows:

Unit size (bedrooms)	Previous application WA/2014/2028	Current Application WA/2015/0317
1	0	6
2	14	10
3	12	13
4	11	8
5	6	6

- Additional ecology survey carried out (Climbing inspection works to determine presence/likely absence of roosting bats dated 28/01/2015)
- Additional supporting information provided in relation to the impact on the countryside:



- Site falls outside but immediately adjacent to the settlement boundary, however given the Council's inability to demonstrate a five year housing land supply such Policy designations are out of date.
  - Site is not located within any protected or statutory landscape designations.
  - Landscape and Visual Assessment concludes, "whilst the proposed development would be visible from its immediate surroundings to include four properties on Birch Close and a small stretch of Gardeners Hill Road, new tree and hedgerow planting together with garden fencing would screen these views and soften the appearance of the new development. The new housing would form a logical extension to Farnham's suburbs of Boundstone and Rowledge, directly north and west, whilst taking on and adopting the character of its neighbouring settlements."
- The applications have agreed to enter into a legal agreement to secure financial contributions towards secondary education, playing pitches and transport.

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

### Prematurity

Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

The Farnham Neighbourhood Plan is also at a relatively early stage in its development. The NPPG states that an emerging neighbourhood plan may be a material consideration in decisions on planning applications. It adds, however, that refusal of planning permission on grounds of prematurity will seldom be justified, in the case of a neighbourhood plan, before the end of the local planning authority publicity period. A draft of the Farnham Neighbourhood Plan was published for consultation between 31 October and 15 December 2014 and is not due to be submitted to Waverley Borough Council until July 2015. Therefore, it has limited weight at this stage and a refusal on grounds of prematurity is unlikely to be justified.

#### Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment'.

An ES is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before the development is allowed to go ahead. An EIA must describe the likely significant effects and mitigating measures envisaged.

On 10<sup>th</sup> April 2015, the Council, pursuant to Regulation 5 (7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 issued a screening opinion to the applicant that the proposed development of up to 43 dwellings at land at Baker Oates would not constitute EIA development within the meaning of the Regulations.

#### The lawful use of the land and loss of agricultural land

The application site consists of fields currently used for grazing horses. Policy RD9 of the Local Plan outlines that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land

unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Natural England classifies the land as “Non-Agricultural Land - Other land primarily in non-agricultural use.” This indicates that the site is not considered to be of high agricultural value. The proposal would not result in the loss or alienation of the best and most versatile agricultural land, and would not result in the fragmentation of an agricultural holding so as to seriously undermine the economic viability of the remaining holding.

#### Location of Development

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

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

Paragraph 49 of the NPPF states that policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Given that the Council currently can not demonstrate a five year supply of deliverable housing sites, it is acknowledged that for housing applications, in so far as Policy C2 is a housing supply policy, it must be considered out of date and cannot be afforded significant weight.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF states, inter alia, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues, that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Whilst it is recognised that the application site falls outside of the settlement boundary, within the Countryside beyond the Green Belt, Officers acknowledge that the application site abuts the developed area of Farnham at its southern point. The site does not provide good accessibility to a Town or Local Centre, schools or a train station. However, the site is located in close proximity to a bus stop and is close to a GP/Health facility. Officers further note the proposed pedestrian/cycle access routes proposed as part of the application (discussed further in the highways section below) would provide sustainable access links to the bus stops along Boundstone Road that would provide access to Farnham Town Centre. As such, Officers consider that the proposal would be located in a relatively sustainable location. Therefore, whilst acknowledging that the site is outside of a defined settlement or developed area, it is considered that the proposal would not result in isolated dwellings in the countryside and as such the application is not required to demonstrate any special circumstances as required by paragraph 55 of the NPPF.

Notwithstanding this, the site was given an amber score in the Council's detailed assessment of potential housing sites outside of settlements in the Waverley SHLAA (2014). The RAG score for each site was generated (either red, amber or green) for each site outside of settlements based on an assessment against a wide range of factual sustainability related criteria including: Proximity to an AONB or local landscape designation, the extent to which it is at risk of flooding, proximity to a Special Protection Area (SPA) or other European Site, whether it is within the Green Belt and accessibility to different services. Taking into consideration the location of the site outside of the developed area and this amber score, the site is not considered to be a priority for the delivery of homes.

#### Impact on Countryside Beyond the Green Belt and landscape

Paragraph 17 of the NPPF sets out that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: inter alia take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character

and beauty of the countryside and supporting thriving rural communities within it.

Paragraph 155 of the NPPF directs that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. Given that the Council currently can not demonstrate a five year supply of deliverable housing sites, it is acknowledged that for housing applications, in so far as Policy C2 is a housing supply policy under paragraph 49 of the NPPF, it must be considered out of date. Notwithstanding, Policy C2 protects the countryside for its character, consistent with paragraph 17 of the NPPF.

Section 85 of the Countryside and Rights of Way Act 2000 states that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty. The NPPF says that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB), in accordance with this.

The site is located within the Countryside beyond the Green Belt outside the recognised settlement boundary. The site is not within the AONB. Whilst the AONB boundary is some 870 metres to the south east, the application site is not materially visible from it. Furthermore the AONB Officer has confirmed that the proposal would not harm public views either into or from the AONB.

The proposal would involve the development of open fields which are currently used for horse grazing. The currently open fields would be replaced by substantial built form.

A Landscape Study undertaken by AMEC August 2014, on behalf of the Council as background information for the preparation of the emerging Local Plan, assesses the application site in terms of the ability of the landscape to accommodate future residential development. This does not include specific reference to the application site but in reference to the wider area notes that development in this segment is more likely to have a negative landscape impact due to a combination of character, landscape quality and designations. The site provides a key area of transition between the built up developed area to the north and the open fields and woodland to the south. The site signifies an end to the developed area. The proposal would alter the existing verdant

character of the site and would represent significant encroachment into the countryside. The introduction of the level of residential development proposed would therefore have a negative impact on the character of the intrinsic character and beauty of the countryside by virtue of the urbanising effect.

It is noted that the majority of trees within the site would be retained as green infrastructure and that the well treed established boundaries of the site would be retained. Whilst the green field would be replaced with built form, there would be no loss of any significant landscape features. The proposal would result in significant harm to short distance views into the site, particularly from the proposed main access to the site on Gardeners Hill Road where the character would be changed by views of the proposed built form and to a lesser extent at the southern access access to the pumping station at the southern boundary of the site. However, Gardeners Hill Road is at a lower land level than the site and longer distance views into the site from Gardeners Hill Road are fairly limited due to the extensive boundary screening and this lower land level of the road.

Whilst the proposal abuts the boundary of the developed area, the development would result in significant built form with little clear association with the surrounding built environment. The proposal would therefore appear incongruous within the rural setting of the site, eroding the open nature, intrinsic character and beauty of the countryside.

The overall adverse impact on the countryside is a material consideration to be weighed against other considerations for this application.

### Housing Land Supply

Paragraph 159 of the NPPF states that Local Planning Authorities should have a clear understanding of housing needs in their area, they should, inter alia, prepare a Strategic Housing Market Assessment to assess their full housing needs; and prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their Local Plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Furthermore, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where

possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

Paragraph 49 of the NPPF continues that housing applications should be considered in the context of the presumption in favour of sustainable development.

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

It is acknowledged that both the latest household projections published by the Department for Communities and Local Government and the evidence in the emerging draft Strategic Housing Market Assessment point to a higher level of housing need in Waverley than that outlined within the South East Plan. Specifically, the Draft West Surrey SHMA December 2014 indicates an unvarnished figure of at least 512 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure, latest estimates suggest a housing land supply of 3.7 years based on the unvarnished housing supply figure of 512 dwellings per annum. This falls short of the 5 year housing land supply as required by the NPPF.

The provision of new market and affordable housing would assist in addressing the Council's housing land supply requirements. This is a material consideration to be weighed against other considerations for this application.

#### Housing mix and density

The NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Local Plan 2002, in respect of housing mix, is considered to be broadly consistent with the approach in the NPPF. It outlines the Council's requirements for mix as follows:

- a) at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,
- b) not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
- c) no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

The draft West Surrey Strategic Housing Market Assessment 2014 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the SHMA is more up to date than the Local Plan, however, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4.

The SHMA sets out the likely profile of household types in the housing market area. The SHMA provides the follow information with regards to the indicative requirements for different dwelling sizes (2011-2031).

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:

Number of bedrooms	Number of units proposed	% mix
1-bedroom	6	14%
2-bedroom	10	23%
3-bedroom	13	30%
4-bedroom	8	19%
5-bedroom	6	14%
Total	43	100%

37% of the units would be two bedroom or less, 67% of the units would be three bedroom or less. The proposed housing mix does not provide a mix of housing that is consistent with Policy H4. However, this scheme provides a



housing mix much closer to the required housing mix set out in Policy H4 and the SHMA than the previously refused scheme.

The floor areas of individual dwellings are not included in the outline application. However, it would appear that the requirements of criterion (c) of Policy H4 could be met.

The density element of Policy H4 has much less weight than guidance in the NPPF. Rather than prescribing a minimum or maximum density, the NPPF sets out, at paragraph 47, that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Density is a rather crude numeric indicator. What is more important is the actual visual impact of the layout and extent of development upon the character and amenities of the area.

The proposed density is 23.42 dwellings per hectare. The density would be higher in comparison to those in the immediate surrounding area with Birch Close having a density of 7.65 dwellings per hectare and Applelands Close having a density of 14.76 dwellings per hectare. The proposal would have smaller plots towards the rear of the site. However, this is reflective of providing a mix of dwelling sizes on the site. Furthermore, the indicative layout indicates that whilst denser than the pattern of development around the site, the number of dwellings on site could be achieved without resulting in a development that appears cramped and crowded. Most importantly, the higher density would make more efficient use of land. The acceptability of the of the proposal in relation to the indicative density is a matter of judgement to be put into the planning balance.

### Affordable Housing

The NPPF outlines that to deliver a wide choice of quality homes, local planning authorities should identify where affordable housing is needed and identify policies for meeting this on site, unless off-site provision or a financial contribution can be robustly justified.

The Local Plan is silent with regards to the delivery of affordable dwellings in locations such as this. Specifically, there is no threshold or percentage requirement in the Local Plan for affordable housing on sites outside of settlements. This is because, within an area of restraint, housing development under the current Local Plan, is unacceptable in principle, including affordable housing.

If, however, the provision of housing on this site is supported, then the provision of affordable housing could be regarded as a benefit of considerable weight to justify releasing the site from the countryside.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to help meet need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

As of 08/05/15, there are 1,519 households with applications on the Council's Housing Needs Register, who are unable to access housing to meet their needs in the market. Additionally, the Draft West Surrey SHMA 2014 indicates a continued need for affordable housing, with an additional 337 additional affordable homes required per annum.

The Draft West Surrey SHMA (2014) provides the following information with regards to the indicative requirements for different dwelling size affordable units.

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Percentage	40%	30%	25%	5%

The Draft West Surrey SHMA (2014) also recommends 30% of new affordable homes to be intermediate tenures and 70% rent. The applicant has confirmed that that they will provide a split of 30% intermediate and 70% rent. This would be secured via Section 106 agreement if permission is granted.

The application proposes 17 affordable units representing 40% of the overall development. The proposed affordable housing mix would be:

Unit Type	1 Bed	2 Bed	3 Bed	4+ Bed	Total
Number of units	6	6	4	1	17
%	35%	35%	24%	6%	100%

The proposed mix for affordable housing is considered to be broadly in line with the latest demand outlined above in the Draft SHMAA 2014 and the mix is therefore considered to be acceptable.

Officers conclude, that overall, the proposed housing and tenure mix would contribute to meeting local needs in line with guidance contained within the NPPF. However, in the absence of any viability assessment, Officers cannot confirm that the proposed provision of affordable dwellings is the maximum amount achievable on the site, whilst still seeking to achieve mixed and balanced communities. The provision of 40% affordable housing is a benefit that can be given weight to justify the development.

The indicative layout indicates that the affordable housing would be located at the rear of the site and would not be integrated within the market housing distributed in small clusters across the site. This would not be acceptable given the policy aspirations for inclusive communities as required by paragraph 50 of the NPPF. However, given that the layout is a reserved matter, if this application were to be granted, this would be dealt with at reserved matters stage. It is clear that this could be achieved within this outline proposal.

#### Highways, including impact on traffic and parking

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements local authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limit the significant impact of the development.

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

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

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

The Transport Assessment (TA) which accompanies the application, assesses existing transport conditions in the area and assesses the impact of the proposed development. The proposed development generated traffic flows are likely to equate to a maximum of one additional vehicle in any one direction of only one every 5 minutes and is not considered to be detrimental to the operation of the highway network. Furthermore, the impact on key road junctions in the vicinity of the site would operate within the limit of their capacity.

In accordance with the requirements of the NPPF and Waverley Borough Local Plan 2002, the proposed development needs to demonstrate that opportunities to promote access by sustainable modes have been maximised.

The County Highway Authority is satisfied that the traffic impact assessment undertaken by the applicant provides a robust and realistic assessment of the likely impact of the development on the highway network. The applicant has agreed to provide a package of mitigation measures that directly mitigates the impact of traffic generated by their development.

As part of the application, highway improvement works for Gardeners Hill Road are proposed in order to enhance Gardeners Hill Road as a walking route to the village centre. This would consist of the creation of a 'gateway' feature at the entrance to the site, revisions to the road marking regime and a green coloured surface 'strip' along the western side of the carriageway with the intention of helping the management of vehicle speeds as well as giving pedestrians and cyclists more space.

Improvements are proposed to the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road in order to aid pedestrian movement and improve junction visibility for all users using Gardeners Hill Road and Burnt Hill Way. Visibility improvements are also proposed at the priority junction of Gardeners Hill Road and Longdown Road.

Updated bus stop infrastructure consisting of new shelters, flag poles and bus timetable information are proposed at the closest bus stops to the site, on Boundstone Road.

A Stage 1 Road Safety Audit has been undertaken for the proposed highway improvements associated with the proposed development and no safety problems have been identified.

The Highway Authority is satisfied that the proposed package of transport mitigation measures does improve accessibility to the site by non-car modes of travel. Therefore the planning application does meet the transport

sustainability requirements of the National Planning Policy Framework. If permission is granted these improvements should be secured via a s.278 highway works agreement.

The existing access at the north east of the site onto Gardeners Hill Road, which currently serves the site, would be improved in order to gain access to the development. This would be improved and a 5.5m wide road with a 2m footway would lead into the site. Visibility splays have been catered for, as per the speed survey data, resulting in 2.4m by 51m looking north and 49m looking south. The site access to the south of the site from Gardeners Hill Road would be retained and utilised to provide access to the pumping station.

The County Highway Authority is satisfied that the proposed access and movement strategy for the development would enable all highway users to travel to/from the site with safety and convenience.

Full details of the layout is a reserved matter but the application confirms that the dwellings would be provided with parking spaces in accordance with Waverley's Parking Guidelines which requires 1 space per one bedroom dwelling, 2 spaces per 2 bedroom dwelling and 2.5 spaces per three + bedroom dwelling.

The developer has confirmed that it would provide cycle parking in accordance with Waverley's Parking Guidelines which requires one cycle space per 1 and 2 bed unit and 2 cycle spaces per 3+ unit. Full details of this have not been provided but considering that this is an outline application, this could be dealt with at reserved matters stage if permission is granted.

It is considered that the improvements to the highway proposed as part of this application go beyond what is necessary to mitigate the impact of the development. As such, the improvements, are considered to be benefits that be weighed against the negative impacts of the proposal.

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

The applicant has indicated that they are willing to enter into a legal agreement to ensure that the appropriate highways mitigation would be secured. This will be secured prior to permission being granted.

As part of representations from third parties, a separate transport appraisal has been submitted in the form of a Transport Planning & Highway Advice

Note dated December 2014 Ref: CC/2014/2287/TN01 by RGP Transport Planning and Design which disputes some of the applicants' statements in the Access Statement and Transport Statement. The main points are as follows:

- Only a single day's data in the Automatic Traffic Count (ATC) data outputs and this day was during the school holidays therefore not reliable.
- Roadworks on Gardeners Hill Road in Summer 2014 and residents tried to avoid the road
- Narrowest point of Gardeners Hill Road outside 7-8 Gardeners Hill Road at the brow of a Hill and the approach to Longdown Road priority junction – difficult juxtaposition of highway elements and causes difficult simultaneous passage of opposing traffic movements
- Existing visibility from Longdown Road is 2.4m x 13m looking south and in excess of 43m looking north
- No reported accidents but local residents often help to retrieve cars who get into difficulty
- Refuse and fire vehicles encroach onto southbound carriageway to complete turning manoeuvre into site
- No mention of the location of speed surveys
- Northbound visibility is not accepted
- During a site visit in Nov 14, a setback of 2.4m from the proposed access point recorded a visibility of 25m towards the south. The gradient of hill and bend of the approach means that the junction is not easily visible when approaching the site from the south. The measured visibility is considerably below the required Manual for Streets visibility splay of 49m based on the surveyed speeds. If compared with DMRB standard this falls considerably short of the 2.4 x 120m required for a road subject to a 40 mph limit.
- Proposals would increase traffic by 22-23%
- None of the splays on drawing 13-111-007 have been drawn correctly
- No footways on Longdown Road which makes the coloured advisory footway sit out of context.
- Hazardous conditions in winter when water from natural springs turns to ice
- Increase interaction between pedestrians and vehicles is a cause for concern
- Tarmacked surface could encourage increased speeds
- At narrowest point of Gardeners Hill Road visibility would be further reduced due to shared pedestrian strip
- No accompanying proposals to light the footway

Surrey County Council Highway Authority have provided the following response to RGP Transport Planning and Design Comments:

- In order to determine the appropriate visibility splays required at the proposed vehicular access onto Gardeners Hill Road, the Highway Authority required the applicant to undertake a traffic speed survey. Two Automatic Traffic Counters (ATCs) were placed on Gardeners Hill Road, in order to obtain speed data to the north and south of the proposed site access (Details on the location of the ATCs have been provided by the applicant). Over a 24 hour period the ATC located to the north of the site access recorded the speeds of 833 vehicles approaching the site access. Over the same period the ATC located to the south of the site access recorded the speeds of 652 vehicles approaching the site access. The Highway Authority has visited the site to assess vehicles speeds, and considers the time/duration of the ATC surveys and the number of vehicles recorded, is satisfactory for the purpose of collecting 85th percentile speeds to calculate visibility splay requirements. It is important to emphasise that the survey was not undertaken for the purpose of obtaining traffic count data. The ATC to the north of the proposed site access recorded the following southbound vehicle speeds over the 24hr survey period:

  - Average Speed: 25.8 mph -85th Percentile Speed: 33.8 mph

The ATC to the south of the proposed site access recorded the following northbound vehicle speeds over the 24hr survey period:

  - Average Speed: 28.4mph -85th Percentile Speed: 33.1mph

Visibility splay guidance in the document “Manual for Streets” applies where the actual measured speed of vehicles is lower than 40mph. The 85th Percentile Speed is used to calculate the following visibility splays for the proposed site access:

  - Visibility splay required to north of proposed site access: 51 metres
  - Visibility splay required to the south of the proposed site access: 49 metres.

Odyssey Markides Drawing No. 13-111-001 Rev B shows the required visibility splays can be provided over land either under the applicant’s control or land classified as public highway.

The visibility splay to the south of the proposed site access has also been assessed in the horizontal plane to ensure the natural gradient of the carriageway does not obstruct the required visibility splay. Odyssey Markides Drawing No. 13-111-013 Rev B provides a visibility long section, demonstrating that there is no obstruction to the visibility splay between 0.6 metres and 2.0 metres above carriageway level, from a driver’s eye height of 1.05 metres. It should be noted that the works to create the proposed site access will include re-profiling of the land and clearance of vegetation adjacent to the carriageway edge, to provide the required visibility splay. It should also be noted that the package of highway mitigation measures to be delivered as part of the proposed development includes extending the existing 30mph speed limit to the

south of the proposed site access. Surrey Police has been consulted and has raised no objection to the proposed extension of the 30mph speed limit. The minimum visibility splay requirement for roads with a 30mph speed limit is 43 metres. The visibility splays shown on the submitted drawings therefore exceed this requirement. The Highway Authority is satisfied that the required level of forward visibility can be provided, ensuring vehicles travelling on Gardeners Hill Road have sufficient sight stopping distance (the distance drivers need to be able to see ahead and they can stop within from a given speed) of vehicles accessing and egressing the site.

- The proposed highway improvement scheme has been designed to improve the walking environment on Gardeners Hill Road, where interaction between pedestrians and vehicles in the carriageway already occurs. The proposals comprise the following package of measures to provide a safer walking environment for pedestrians:
  - Extension of the existing 30mph speed limit to the south of the proposed site access, to include a new 'gateway' feature.
  - Additional street lighting on Gardeners Hill Road.
  - Advisory pedestrian strip with associated road markings and signage.
  - Improvements to Gardeners Hill Road junction with Boundstone Road to provide dedicated pedestrian footway.
  - Provision of uncontrolled crossing on Boundstone Road.
  - Improvements to Bus Stop Infrastructure on Boundstone Road.
  - Alterations to white line markings at junction of Gardeners Hill Road and Longdown Road.
- The Highway Authority commissioned an independent safety audit of the proposed highway works. The audit did not identify any fundamental safety problems with the proposed works, however, it recommended a number of improvements that could be made to the proposals, including:
  - Locate all new signs clear of visibility splays in appropriate locations, as per current advice.
  - Trim/remove foliage directly to the south-east of Longdown Road, which is overhanging the Gardeners Hill Road carriageway to maximise available visibility at the junction.
  - Remove the existing centre line within Gardeners Hill Road for the length of the proposed 'pedestrian area'.
  - Relocate proposed uncontrolled crossing further to the south-west within Boundstone Road adjacent to the proposed bus stop facilities, where visibility for and of pedestrians is improved.
  - Provide a 30mph roundel road marking in the carriageway to highlight the conspicuity of the start of the 30mph speed limit.



- Investigate carriageway surface and conduct repairs to provide an appropriate surface for vehicles and pedestrians.
- Ensure appropriate drainage facilities are provided to discharge all surface water from the proposed development access.

The Highway Authority is satisfied that all recommended safety improvements can be incorporated into the proposals at the detailed design stage.

- The sub-standard visibility splays available at the junction of Gardeners Hill Road with Longdown Road is an existing situation. The proposed development would not result in a material increase in vehicle movements from Longdown Road onto Gardeners Hill Road, however, the proposed highway improvement scheme does include alterations to the white line junction markings to maximise the available visibility splays.
- The Gardeners Hill Road carriageway varies between 4.4m and 5.5m in width with the narrowest point outside 7-8 Gardeners Hill Road. However, the Highway Authority considers this is an existing situation and the small increase in vehicle and pedestrian movements generated by the proposed development would not have a material impact on highway safety.
- The latest five year collision data along Gardeners Hill Road shows that there have not been any collisions which involved pedestrians between the proposed site access and the Gardeners Hill Road junction with Boundstone Road. Notwithstanding this, the proposed highway improvement scheme would provide a safer walking environment. The independent Road Safety Audit report did not identify any fundamental safety problems with the provision of a pedestrian strip on Gardeners Hill Road.
- The proposed site access has been designed to accommodate two-way movement of vehicles and has a dedicated pedestrian footway. The applicant has provided additional swept-path drawings showing that a refuse vehicle can enter and exit the site in forward gear, and that the turning movement of a refuse vehicle or fire tender would not have a severe impact on the safe movement of traffic on Gardeners Hill Road.

Following consideration of the report by RGP Transport Planning and Design, the Highway Authority is satisfied that the proposal would have an acceptable impact on the safety and efficiency of the surrounding highway network. The residual cumulative impacts of development are not considered to be severe and therefore the proposal is considered to comply with the requirements of paragraph 32 of the NPPF.

### Impact on visual amenity and trees

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

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

Whilst the proposal is for an outline application, with all matters reserved except access, the Design and Access Statement and indicative plans gives information about the parameters of the development proposed. The proposal is for up to 43 units. Whilst officers consider that a proposal of up to 43 units could be achieved on the site, there are some concerns with the indicative plan that has been submitted as part of the proposal.

The car parking spaces are considered to dominate the proposal. The square in the centre of the site would be dominated by car parking and the car parking in this area and at the end of the site would be visually dominant upon entering the site. It is unclear how the trees in this area would help to soften the appearance. It is considered that the quantity of units on the site may need to be reduced in order to accommodate appropriate parking spaces in a different way that does not dominate the scheme.

The applicant describes the square in the centre of the site as providing a “transition between two character areas...giving a formal and urban character.” Whilst officers recognise that a transition may be appropriate, this area appears distinctly urban and is not appropriate for this area which would be beyond the settlement boundary.

The design of the highway is considered to be very over-engineered and formal, with footpaths on both sides of the road. Given the quantity of units proposed, it is considered that this is not necessary and some areas of hardstanding for footpaths should be replaced with soft landscaping.

Officers are additionally concerned with the proposed heights of the buildings, put forward in the Design and Access Statement. The application states that the buildings across the site would be single or two storeys and as having an eaves height of between 4.5m and 7m and a ridge height of between 7m and 12m. Concern is raised with these heights as a 12m ridge is significantly higher than most two storey buildings. This site is outside the developed area and would result in additional built form between the existing developed area and the open countryside. The site is considered to be an area of transition between the urban area and the countryside and it would be expected that this would be reflected in the design. As such, two storey buildings with a height of 12m are unlikely to be acceptable in this location. Notwithstanding these concerns, the full details of the mass of the built form would be dealt with at reserved matters stage if the current outline application is approved. It is expected that the detailed design should respond appropriately to this transition, particularly in terms of the scale and mass of the buildings.

The indicative plans indicate that the proposed layout would result in boundary treatments being positioned in prominent positions. If this outline application is approved, these would need to be carefully considered in relation to the design of the proposal at reserved matters stage as close boarded fences are unlikely to be acceptable in certain visible focal positions on the site. Furthermore, it would need to be demonstrated that appropriate space is located on site for bin and cycle storage for each of the units.

As the proposed application is for outline permission only and full details of the appearance, landscaping, layout and scale would be submitted at reserved matters stage. It would not be appropriate to refuse permission on the basis of the above comments. The test for members is whether the site is potentially capable of accommodating an acceptable design, scale and layout at this stage. Officers are of the view that, taking into account the above comments, that satisfactory details could be achieved on this site.

There is one tree which is proposed to be removed as part of the proposal. This tree is a category U tree (trees in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed for reasons of sound arboricultural management) that is in very poor condition and has evidence of internal decay. There is no objection to the loss of the tree as it cannot be reasonably expected to be retained, given its health.

The remainder of the trees within and surrounding the site could be retained and the indicative plan shows that the clusters of trees within the site have been used as areas for soft, informal, communal open space and

landscaping, an approach which is supported. Additional planting would be provided in the areas of open space.

The proposed development would largely retain existing hedgerows and the trees towards the peripheries of the site. The retention of established hedgerows is important from a visual and ecological viewpoint and this approach is welcomed in the proposed layout.

There is significant scope for internal site tree planting to provide longer term enhancement to the road layout. The northern boundary tree planting would be strengthened and thickened, with the introduction of a landscape buffer to the north of the site. Native hedgerow planting would also be introduced to the eastern boundary to enhance the existing planting and provide additional containment of the development from the Gardeners Hill Road.

Officers are keen to ensure that the affordable housing provision on new sites has the same appearance as the market housing in terms of details, build quality, materials etc. so that the tenures are indistinguishable. Affordable housing should be integrated among market housing to create a mixed and balanced community and the affordable housing should not be easily distinguishable from market housing, consistent with paragraph 50 of the NPPF.

Although in outline with all matters reserved, and despite reservations with regard to the indicative details provided, officers consider that scheme could be developed which would function well, be of a high quality design, which would integrate well with the site and complement its surroundings so as to establish a strong sense of place. The proposal would therefore, on balance, accord with Policies D1 and D4 of the Local Plan 2002 and the NPPF 2012.

If the application is approved, full details of the proposed design and landscaping could be secured at reserved matters stage.

#### Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

Whilst the proposal is an outline application, an illustrative layout plan has been submitted. This plan clearly demonstrates that the quantum of development proposed (up to 43 units) could be achieved on site whilst maintaining a good level of amenity for both future occupiers of the development and for existing neighbouring occupiers.

The least separation distances between existing and proposed dwellings (as shown on the indicative layout plan) would be approximately 15m, between Unit 1 of the proposed scheme and 16 Gardeners Hill Road. The rear building line of Unit 1 (in the indicative plan) would be positioned 9m beyond the main side wall. This proposed unit would not have any habitable room windows that would look directly into windows in 16 Gardeners Hill Road. Views from rear windows in this Unit would look into the amenity space and any views of the amenity space of 16 Gardeners Hill Road would be at an oblique angle. Due to the appropriate positioning of this unit, the proposal would not impact upon the residential amenities of this property by reason of loss of light, loss of outlook, visual intrusion or privacy.

The indicative plans indicate that the proposed dwellings would be positioned 43m from the closest properties on Birch Close at the end of their rear gardens. These separation distances exceed the Council's guidance of a minimum of 21 metres in relation to the avoidance of a loss of privacy. The separation distances would also ensure that there would be no detrimental loss of light or outlook to these residential dwellings.

The Council would also generally expect 18m between proposed windows and neighbouring private amenity space. The indicative plans indicate that distances range from between 12-17m between rear windows and the rear boundaries of properties on Birch Close. Whilst this falls short of the 18m usually required, having regard to the screening along the boundary and the size of the gardens in Birch Close, this proximity is unlikely to result in material harm to these adjoining occupiers by reason of overlooking into amenity areas. Furthermore, details with regard to design and layout are reserved matters that do not form part of this outline application.

External lighting would need to be assessed to ensure that this would not cause harm to surrounding residential properties. However, an appropriate solution could be found if permission is granted. This would be dealt with at reserved matters stage.

Additionally, having regard to the proposed indicative layout within the site, it is concluded that none of the proposed dwellings would result in material harm to other proposed dwellings in the scheme.

The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network. However, these issues are transient and could be minimised through the requirements of planning conditions, if outline permission is granted.

Although in outline with all matters reserved (except access), Officers consider that sufficient evidence has been submitted to demonstrate that, subject to detailed consideration at a future stage, a scheme could be developed which would provide a good standard of amenity for future and existing occupiers. Officers consider that the proposal would be in accordance with Policies D1 and D4 of the Waverley Local Plan and guidance contained within the NPPF.

### Amenity & Play Space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

The Council uses the standard recommended by Fields in Trust (FIT) for assessing the provision of outdoor playing space.

The proposed development would require the provision of a Local Areas for Play (LAP).

A LAP comprises a small area within 1 minute walking time from home for children up to 6 years of age. These have no play equipment but provision is made for low key games such as hopscotch or play with small toys. Seating for carers should be provided.

The application indicates that a LAP would be provided in the western area of the site. Officers consider that this location would be of concern as it would need to be demonstrated that the area would be easily accessible by all units. However, there are two areas of open space in the indicative plan and it is clear that a LAP could be positioned in a suitable position on this site if this

application were recommended for approval, at reserved matters stage. The areas of communal open public space in the layout would contribute to creating the sense of place and character of the area and would help to soften the appearance of the built form. Their locations have been dictated by the existing mature trees in order to prevent their loss which is supported. The design and positioning of the green open spaces in the layout are considered to be a positive element of the scheme.

The plans show an indicative layout which indicates that individual garden sizes would be appropriate. Officers raise concern with the layout of the garden area of Unit 12, in that it is both north facing and wrapped around the car parking spaces. The car parking spaces could be repositioned to overcome this but given this is an outline application, this issue could be dealt with at reserved matters stage if the application were approved.

The proposal is considered to be in accordance with Policy H10 of the Local Plan and the guidance of the NPPF 2012.

#### Air Quality

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

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

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of noise and disturbance or potential pollution of air, land or water, including that arising from light pollution. In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular, development which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The site is not located within an Air Quality Management Area (AQMA). However, there is an AQMA in the centre of Farnham and the impact on air quality remains an important material consideration.

It is considered that the potential emissions during the construction phases of the project, affecting existing receptors in the area would be of some concern. It should also be noted that the introduction of residential properties may expose the future occupants to air pollution associated with road traffic and is likely to increase road usage in the area by the occupants. Therefore, mitigation measures would be required to offset the additional development, if permission is granted.

It should be noted that the impact of dust and emissions from construction can have a significant impact on local air quality. As there is no safe level of exposure, all reduction in emissions would be beneficial. If the application is recommended for approval conditions are recommended requiring a site management plan for the suppression of mud, grit, dust and other emissions during the construction phases and to prohibit the burning of materials on site in order to restrict dust and emissions during construction work which could successfully overcome the concern. As such, this is not considered to be sufficient reason to warrant a refusal reason.

There is also concern in respect of potential impact on air quality arising from the development. The primary concern raised relates to the impact of traffic generated by the development. Although this development site is not within an Air Quality Management Area (AQMA), the addition of 43 extra houses at this location may increase road usage within Farnham Town Centre as occupants are likely to commute to their work, education and shopping destinations. This is likely to cause a further deterioration in air quality and consequently further compromise the health of those residents living within this area. It is considered that mitigation measures would be required to help minimise increases in emissions from the proposed development and to not lead to further deterioration of air quality. If this application is approved, conditions are recommended requiring the provision of Electric Vehicle Charging Points and secure cycle parking.

Subject to suitable mitigation measures, particularly throughout the construction stage, it is concluded that the impact on air quality would be acceptable.

### Flooding and Drainage

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not



increased elsewhere. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, it should be made safe without increasing flood risk elsewhere. Development should only be considered appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

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

The site is located in Flood Zone 1 which is Low Probability of flooding, defined as land assessed as having less than 1 in 1,000 annual probability of river or sea flooding. The proposed site is therefore considered to be an acceptable location for new residential development in terms of flood risk.

The site generally falls from north to south towards a watercourse located approximately 200m south of the site and a desk-top assessment indicates that surface water from the site is conveyed via two channels which connect to a ditch in Gardeners Hill Road which connects to this watercourse and onto the River Wey.

In order to prevent flood risk increasing elsewhere, surface water run-off would be managed using SuDS. The SuDS system would be designed to accommodate the increase in surface water flows for a 1 in 100 year storm event plus 30% climate change. The SuDS system would direct overland flows away from the proposed housing and would include the use of permeable paving and cellular storage systems with flow controls which would attenuate surface water runoff prior to discharging flows at greenfield run-off rates to the existing channels within the site and the existing ditch in Gardeners Hill Road. Attenuation systems would store flood waters on site during flood events and would be designed to accommodate flows from the 1 in 100 year plus 30% climate change storm. Further information is required to satisfy the Council that this is an acceptable solution in order to achieve greenfield run off rates. A condition is therefore recommended requiring full details of the SuDS scheme to be submitted and approved if planning permission is approved. The S106 agreement will secure a Management Company to manage the SuDS.

Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of the development without further details. Thames Water has indicated that there is on overriding objection in

principle but that any approval would need to require details of a drainage strategy by way of condition, if permission is granted

### Archaeology

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

The site is not within an Area of High Archaeological Potential. However, due to the size of the site and pursuant to Policy HE15 of the Local Plan, it is necessary for the application to take account of the potential impact on archaeological interests. The applicant has submitted an Archaeological Desk-Based Assessment, which concludes that the site has low potential for any significant post-Roman remains and that in the absence of fieldwork, the potential of the site for earlier remains is uncertain.

The County Archaeologist considers that further archaeological work is required to clarify the archaeological potential of the site, including an archaeological evaluation trial trenching exercise. A condition is therefore recommended if planning permission is approved.

The impact on archaeological interests could be sufficiently controlled through the imposition of conditions. The proposal is therefore considered to comply with Policy HE15 of the Local Plan and advice contained within the NPPF 2012.

### Crime and disorder

S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote

safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

The proposal is for outline planning permission and the detailed layout and design of the development are intended to be addressed in a reserved matters application. Having regard to the illustrative layout, it is concluded that the proposed development could be designed to minimise opportunities for, and perception of, crime, at reserved matters stage.

The comments of the Council's Crime Prevention Design Advisor have been carefully considered and if permission granted these matters would need to be considered in the design of the scheme at reserved matters stage:

- Use of a different surface type at the entrance to the development
- Individual parking spaces within the development are given their own identity by paving them with a different material and displaying the plot number/visitor bay that they belong to. By designing in ownership of areas residents are much more likely to take care of them and defend them from any unwanted behaviour.
- The areas of open space should have some form of restriction (such as robust vegetation) positioned around the perimeters that abut the public highways. This is to prevent illegitimate vehicular access onto them and the crime and antisocial behaviour that may be associated with it
- Any vegetation around these open spaces should be kept to a maximum height of 1 meter; trees should ideally have no foliage below a height of 2 meters. This will improve the opportunities for natural surveillance over them and help to deter any anti social behaviour that may occur within them.
- The plan shows that a number of the rear garden perimeters are adjacent to publicly accessible areas (e.g. plots 1, 12, 31 etc). This introduces access to the vulnerable rear elevations of these plots. Perimeter treatments should be topped with trellis to deter climbing them and/or a 1 meter vegetative "buffer zone" should be planted along these perimeters to keep a potential offender away from them.
- Any external lighting scheme that is to be created should be designed in such a way that it distributes a uniformed level of light across the entire development and not light specific areas whilst throwing others into darkness. Lighting should be lit to the relevant levels as defined in BS 5489:2013. It is important that the landscape architect and lighting

engineer co-ordinate their plans to avoid conflict between lighting and tree canopies.

On balance, it is considered that the indicative plan indicates that a proposal could be achieved that would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF and the Crime and Disorder Act 1998.

### Infrastructure

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

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

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

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

From 6<sup>th</sup> April 2015, CIL Regulation 123 has been amended to mean that the use of pooled contributions under Section 106 of the Town Country Planning Act will be restricted. No more may be collected in respect of a specific infrastructure project or a type of infrastructure through a Section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6<sup>th</sup> April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

The application proposes the erection of 43 dwellings (the housing mix is set out in the section of this report titled ‘Proposal’), of which 26 would be private

market housing. The infrastructure providers have confirmed that the following contributions would meet the tests of CIL regulations 122 and 123

Education (Secondary)	£179,753
Transport Improvements	£25,000
Playing pitches	£25,320.75
Total	£240,720.75

Discussions are continuing in respect of a possible contribution in relation to Environmental Improvements. An oral report will be made on this matter.

Additionally, bespoke highway improvements would be secured, and would be controlled through a s.278 highway works agreement as follows:

- Prior to first occupation of the development the applicant shall provide a highway safety and pedestrian accessibility improvement scheme on Gardeners Hill Road, in general accordance with Odyssey Markides Drawing No 13-111-007 Rev C and subject to the Highway Authority's technical and safety requirements.
- Prior to first occupation of the development the applicant shall provide bus stop accessibility and infrastructure improvements on Boundstone Road, in general accordance with Odyssey Markides Drawing No 13-111-007 Rev C and subject to the Highway Authority's technical and safety requirements.

The applicant has indicated a willingness to enter into a suitable legal agreement to secure the relevant contributions and this is currently in progress. A legal agreement is currently in progress to secure the above contributions and highways works. Subject to the receipt of a suitable, signed legal agreement to secure appropriate infrastructure contributions it is considered that the proposal has adequately mitigated for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF with regards to infrastructure provision.

### Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for the Committee.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling, (total of £62,350) per annum for six years. A supplement of £350 over a 6 year period is payable for all affordable homes provided for in the proposal.

### Health and Wellbeing

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

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

- development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;
- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access to healthier food, high quality open spaces and opportunities for play, sport and recreation);

- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The provision of open space in the scheme is considered to be positive in terms of the health and well being of future residents and also existing residents near the site. Additionally, the risk of pollution is minimised through the suggested mitigation measures.

It is noted that no response has been received from the health and well being bodies that have been consulted, within the statutory time period.

Officers conclude that the proposed development would ensure that health and wellbeing, and health infrastructure have been suitably addressed in the application.

#### Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. This said, the applicant has indicated as part of their Design and Access Statement that the new buildings will be built to modern standards. The lack of any policy backing in this regard, however, prevents conditions being added to require this.

#### Biodiversity and compliance with Habitat Regulations 2010

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

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

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

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

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

An Ecological Appraisal has been submitted with the application which comprises an extended Phase 1 Habitat survey, a Badger survey and a Phase 1 Bat Scoping survey. These surveys were carried out in December 2013 and an update survey was carried out in July 2014 to review the findings and where necessary update them. A bat tree climbing survey was carried out in January 2015.

The report concludes:

- Buildings hold a negligible impact for roosting bats
- Scattered trees and woodland edges offer foraging opportunities and potential commuting routes for bats
- Low grassland offers low quality habitat for foraging and commuting bats
- No badger setts recorded within or adjacent to the site, however sett building opportunities exist within the areas of scrub, at the hedgerow bases and within the woodland to the south. The grassland provides generally good quality foraging habitat for badgers.
- Mammal paths recorded that could be used by badgers as well as other mammals such as Deer or Fox.
- Hedgerows offer nesting opportunities for a number of bird species and it is likely that the site supports a number of breeding birds typical of woodland edge and farmland habitats, although due to the abundance of similar habitat, the site is unlikely to be of local importance to this group.
- Climbing surveys indicated no evidence of bat roosts.

Proposed mitigation includes:

- If trees with Category 1 bat roost potential are affected by the proposed development it is recommended that emergence surveys or climbed inspections are carried out to determine the presence/absence of roosting bats.
- Proposal should maintain opportunities for foraging and commuting bats.
- Whilst no badger setts were recorded, extensive areas of suitable foraging habitat are found within the wider area surrounding the site it



is highly unlikely that development of the proposed development area would cause a significant loss of habitat for any Badgers that use the local area. Additionally, as the gardens and open spaces of the proposed development mature these are likely to provide new opportunities for foraging Badgers.

- Badgers are very mobile animals and occasionally setts may be abandoned and old setts reclaimed. It is recommended that if more than 12 months has elapsed since this report was produced that the survey area be re-surveyed prior to commencement of development works to ensure that the status of Badgers has not changed.
- It is recommended that all scrub/ tree clearance and building demolition is carried out outside of the bird breeding season (March to September inclusive), as wild birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended). Where this is not possible it is recommended that an ecologist carries out a check for nesting birds immediately prior to the commencement of these works.
- The following opportunities for enhancement are outlined:
  - Provision of bat roosting opportunities and bird boxes on new buildings and existing trees;
  - Provision of log and brash piles around the edges of retained and newly created hedgerows and scrub to provide habitat for invertebrates, amphibians and reptiles;
  - Inclusion of habitats of high nature conservation interest including rough and meadow grassland, native species-rich scrub and woodland habitats within areas of open space;
  - Retention and enhancement of existing hedgerows where possible through sensitive management and infilling of gaps using native species appropriate to the local area;
  - Provision of new opportunities for movement of wildlife within and across the site through strengthening of existing hedgerows and creation of a new section of hedgerow along the northern site boundary;
  - Use of nectar-rich, pollen-rich and nut and fruit-producing species within formal landscaping schemes; and
  - Creation of new wetland habitats in association with the site suDS in the form of ponds, ditches or swales, planted with a selection of native aquatic or marginal plants.

If permission is granted, conditions could be attached requiring the applicants to undertake the recommended actions in section 8 of the ecological appraisal, for external lighting to be compliant with the Bat Conservation Trust recommendations and to undertake a further badger survey prior to the commencement of works should 12 months have elapsed from the time of the

last survey in order to help prevent adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development.

### Effect on the SPA

The site is located within the Wealden Heaths I 5km SPA Buffer Zone. The proposal would result in an increase in people (permanently) on the site. However, due to the availability of alternative recreational opportunities within the area, which could divert residents from use of the SPA, the proposal would not have a likely significant effect upon the integrity of the SPA. Natural England have confirmed that the proposal would not damage or destroy features of the SPA and that the proposal would comply with the Requirements of Regulations 61 and 62 of the Habitats Regulations.

### Water Frameworks Regulations 2011

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

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

The proposal would not conflict with these regulations.

### Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that the proposal would not discriminate

against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

### Human Rights Implications

The proposal would have no material impact on human rights.

### Cumulative Effects

It is important that the cumulative effect of the proposed development and any other committed developments (i.e. schemes with planning permission, (taking into consideration impacts at both the construction and operational phases), or those identified in local planning policy documents) in the area are considered.

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

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

There are no schemes of a significant scale within the surrounding area. As such, the proposed development would not cause cumulative harm to the character and amenity of the area.

### Issues raised by third parties

The issues raised by third parties have been carefully considered and the majority have been assessed in the main body of the report above. Those that have not yet been addressed are as follows:

- Green Belt  
The site is not located within the Green Belt
- AONB  
The site is not located within the AONB
- Limited local infrastructure  
The applicant has agreed to enter into a section 106 agreement to

Make appropriate contributions in accordance with the CIL Regulations. The proposal would comply, subject to this agreement with Policies D13 and D14 of the Local Plan.

- No provision of SANG  
Whilst the site is within the 5km Buffer Zone of the Wealden Heaths SPA, Natural England has confirmed that the proposal would not result in a significant effect on the SPA. Consequently the provision of SANG would not be required
- Other sites more suitable  
If a planning application is submitted on other sites these will be assessed on their own merits against the relevant planning policies and other material considerations.
- Site has planning permission for a telecommunications mast which young families will not want to live near  
The applicant has advised that the telecommunications mast permission will not be implemented if the current proposal is approved.
- No provision is being made for horse riders.  
The lawful use of the land is grazing/agriculture. There is no overriding objection to the loss of this use. There are no adopted local or national policy which seeks to protect existing equestrian buildings. Consequently there is no objection to the proposal on this basis.
- Additional street furniture and road markings out of character with the surrounding area.  
The additional road markings and street furniture are considered to improve accessibility along this stretch of Gardeners Hill Road and whilst this is limited along Gardeners Hill Road at present, this is not considered adversely out.

#### Development Management Procedure Order - 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 application is for outline planning permission with all matters reserved except means of access. Therefore, the detail of any subsequent reserved matters scheme will be critical to ensure that the proposed development is acceptable in planning terms.

In forming a conclusion, the NPPF requires that the benefits of the scheme be balanced against any negative aspects of the scheme.

The site is located in the Countryside Beyond the Green Belt and as such the development would encroach into the countryside. The Council's preference would be for previously developed land to be developed prior to green field sites.

However, the Council cannot currently identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand for the next five years. This is a material consideration of significant weight in this assessment.

The proposal would not result in the loss or alienation of the best and most versatile agricultural land, and would not result in the fragmentation of an agricultural holding so as to seriously undermine the economic viability of the remaining holding.

Furthermore, the site is not located within the AONB or the AGLV and as such, whilst this is a countryside location, it does not have the highest status of protection in relation to landscape and scenic beauty.

The scheme would result in an increase in traffic movements. However, the

County Highway Authority has assessed the Transport Assessment submitted and concludes that the access and highway improvements put forward would go beyond what is necessary to accommodate this increase in traffic. This is a benefit which weighs in favour of the scheme.

The scheme would deliver a substantial level of both market and affordable housing, which would contribute significantly towards housing in the Borough. Furthermore, the proposal would provide for 40% onsite affordable housing, an important consideration which weighs in favour of the scheme.

Having regard to the immediate need for additional housing and the lack of alternative deliverable sites to achieve the level of housing that is required, it is considered that the benefits proposed by the scheme, primarily the significant delivery of housing, would significantly and demonstrably outweigh the adverse impact on the character of the Countryside Beyond the Green Belt when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF.

The proposal has demonstrated, subject to control by way of planning conditions that in terms of flood risk the development would be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere.

The proposal has adequately mitigated for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF with regards to infrastructure provision.

Whilst the previous application under WA/2014/2028 was refused, taking into account the changes that have been made, officers consider that the balance of material considerations has altered to the extent that permission should be granted.

### **Recommendation**

That permission be GRANTED subject to the applicant entering into a legal agreement to secure 40% affordable housing and financial contributions towards secondary education, playing pitches, highways improvements, the setting up of a Management Company for the management of the open space and the LAP and the setting up of a Management Company for the management of the SUDS; a S278 agreement with the County Highway Authority to secure the creation of a gateway feature, revisions to the road marking regime including a coloured surface strip to manage vehicle speeds and give pedestrians and cyclists more space, improvements to the junction of Gardeners Hill Road with Boundstone Road and Sandrock Hill Road,

improvements to the junction of Gardeners Hill Road and Longdown Road and updated bus stop infrastructure to closest bus stops on Boundstone Road; and the following conditions:

1. Condition

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

1. layout;
2. scale;
3. landscaping and
4. appearance.

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

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

2. Condition

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

Reason

To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3. Condition

The plan number to which this permission relates is 13.130/001. The development shall be carried out in accordance with the approved plan. No material variation from this plan shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

4. Condition

Prior to the commencement of works, a Construction Environmental Management Plan, to control the environmental effects of the construction work, shall first be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

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

The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

5. Condition

No burning of materials shall take place on site during the construction of the development.

Reason

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

6. Condition

Prior to the commencement of development, full details of a scheme for the provision of Electric Vehicle Charging Points (EVP's) within the development shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development and shall be maintained for as long as the development remains in existence.

Reason

To encourage sustainable travel in the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.



7. Condition  
Construction works or deliveries to and from the site shall not take place outside the hours of 08:00-18:00 on Monday to Friday, 08:00-13:00 Saturday, and no activities on Sunday and Bank or Public Holidays

Reason

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

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

Reason

To ensure the proposal does not impact on Archaeological Heritage Assets in accordance with Policy HE14 of the Waverley Borough Local Plan 2002.

9. Condition  
The development hereby approved shall not be commenced unless and until the proposed vehicular site access to Gardeners Hill Road and 30 metres of the new access road have both been constructed and the vehicular access provided with 2.4m x 49 visibility splay in the leading traffic direction and 2.4m x 51m visibility splay in the trailing traffic direction, in general accordance with Drawing No's. 13-111-001 Rev B & 13-111-013 Rev B, and thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason

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

10. Condition  
The development hereby approved shall not be first occupied until space has been laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking / turning areas shall be retained and maintained for their designated purpose.

Reason

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

11. Condition

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles

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

Reason

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

12. Condition

No operations involving the bulk movement of earthworks/materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason

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

13. Condition

The development hereby approved shall not be first 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, in consultation with the Highway Authority for:

- (a) The secure parking of bicycles within the development site. Such facilities to be integral to each dwelling/building.
- (b) Providing safe routes for pedestrians / cyclists to travel within the development site.

Reason

In accordance with Policy M5 of the Waverley Borough Local Plan 2002 and in recognition of Section 4 Promoting Sustainable Transport in the NPPF 2012.

14. Condition

Prior to the commencement of the development a Travel Planning Leaflet shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and Surrey County Council's Travel Plans Good Practice Guide. The approved Travel Planning Leaflet shall be distributed to residents on the first occupation of each residential dwelling.

Reason

In recognition of Section 4 Promoting Sustainable Transport in the NPPF 2012.

15. 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 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.

Reason

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policy D1 and D13 of the Waverley Borough Local Plan 2002.

16. Condition

The development should be carried out in accordance with section 8 of the Ecological Appraisal 2014.

Reason

In the interests of the ecology of the site and to accord with the Wildlife and Countryside Act 1981 and Regulation 40 of the Conservation of Species and Habitats Regulations 2010 and to comply with Policy D5 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

17. Condition

Any external lighting should comply with the recommendations of the Bat Conservation Trust's document entitled ""Bats and Lighting in the UK - Bats and The Built Environment Series.""

Reason

In the interests of the ecology of the site and to accord with the Wildlife and Countryside Act 1981 and Regulation 40 of the Conservation of Species and Habitats Regulations 2010 and to comply with Policy D5 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

18. Condition

Prior to the commencement of development on site, a surface water drainage scheme, to include future maintenance, for the site shall first be 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.

Reason

In order to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere, in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and paragraph 103 of the NPPF 2012.

19. Condition

Prior to the commencement of the development, full details of an Ecological Management Plan for the site, which will detail how new landscaping features will be provided, what species will be used and how the public spaces of the site will be maintained in an optimum condition for their biodiversity value, shall be submitted and approved by the Local Planning Authority. The measures in the Ecological Management Plan shall be carried out as approved

Reason

To ensure the development would have an acceptable impact on ecology in accordance with Policy D5 of the Waverley Local Plan 2002.

20. Condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground levels and finished floor levels of the development hereby permitted. The development shall be carried out in strict accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policy C2, D1 and D4 of the Waverley Local Plan 2002.

Informatives

1. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
2. Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality). Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.
3. With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, 3 Church Road, Haywards Heath, West Sussex. RH16 3NY. Tel: 01444-448200
4. 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. The alterations to the retaining wall to facilitate access to the site will require technical approval from

the Highway Authority's Structures Team.

5. 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.
6. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
7. 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.
8. 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](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice).
9. 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).
10. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases

edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.

11. 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.
12. 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.
13. 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>  
The applicant is advised that in providing each dwelling with integral cycle parking, the Highway Authority will expect dedicated integral facilities to be provided within each dwelling for easily accessible secure cycle storage/garaging.
14. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
15. "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.
16. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be

discharged. A Conditions Discharge form is available and can be downloaded from our web site.

Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.