

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

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

**Policy and Governance**

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Calls may be recorded for training or monitoring

Date: 12 June 2015

**Membership of the Joint Planning Committee**

Cllr Peter Isherwood (Chairman)	Cllr Stephen Hill
Cllr Maurice Byham (Vice-Chairman)	Cllr Nicholas Holder
Cllr Brian Adams	Cllr David Hunter
Cllr Paddy Blagden	Cllr Anna James
Cllr Carole Cockburn	Cllr Andy MacLeod
Cllr Brian Ellis	Cllr Stephen Mulliner
Cllr David Else	Cllr Stewart Stennett
Cllr Mary Forsyszewski	Cllr Chris Storey
Cllr Pat Frost	Cllr Bob Upton
Cllr Michael Goodridge	Cllr Liz Wheatley
Cllr John Gray	Cllr John Williamson
Cllr Christiaan Hesse	

**Substitutes**

Appropriate Substitutes will be arranged prior to the meeting.

Dear Councillor

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

DATE: WEDNESDAY, 24 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. **MINUTES**

To confirm the Minutes of the Meeting held on 17 June (to be laid on the table half an hour before the meeting).

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

To receive apologies for absence.

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

3. **DECLARATIONS OF INTERESTS**

To receive from Members declarations of interests in relation to any items included on the Agenda for this meeting in accordance with the Waverley Code of Local Government Conduct.

4. **QUESTIONS BY MEMBERS OF THE PUBLIC**

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

5. **APPLICATION FOR PLANNING PERMISSION - WA/2014/0125 - LAND TO THE EAST OF LOW LANE, BADSHOT LEA (Pages 1 - 70)**

**Proposed Development**

Outline application for residential development of up to 30 dwellings (all matters reserved) at land to the east of Low Lane, Badshot Lea.

**Recommendation**

That, subject to the completion of a S106 agreement to secure the provision of 37% affordable housing, highway and transport improvements and infrastructure including education, environmental improvements and recycling and for the setting up of a Management Company to manage open spaces and the SuDS scheme, and subject to consideration of the views of the Lead Local Flood Authority, and subject to conditions and informatives on pages 62 to 70 of the report, permission be GRANTED

6. **EXCLUSION OF PRESS AND PUBLIC**

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

### Recommendation

That pursuant to Procedure Rule 20, and in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item on the grounds that it is likely, in view of the nature of the business transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt information (as defined by Section 100I of the Act) of the description specified at the meeting in the revised Part 1 of Schedule 12A to the Local Government Act 1972.

#### 7. LEGAL ADVICE

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

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

# Agenda Item 5.

## SCHEDULE "A1" TO THE AGENDA FOR THE JOINT PLANNING COMMITTEE 24<sup>TH</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/2014/0125 J Briggs Central Land Holdings Limited 29/01/2014	<u>Outline application for residential development of up to 30 dwellings (all matters reserved) at land to the east of Low Lane, Badshot Lea (as amended and amplified by Flood Risk Assessment dated September 2014, Flood Risk Addendum dated January 2015, Second Flood Risk Addendum dated May 2015, SuDS Strategy dated May 2015 and ecology letter dated 29/04/2015)</u>
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Committee:	Joint Planning
Meeting Date:	24/06/2015

Public Notice	Was Public Notice required and posted: Yes
Grid Reference:	E: 486719 N: 148649

Town :	Farnham
Ward :	Farnham Weybourne and Badshot Lea
Case Officer:	Tim Bryson

13 Week Expiry Date	30/04/2014
Neighbour Notification Expiry Date	07/03/2014
Neighbour Notification Amended Expiry Date	28/05/2015

### RECOMMENDATION

That, subject to the completion of a S106 agreement to secure the provision of 37% affordable housing, highway and transport improvements and infrastructure including education, environmental improvements and recycling and for the setting up of a Management Company to manage open spaces and the SuDS scheme, and subject to consideration of the views

of the Lead Local Flood Authority, and subject to conditions, permission be GRANTED

### 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 a development proposal with all matters reserved for future consideration. 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. 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.

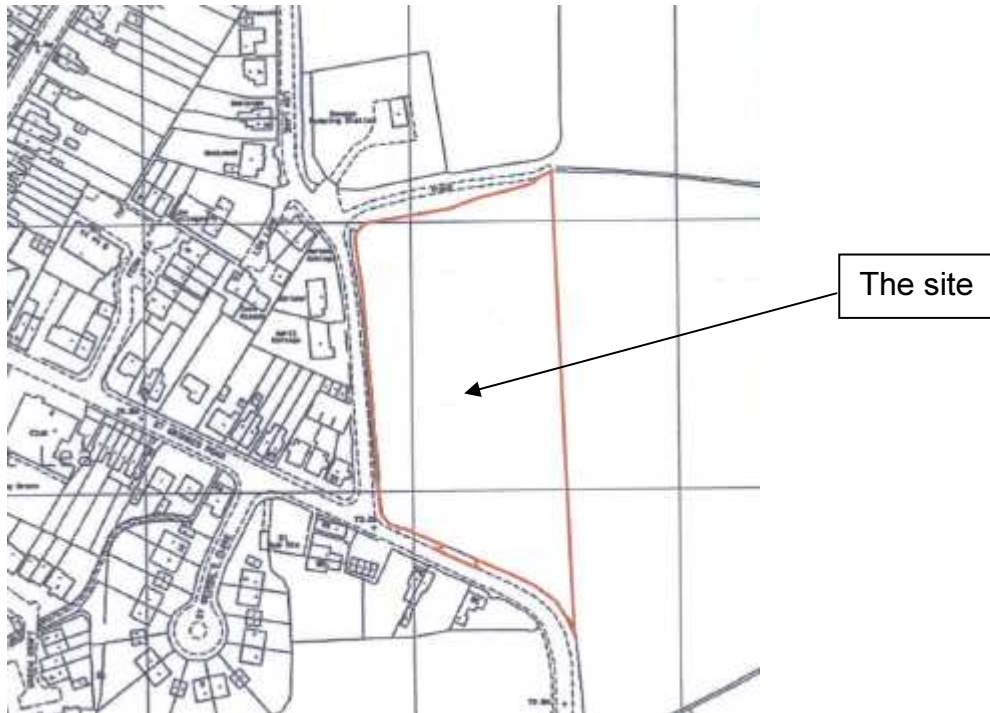
**layout** - includes buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development.

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

**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.

If outline planning permission is granted, a reserved matters application must be made within three years of the grant of planning 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 Photograph (2012)



## Site Description

The application site measures 0.9 ha and is located to the north of St George's Road and East of Low Lane in Badshot Lea, Farnham. The application site comprises open grass land with small-scale tree cover and

hedging to boundaries. A field bar gate provides access to the site in the south-west corner.

The site abuts the developed area of Farnham to the west and south, with this area being residential in character. Open grassland is beyond the site to the north and east. The lawful use of the site is un-cultivated shrub land.

### Proposal

The application seeks outline planning permission with all matters reserved for the erection of 30 dwellings.

The indicative layout plan shows the indicative position of the vehicular access to the site (towards the southern part of the site) and the position of the proposed dwellings and internal access roads.

The proposed indicative mix would be as follows:

Unit Size	Affordable	Private	Total
1 Bed	5	0	5
2 Bed	4	4	8
3 Bed	2	11	13
4+ Bed	0	4	4
Total	11	19	30

The submitted layout plan also indicatively shows the position, footprint, roof plan and private amenity space of the proposed dwellings and the internal road network within the site. (However, this is illustrative only – the detail of which would be dealt with at the reserved matters stage).

The number of parking spaces to be provided on site is not specified in the application for each dwelling. However, it is stated that the proposal would comply with the Council's Parking Guidelines 2013.

The level of on-site Affordable Housing would be 11 out of the 30 dwellings, equating to 37%. Sustainable Urban Drainage Systems would be used in order to ensure that the developed site achieves greenfield run off rates.

The application indicates that a Local Area of Play (LAP) would be provided on site.

The planning application is accompanied by the following documents:



- Planning and Sustainability Statement (October 2013)
- Ecology Report (8<sup>th</sup> August 2013)
- Ecology letter (29<sup>th</sup> April 2015)
- Design and Access Statement (October 2013)
- Utilities Report (October 2013)
- Heritage Statement (January 2014)
- Transport Statement (August 2013)
- Flood Risk Assessment (13<sup>th</sup> September 2013)
- Flood Risk Assessment (additional dated September 2014)
- Flood Risk Assessment Addendum (January 2015)
- Flood Risk Assessment Second Addendum (May 2015)
- SuDS Strategy (May 2015)

### 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 education, playing pitches and transport.
- Management Company to manage and maintain the SUDS and the LAP/communal open space.
- £5,000 contribution toward works at the Badshot Lea Road/Lower Weybourne Lane/St Georges Road signalised crossroads to install a MOVA operating system.

### Indicative Block Plan



### Relevant Planning History

SO/2013/0004	Screening opinion for residential development	Screening opinion given (EIA not required)	17/05/2013
WA/1975/0364	Erection of approximately 20-25 houses construction of roads and sewers on 2.5 acres ( outline )	Refused	23/05/1975
FAR580/59	Residential development	Refused	15/12/1959
FAR473/72	Outline for erection of residential development 10 dwellings per acre - approx. 2.5 acres	Refused	06/10/1972

### Planning Policy Constraints

Countryside beyond Green Belt – outside developed area of Farnham  
Thames Basin Heaths 5km Buffer Zone  
Minerals Safeguarding Area  
Flood Zone 2  
Farnham/Aldershot Strategic Gap  
Agricultural Land Grade 3

### Development Plan Policies and Proposals

Policies of the Waverley Borough Local Plan 2002:-

D1	Environmental Implications of Development
D2	Compatibility of Uses
D3	Resources
D4	Design and Layout
D5	Nature Conservation
D6	Tree Controls
D7	Trees, Hedgerows and Development
D8	Crime Prevention
D9	Accessibility
D13	Essential Infrastructure
D14	Planning Benefits
C2	Countryside beyond the Green Belt
C4	Farnham/Aldershot Strategic Gap
C7	Trees, Woodlands and Hedgerows

C10	Local Nature Reserves, Sites of Nature Conservation Importance and Regionally Important Geological and Geomorphological Sites
C12	Canals and River Corridors
HE15	Unidentified Archaeological Sites
H4	Density and Size of Dwellings
H10	Amenity and Play Space
RD9	Agricultural Land
M1	The Location of Development
M2	The Movement Implications of Development
M4	Provision for Pedestrians
M5	Provision for Cyclists
M7	Footpaths and cycleways
M14	Car Parking Standards

Policy NRM6 of the South East Plan 2009.

The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the South East region. The Plan was revoked on March 2013 except for Policy NRM6: Thames Basin Heaths Special Protection Area. This Policy remains in force.

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) therefore remains 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:

- The National Planning Policy Framework 2012 (NPPF)
- The National Planning Policy Guidance 2014 (NPPG)
- County Vehicular and Cycle Parking Guidance (2012)
- Waverley Borough Cycling Plan SPD (2005)
- Waverley Borough Council Parking Guidelines (2013)
- Planning Infrastructure Contributions SPD (2008)
- Density and Size of Dwellings SPG (2003)
- Surrey Design Guide (2002)
- Residential Extensions Supplementary Planning Document (2010)
- Strategic Housing Land Availability Assessment (2014)
- Strategic Housing Market Availability Assessment (Draft) (2013)
- Affordable Housing Viability Assessment (2009) Addendum 2010 and update 2012
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)
- Strategic Flood Risk Assessment (2010)
- Technical Note: Transport Measures to support growth Identified in the Waverley Borough Core Strategy (2012)
- Climate Change Background Paper (January 2011)
- Interim Position on Infrastructure Delivery Plan (January 2011) IDP 2012
- Waverley Borough Council Open Space, Sport and Recreation (PPG17) Study 2012
- Draft Settlement Hierarchy 2010 and factual update 2012
- Statement of Community Involvement – July 2006 and update August 2014
- Farnham Design Statement 2010
- Farnham Neighbourhood Plan

#### Consultations and Town Council Comments

Farnham Town Council	Strongly objects. It is inappropriate and out of keeping with the village scene and the Farnham Design Statement. It is unacceptable to build in the strategic gap and on greenfield sites.
Tongham Parish Council	Object on the following grounds: <ul style="list-style-type: none"> <li>- Non-compliant with the Blackwater Valley Strategic Gap Policy.</li> <li>- Adjacent to the 5km Thames Basin Heaths SPA and could harm protected bird species.</li> <li>- Conflict with Regulation 62 of the Conservation of Habitats and Species Regulations 2012.</li> </ul>

	<ul style="list-style-type: none"> <li>- Flooding.</li> <li>- Increase in traffic. The additional housing will generate 2 cars each in this area and could have repercussions of the whole area and could increase traffic congestion.</li> </ul>
Guildford Borough Council	Taking into consideration the scale, nature, and location of the proposed development it is not considered that the development would have any material impact on the strategic interests of Guildford Borough Council.
Rushmoor Borough Council	No comments received
County Highway Authority	<p>Recommends an appropriate agreement should be secured before the grant of permission to secure the following:</p> <p>-An index linked transport contribution of £5,000 payable prior to first occupation of the development towards works at the Badshot Lea Road/Lower Weybourne Lane/St Georges Road signalised crossroads to install a MOVA operating system.</p> <p>The Highway Authority also recommends the following conditions are imposed on any permission granted:</p> <p><b><u>CONDITIONS:</u></b></p> <ol style="list-style-type: none"> <li>1. Before any other operations are commenced the vehicular and pedestrian access arrangement to the site shall be designed and constructed, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.</li> <li>2. Prior to first occupation of the development the applicant shall provide new footways on St Georges Road and Low Lane adjacent to the boundary of the application site, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.</li> <li>3. Prior to first occupation of the development the applicant shall deliver a traffic management scheme on Low Lane, in accordance with a scheme to be submitted</li> </ol>

	<p>to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.</p> <p>4. Prior to first occupation of the development the applicant shall provide parking restrictions on St Georges Road, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.</p> <p>5. Prior to first occupation of the development space shall be laid out within the site 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 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.</p> <p>6. No development shall commence until a Construction Transport Management Plan, to include details of:</p> <ul style="list-style-type: none"> <li>(a) parking for vehicles of site personnel, operatives and visitors</li> <li>(b) loading and unloading of plant and materials</li> <li>(c) storage of plant and materials</li> <li>(d) programme of works (including measures for traffic management)</li> <li>(e) provision of boundary hoarding behind any visibility zones</li> <li>(f) HGV deliveries and hours of operation</li> <li>(g) vehicle routing</li> <li>(h) measures to prevent the deposit of materials on the highway</li> <li>(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused</li> <li>(j) on-site turning for construction vehicles</li> </ul> <p>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.</p> <p>7. No operations involving the bulk movement of</p>
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earthworks and 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.

8. Prior to first occupation of the development the following facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) The secure parking of bicycles within the development site
- (b) Dedicated trickle charging points for electric vehicles for each dwelling

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reasons:

1. The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users.

2. The above conditions (No. 8) is required in recognition of the transport sustainability guidance in the National Planning Policy Framework (2012).

Policy:

Policies M2 and M4 of Waverley Borough Council's Local Plan 2002.

HIGHWAY INFORMATIVES:

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved

matters may be obtained from the Transportation Development Planning team at Surrey County Council.

2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

3. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a highways licence or 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. 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)

4. 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).

5. 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.

6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers,



street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

INFORMATIVE NOTE FOR LPA CASE OFFICER:

Following a Site Visit the Highway Authority have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway, subject to the above financial obligation and highway conditions/informatives being imposed on any permission granted.

It should be noted that the planning application is in outline form with all matters reserved, therefore the details regarding site layout and vehicular access have not been submitted. The Highway Authority does however need to be satisfied that the principle of the development is acceptable on highway grounds. With regard to the application documents, the applicant has submitted a Transport Statement which provides an assessment of the traffic implications of the proposed development. The Highway Authority is satisfied that the site is accessible by alternatives to the private car, in accordance with the requirements of the NPPF. With regard to traffic generation, the Highway Authority is satisfied with the assessment undertaken which demonstrates that there is likely to be 17 two-way movements in the AM peak period and 15 two-way movements in the PM peak period. The Highway Authority considers this level of traffic generation would not have a material impact on capacity on the local highway network. The Highway Authority does however consider it reasonable for the developer to provide a £5,000 contribution towards upgrading the Badshot Lea

	<p>Road/Lower Weybourne Lane/St Georges Road signalised crossroads, given that vehicles associated with the development would travel through this junction on a regular basis.</p> <p>Conditions 2 - 4 have been recommended to ensure the proposed development does not prejudice highway safety and to ensure the development is accessible by non-car travel modes. The details of the required works will need to be agreed as part of any reserved matters application. It should be noted that the provision of parking restrictions on St Georges Road will require a Traffic Regulation Order, the cost of which will need to be met by the applicant. It is advised that the applicant contacts the Highway Authority ahead of any reserved matters application being submitted to agree on the details of the required off-site highway works.</p> <p>The Highway Authority note that the proposed site layout and access arrangement drawings submitted by the applicant is only indicative at this stage. The Highway Authority would however advise the applicant to explore the potential of opening up the site to provide direct access via Low Lane. The Highway Authority has aspirations to improve pedestrian facilities on Low Lane, and the provision of a footway on Low Lane adjacent to the development site with dropped crossing providing direct access to driveways is a preferable access arrangement which the Highway Authority would like discuss with the applicant ahead of any reserved matters application being submitted. Notwithstanding this, the Highway Authority is satisfied that the indicative access arrangement shown on drawing No. PL-002 Rev B could safely accommodate the movement of vehicles associated with the development, subject to waiting restrictions being imposed on St Georges Road to prevent cars from parking at the access point.</p>
Environment Agency	Refers to Flood Risk Standing Advice.
Council's Agricultural Consultants	The site appears not to have been used for agricultural purposes for many years and does not form part of a wider holding. The land is classified as Grade 3 and does

	<p>not form the most valuable land for agriculture.</p> <p>The land is covered in non-productive poor quality pasture with low fertility which offers little scope for efficient agricultural production. The site is not of a size for the efficient use of agricultural machinery or efficient grazing. The land has no use in an agricultural context. The site has the hallmarks of lying in a state of inactivity from an agricultural perspective and offers no real prospect in continuing as a realistic agricultural concern.</p> <p>The loss of the land is of little consequence in an agricultural context due to its small size, its position geographically, partially surrounded by existing roads and houses and the existing status of the poor quality sward which is totally unproductive and of minimal use in an agricultural context either for grazing or for the conservation of hay.</p>
County Archaeologist	<p>Satisfied with the assessment provided with the application and concurs with the recommendation for further evaluation. As previous investigations in the vicinity of the site have revealed generally low level density occupation from the prehistoric periods, considers that it is unlikely archaeological remains of national significance requiring preservation in situ will be present. For this case therefore a condition is recommended.</p>
County Lead Local Flood Authority	<p>No comments received.</p>
County Minerals and Waste Service	<p>The proposed site is adjacent to an operational mineral site known as Farnham Quarry, Badshot Lea and located in an area of mineral safeguarding for concreting aggregate protected by Policy MC6 of the Surrey Minerals Plan 2011 Core Strategy.</p> <p>The Farnham Quarry site is now largely exhausted in terms of minerals and is looking to be fully restored within the year. Therefore Surrey County Council raise no objection to the application as it does not appear to conflict with Policy MC6 of the Surrey Minerals Plan 2011 Core Strategy or the on-going restoration of the Farnham Quarry Site.</p>
County	<p>The site falls outside of the Tongham Pond and Tices</p>

<p>Countryside Management and Biodiversity Manager</p>	<p>Meadow SNCI and it does not fall within another SNCI.</p>
<p>Natural England</p>	<p>Waverley Borough Council has adopted an Avoidance &amp; Mitigation Strategy to help protect the SPA from the impacts of additional residential development. If the applicant is complying with this Strategy, then Natural England does not object to this application.</p> <p>The applicant is willing to make the appropriate financial contributions towards the avoidance and mitigation measures set out in your Strategy. It is entirely the decision of your authority as to whether you allocate this development capacity at Farnham Park which currently acts as your only strategic Suitable Alternative Natural Greenspace (SANG). Natural England has already advised that this development unlikely to provide an acceptable bespoke mitigation solution due to its relatively small size. However, if such a solution were to be put forward, we would be happy to provide comments on it. However, this does not seem to be the intention of the applicant at this time.</p>
<p>Surrey Wildlife Trust (SWT)</p>	<p>Letter dated 1<sup>st</sup> May 2014.</p> <ul style="list-style-type: none"> <li>- Proposed development is located within Tongham Pond and Tices Meadows a site recommended by the Surrey Nature Conservation Liaison Group (SNCLG) and adopted by Guildford Borough Council as an Site of Nature Conservation Importance (SNCI).</li> <li>- SNCI is used as a breeding site for bird species.</li> <li>- The site also supports assemblages of birds of lowland damp grassland and lowland open waters, which are likely to be of County importance for Surrey.</li> <li>- The site is also considered suitable for reptile species.</li> <li>- Protection of sites selected as SNCIs from adverse effect is covered by paragraphs 109 and 110 of the NPPF and Waverley Borough Local Plan Policy C10.</li> <li>- SWT therefore advise the Local Authority against any development which would adversely affect this important habitat and the species it supports.</li> <li>- Advise the Local Authority does not have sufficient information to be able to determine this important</li> </ul>

	<p>ecological/biodiversity matter.</p> <ul style="list-style-type: none"> <li>- The applicants ecologist has assessed the site as likely to support reptile species, that a survey is required to establish the species and likely number of animals involved as this information is likely to inform a reptile mitigation strategy, should the proposed development proceed.</li> <li>- A Translocation site may be required and details of this should be made available to the Local Authority.</li> </ul> <p>Letter dated 11<sup>th</sup> May 2015</p> <ul style="list-style-type: none"> <li>- SWT takes note of the professional conclusion of the applicants ecologist that much of the site is not optimum habitat to support reptile species.</li> <li>- SWT are aware that the Surrey Amphibian and Reptile Group have records of two species of reptiles found close to the site, Grass Snake and Common Lizard.</li> <li>- Without a reptile survey, mitigation proposals for the provision of reptile habitat post development would require to be robust enough to accommodate an unknown number of reptiles.</li> <li>- SWT advise that any translocation site for reptiles should be kept close or on the site.</li> <li>- SWT advise the Local Authority to seek assurance that a translocation site would be available.</li> <li>- SWT advise that the mitigation strategy proposed by Haskoning in their letter follows accepted guidelines but does not have the guidance of a reptile survey.</li> </ul>
Thames Water	<p>Waste Comments</p> <p>There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.</p>

Surface Water Drainage - 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 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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 [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@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.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

#### Water Comments

With regard to water supply, this comes within the area covered by the South East Water Company.

#### Supplementary Comments

Proposed development is in a close proximity of the Badshot Lea Sewage Pumping Station (SPS) at ca 30m. Consideration has to be given to the potential odour risk. We would therefore ask the developer to provide an odour assessment to establish the amenity impact on potential future occupiers. Odour guidance for Local

	<p>Authorities 2010 states in section 3.2: 'Equally, careful consideration needs to be given to the location of new odour sensitive developments such as residential developments, schools and hospitals near to existing odour sources. Encroachment of odour sensitive development around such sites may lead to problems with the site becoming the subject of complaint, essentially creating a problem where there was not one before.</p>
South East Water	No comments received.
County Rights of Way Officer	No comments received.
Surrey Police Crime Prevention Design Advisor	<p>1. The Design Access statement does not make any reference to a Crime Prevention Strategy for this development. Surrey Police requests that the developers seek Secured by Design accreditation for this development. SBD NH 2014 (Secured by Design New Homes 2014) gives guidance around layout as well as the physical security of the buildings. This will ensure that all reasonable steps are taken to ensure that this development is a safe environment for the residents.</p> <p>2. Surrey Police has concerns around the proposed layout:</p> <p>a) 85% of burglaries in this area occur where the burglar exploits access to the rear of the property. There are a number of properties with footpath access to the rear or side of the properties. (SBD NH 2014 p 21)</p> <p>b) Permeability - the estate has several footpaths running through it. This type of permeability does not lend itself to a safe environment with offenders being able to pass through the estate unseen. (SBD NH 2014 p 11)</p> <p>c) There are several isolated parking areas on the estate. Good practice is to arrange parking where possible to ensure that there is good surveillance from an active room. For example, a kitchen or living room window. (SBD NH 2014 p 22)</p> <p>Surrey Police requests that the design and layout of this development are reviewed to remove the rear footpath access to properties, the footpath access across the estate and relocate the parking areas to</p>

	ensure good natural surveillance.
Health and Safety Executive	No comments received.
Public Health Surrey	Only responding to consultations on proposals for 200+ dwellings and therefore no comments to make on this application.
NHS England	No comments received.
Guildford and Waverley Clinical Commissioning Group	No comments received.
Health Watch	No comments received.
Council's Environmental Health Service (Air Quality)	No objections – recommend conditions in respect of Low Emission Strategy, site management plan for suppression of dust and no burning of materials on site.
Council's Environmental Health Service (Noise and Nuisance)	No objections – recommend conditions in respect of hours of construction, limiting noise generation from equipment, no floodlighting to be installed and dust reduction.
Scottish and Southern Energy	No comments received.
Scotia Gas Netowrks	No comments received.

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – July 2006” the application was advertised in the newspaper on 14/02/2014, site notices were displayed around the site and neighbour notification letters were sent on 30/01/2014 to statutory neighbouring occupiers. Following receipt of amended Flood Risk Assessment and Addendums to the Flood Risk Assessment, statutory neighbouring occupiers were re-notified on 26/09/2014, 27/01/2015 and 07/05/2015.

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



- Increase risk of flooding.
- Highway safety risk with junction of Low Lane and St Georges Road.
- Increase in traffic.
- No footpath in Low Lane.
- Congestion increase on surrounding roads.
- Local infrastructure already stretched.
- Indicated access would be on a blind corner.
- Density would result in overdevelopment.
- Impact on Strategic Gap.
- Lack of facilities to cope in Badshot Lea.
- Impact on the SPA.
- Housing would hinder natural drainage of surface water.
- School places are already full.
- Effects on wildlife.
- Site is very close to Flood Zone 3.
- Conflict with Policies C2 and C4 of the Local Plan.
- Conflict with Paragraph 61 of the NPPF.
- Noise and disturbance from the residential properties.
- Development should be put in areas of Flood Zone 1.
- Lack of parking on road and on site.

### Submissions in support

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

- There are no adverse impacts of granting planning permission for the proposal that would 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.
- The site is located approx. 200m from the centre of Badshot Lea, which is a very sustainable settlement with a good range of local facilities.
- Council does not have an up-to-date Local Plan.
- Transport Assessment concludes that safe access can be made and that there would not be an adverse effect on surrounding road network.
- Flood Risk Assessment provides appropriate mitigation measures to ensure the proposal would be made safe from flooding and that there would not be an increase in flood risk off site.

### Determining Issues

- Principle of development
- Prematurity
- Environmental Impact Assessment
- The Lawful use of the land and loss of agricultural land
- Location of development
- Housing land supply
- Housing mix and density

- Affordable Housing
- Highway considerations, including impact on traffic, parking and refuse collection
- Impact on Countryside Beyond the Green Belt and landscape
- Impact on visual amenity and trees
- Impact on Farnham/Aldershot Strategic Gap
- Impact on residential amenity
- Provision of amenity and play space
- Air Quality
- Flooding and Drainage
- Archaeology
- Minerals safeguarding
- Crime and disorder
- Infrastructure
- Effect upon the SPAs
- Financial considerations
- Climate change and sustainability
- Biodiversity and compliance with Habitat Regulations 2010
- Health and Wellbeing
- Water Frameworks Regulations 2011
- Accessibility and Equalities Act 2010 Implications
- Human Rights Implications
- Third Party and Town Council comments
- Development Management Procedure Order 2015 - Working in a positive/proactive manner
- Cumulative / in combination effects
- Conclusion / planning judgement

### **Planning Considerations**

#### Principle of development

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management) and condensed their contents into a single planning document. Section 38(6) of the Planning and Compulsory Purchase Act 2004, still requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Waverley Borough Local Plan 2002 and the South East Plan 2009 therefore remain the starting point for the assessment of this proposal.

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes clear that where a local authority does not possess a development plan adopted since 2004, due weight may only be

given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The 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. As such, the applicant is seeking a determination from the Council on the principle of the residential development of the site.

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.

The site is within the Thames Basin Heaths SPA Buffer Zone. Development should not result in a significant effect upon the integrity of the SPA. The Council has produced an Avoidance Strategy for the Thames Basin Heaths SPA with the aim of continued protection of bird species and is concerned with the net increase of population in the buffer zone from new housing development.

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality

### 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.

Officers conclude that the emerging Local Plan is not at an advanced stage and that the Farnham Neighbourhood Plan is at an early stage in its development. Having regard to the advice of the NPPG, Officers conclude that a reason for refusal based on prematurity could not be substantiated.

#### 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 17<sup>th</sup> May 2013 the Council issued, pursuant to regulation 5 (7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, a screening opinion (SO/2013/0004) that the proposed development of up to 30 dwellings at the site would not constitute EIA development within the meaning of the Regulations.

There have been no subsequent permissions or changes in circumstances granted since May 2013 such as to change the outcome of that Screening Opinion.

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

The application site consists of an open grassland field. 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. The lawful use of the land is considered to be un-cultivated shrub 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.

The Council's records indicate that the site is classified as Grade 3, which indicates that it is likely to be of some agricultural value. There is then a clear conflict with the intentions of Policy RD9 of the Local Plan.

The Council's Agricultural Consultants have been consulted on the application and their comments are summarised in the above section under 'consultation responses'. The Council's consultants conclude that the site has not been actively used for agricultural purposes for many years and does not form part of a wider holding. It is further outlined that the site is covered in non-productive poor quality pasture with low fertility which offers little scope for efficient agricultural production. Taking into account the comments from the Council's Agricultural Consultants, officers are satisfied that the proposal would not result in the loss or alienation of the best and most versatile agricultural land.

### 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 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 settlement boundary of Farnham to the west and south. Officers further note that the site location is in reasonably close proximity to public transport and to the facilities in Badshot Lea Centre. As such, Officers consider that the proposal would provide sustainable access to the facilities required for promoting healthy communities and would enhance the vitality of the rural community of Badshot Lea. Notwithstanding this, the site was given an amber score in the Council's detailed assessment of potential housing sites outside of defined 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.

The Keynote Policy and Policy C2 of the Waverley Borough Local Plan 2002 are regarded as housing land supply policies, following the conclusion of the recent High Court Judgement: Mark Wenman v (1) The Secretary of State for Communities and Local Government (2) Waverley Borough Council. The Council can still apply the policy with regard to its environmental protection, with the understanding that the policy itself carries a significantly reduced amount of weight.

As such, Officers consider that the proposal would provide sustainable access to the facilities required for promoting healthy communities and would enhance the vitality of the community of Badshot Lea. 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 terms of its visual relationship to the existing settlement and in terms of access to the facilities required to sustain inclusive, mixed communities. As such, the application is not required to demonstrate any special circumstances as set out in paragraph 55 of the NPPF 2012.

## 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 density element of Policy H4 has much less weight than the more up to date guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

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 Council's Draft West Surrey Strategic Housing Market Assessment 2014 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the Draft West Surrey SHMAA (2014) is more up to date than

the Local Plan. However, the profile of households requiring market housing demonstrated in the SHMAA at Borough level is broadly in line with the specific requirements of Policy H4.

The mix of dwellings proposed with the application is as follows:

Unit Size	Affordable	Private	Total
1 Bed	5	0	5
2 Bed	4	4	8
3 Bed	2	11	13
4+ Bed	0	4	4
Total	11	19	30

The Council's Draft West Surrey Strategic Housing Market Assessment (2014, SHMA) sets out the likely profile of household types in the housing market area. The Draft West Surrey SHMA (2014) provides the follow information with regards to the indicative requirements for different dwelling sizes.

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Market homes needed for West Surrey Housing Market Assessment area	10%	30%	40%	20%
Affordable homes needed for West Surrey Housing Market Assessment area	40%	30%	25%	5%

44% of the proposed dwellings would be two bedroom or less, with 87% of the dwellings being three bedroom or less. The majority share of the proposed dwellings proposed would therefore be 2 and 3 bedroom. By virtue of a slight shortfall of 1 and 2 bedroom dwellings, the scheme would not fully comply with Policy H4. However, the proposed mix does broadly comply with the latest evidence in the Draft West Surrey SHMA (2014).

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.

As such, Officers consider that the indicative housing mix is broadly in line with the requirements identified in both the SHMA and the Waverley Borough Council Household Survey 2007, as such it is considered that the proposal

would be acceptable in accordance with the NPPF 2012 and Local Plan Policy, for purposes of housing mix.

The proposed density is 33 dwellings per hectare. The density in the local surrounding area to the site varies. For example, the residential cul-de-sac at St Georges Close has a density of 20 dwellings per hectare. However, there are some surrounding developments that have a higher density, including the residential development at Fern Lea which has a density of 45 dwellings per hectare. The dwellings to the immediate west of the site on Low Lane and St Georges Road have a density of 31 dwelling per hectare. 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. The indicative layout shows that communal open space and internal road networks could be satisfactorily achieved on site, which would provide natural spacing around the development within the site. Most importantly, the higher density would make more efficient use of land. The acceptability of the proposal in relation to the indicative density is a matter of judgement to be put into the planning balance. Officers consider that that proposed density and housing mix would result in an acceptable form of development for the site area.

The proposed housing mix and density are considered to be appropriate having regard to the evidence in the SHMA and the requirements of Policy H4 of the Local Plan.

#### 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, Members decide to support the principle of housing on this site, 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.

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, and should identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand.

As of 8<sup>th</sup> June 2015, 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.

<b>Unit type</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4+ Bed</b>
<b>Affordable</b>	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 not proposed tenure split, however, this would be secured via Section 106 agreement, if permission is granted.

The proposal includes 37% affordable housing on site, with a mix of:

<b>Unit Size</b>	<b>Affordable</b>
1 Bed	5
2 Bed	4
3 Bed	2
4+ Bed	0
<b>Total</b>	<b>11</b>

The proposed mix for affordable housing is considered to be in line with the latest demand outlined above in the Draft SHMA 2014.

Affordable housing is a key priority for the Council and officers consider significant weight can be attached to the level of affordable housing provision with the current scheme. Officers conclude that, overall, the proposed affordable housing 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.

#### Highway considerations, including impact on traffic, parking considerations and refuse collection

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

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

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

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

The application is accompanied by a Transport Statement (TS) which assesses existing transport conditions in the area and assesses the impact of the proposed development. A traffic survey was conducted between 5<sup>th</sup> July and 13<sup>th</sup> July on St Georges Road to gain traffic data in both directions along

this road. The TS has assessed the traffic implications/movement that would result from the proposal with TRICS data.

The County Highway Authority is satisfied that the Traffic Statement undertaken by the applicant provides a robust and realistic assessment of the likely impact of the development on the highway network. The County Highway Authority seeks a financial contribution (£5,000) towards improvement works at the Badshot Lea Road/Lower Weybourne Road/ St Georges Road crossroads to install a MOVA operating system. This would be sought via a legal agreement.

The County Highway Authority outline that the assessment undertaken demonstrates that there is likely to be 17 two-way movements in the AM peak period and 15 two-way movements in the PM peak period. The CHA advises further that this level of traffic generation would not have a material impact on capacity on the local highway network.

The application is for outline permission, with all matters reserved. The applicants have, however, indicated a vehicle access point to the south off St George's Road. In its response, the County Highway Authority has suggested that the applicant explores the potential of proposing access points off the west of the site on to Low Lane and the provision of a footway. Notwithstanding this, the County Highway Authority is satisfied that, based on the indicative site layout plan, that the proposed residential development could be accommodated in a safe manner and would provide suitable access for both vehicles and pedestrians.

The NPPF advises that plans and decisions for developments that generate a significant amount of traffic should take account of whether 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.

The site is in a location that affords opportunities to travel by more sustainable modes of transport. The site is accessible by bicycle and public transport services to Farnham and beyond. The closest bus stop to the site is at Badshot Lea Road (approx. 250 m west of the site), which operates a service to Farnham, Aldershot and Guildford.

The County Highway Authority has concluded that overall, the applicant's Transport Assessment provides a robust and realistic assessment of the impact of the proposed development on the local highway network.

The assessment has addressed the transport requirements of the National Planning Policy Framework, specifically with regard to ensuring safe and

suitable access for all people, maximising sustainable transport opportunities and demonstrating that the residual cumulative impact of the development would not be severe. The proposed development would preserve highway safety, help manage traffic capacity and encourage the use of public transport, walking and cycling.

In relation to parking provision, the Design and Access Statement submitted in support of this application advises that the majority of vehicle car parking proposed within the site will be on-plot in the form of private driveways and/or garages, with additional on-street parking on the internal road network. Although details of the vehicle parking spaces have not been provided, the illustrative layout plan submitted with the application demonstrates that sufficient parking could be provided in line with Waverley Borough Council's adopted Guidance 2013, without being detrimental to character and appearance.

In relation to refuse and recycling collection, the indicative site layout plan provides an internal road network that could accommodate a refuse truck entering and exiting the site.

Having regard to the expert views of the County Highway Authority, the proposal is considered to be acceptable in terms of highway safety, capacity and policy considerations. Subject to completion of a suitable legal agreement and appropriate safeguarding conditions the proposal would not cause a harmful impact in transport terms. The proposal is therefore considered to comply with Policies M2 and M14 of the Local Plan, the NPPF and the Council's Parking Guidelines 2013.

#### 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.

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.

The site is located within the Countryside beyond the Green Belt outside the recognised settlement boundary. It is not, however, designated for its landscape quality.

The proposed development would involve the development of a naturally grassed site. The currently open site would be replaced by new built form. It is noted that established hedgerows would be retained as green infrastructure. The site lies adjacent to some surrounding residential development. The eastern boundary of the site provides a clear divide between the site, housing to the south, sewage pumping station to the north and the open marsh land to the east. Public views of the proposal would be limited to the users of the surrounding road network and surrounding residential properties.

When taking into account the surrounding residential development close to the site and the site's limited visual quality, officers consider that the proposed residential development would not have a materially harmful visual impact on the designated countryside.

Officers therefore consider the site provides a natural extension of residential development to the south-east of Badshot Lea.

Officers recognise the site forms part of the wider countryside immediately outside of the settlement boundary of Farnham. It is further recognised that the proposal would have some impact in comparison to the existing site situation. The impact on the designated countryside is, however, one of many material considerations in the assessment of this case. The impact upon the open character and beauty of the countryside should be weighed in the planning balance.

#### Impact on visual amenity

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

The Farnham Design Statement 2010 identifies areas of different architectural style and layout across Farnham. The application site falls within the



Weybourne and Badshot Lea area where the guidance states that the essential rural character of Badshot Lea should be preserved, by respecting the pattern of development in the village. However, there was a significant amount of new housing development over the last few decades. This has resulted in a large mix of housing styles. The Statement indicates that traffic is a problem and that the impact of new development on existing infrastructure should be carefully considered.

Whilst the proposal is for an outline application, with all matters reserved, the Design and Access Statement and indicative plans give information about the parameters of the development proposed. The proposal is for up to 30 units, comprising a mix of dwellings ranging from 2 to 2.5 storeys in height. Officers consider that a proposal of up to 30 units could be satisfactorily achieved on the site. There are some concerns with the indicative layout plan, namely the reliance on a large internal access road. However, these matters of detail would be capable of resolution at reserved matters stage.

The site is considered to be an area of transition between the urban area and the countryside. However, residential properties face the site on both the west and southern sides. These surrounding dwellings are pre-dominantly two storey properties of various age and design. As such, it is considered that two storey buildings would be acceptable in this location. The site boundary treatment would be retained where possible to provide a natural visual buffer into the site.

The open land to the east of the site comprises the former Farnham Quarry. This has been closed and is subject to remediation and at some stage is likely to become available for public enjoyment. Officers therefore consider that there could be in the future wider public views of the proposal from the east. There are no landscape designations to the east of the site and although the proposed development would be visible from this neighbouring land, the visual impact is not considered to be harmful.

The final details of the height, scale and 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. Officers are satisfied that an appropriate layout could be achieved for the site, which would be secured at reserved matters stage.

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 and concerns that are capable of being satisfactorily resolved

through a reserved matters application. 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, satisfactory details could be achieved on this site and that the proposed dwellings would not result in unacceptable visual planning harm to the locality or beyond.

#### Impact on Aldershot/Farnham Strategic Gap

The site lies within the Aldershot/Farnham Strategic Gap wherein the Council's Local Plan Policy C4 seeks its protection from inappropriate development. Paragraph 3.25 of the Local Plan states "the value of this policy is that it specifically identifies an area which is vulnerable to pressure for redevelopment at present but which has the important role of preventing the coalescence of Aldershot and Farnham".

Policy C4 of the Local Plan states that "the Council will:

- (a) protect the Strategic Gap between Farnham and Aldershot, as shown on the Proposals Map, by resisting inappropriate development in accordance with Policy C2;
- (b) promote the enhancement of the landscape, and conservation of wildlife sites;
- (c) promote improved public footpaths and bridleways for informal recreation".

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 C4 is a housing supply policy under Paragraph 49 of the NPPF, it must be considered out of date. Notwithstanding, Policy C4 protects the Strategic Gap for its function in preventing the coalescence of Farnham and Aldershot.

The proposal would be in conflict with this Local Plan policy. However, the Local Plan dates from 2002 and since then, National policy has changed with the introduction of the NPPF. The NPPF is silent on Strategic Gaps. However, the NPPF at paragraphs 76 and 77 outlines that, through Local and Neighbourhood Plans, local communities can put forward sites to be designated as Local Green Space.

Paragraph 77 also outlines that the Local Green Space designation will not be appropriate for most green areas or open space. The Council has not put forward the site under this designation and nor is it proposed in the Farnham Neighbourhood Plan. The site is considered by officers to have limited significance in this context having regard to the criteria under Paragraph 77.

Notwithstanding this, when taking into account the location of the site in relation to Aldershot, officers consider the proposal would not result in a significant coalescence of Farnham and Aldershot.

Although the proposal would constitute new development within the Strategic Gap, the proposal is considered to constitute acceptable development within the countryside and therefore would not materially conflict with the aims of Policy C4. Moreover, officers consider the significant benefit of new housing outweighs any tensions with this policy.

#### 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 application is an outline application, an illustrative layout plan has been submitted. This plan clearly demonstrates that the quantum of development proposed could be achieved on site whilst maintaining a good level of amenity for both future occupiers of the development and for existing nearby occupiers.

The nearest properties to the site are to the south on St Georges Road and to the west on Low Lane. The site is separated from all surrounding neighbouring occupiers by public roads. Officers are satisfied that the level of residential accommodation proposed could be accommodated on site without material harm to the amenities of surrounding residential properties. Officers do acknowledge that the outlook from some habitable room windows of surrounding neighbouring properties would be changed. However, the right to a view is not a material planning consideration. Further, the indicative layout, flat surface gradient of the site and height of the proposed dwellings are such that, in the officers view, satisfy officers that there would be no overbearing impact arising from the proposed development.

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 indicated proposed access at the south of the site would result in some additional vehicle movement opposite numbers 34 – 38 St Georges Road.

These neighbouring properties front St Georges Road which would already generate some noise from vehicle movements. The proposed access to the site on the north side of St Georges Road is not considered to be in a position that would cause material planning harm to any of these neighbouring occupiers.

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 impacts would be transient and would be minimised through the requirements of planning conditions, if outline permission is granted.

Although in outline, with all matters reserved, 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 Local Plan and guidance contained within the NPPF.

#### Provision of Amenity and 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.

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 proposal is for up to 30 dwellings and therefore a single LAP is required to be accommodated on site.

The application indicates that a LAP would be provided on site and has been indicated to be within the south-west corner. Officers consider that this

location would be of concern as it would be in close proximity to the indicated vehicle access to the site. However, officers consider that a LAP would be achievable elsewhere on the site and could be captured at reserved matters stage.

The areas of open public space in the layout would contribute to creating the sense of place and character of the area and provide opportunities for landscape enhancements.

The plans show an indicative layout which indicates that individual garden sizes would be appropriate and provide good access to useable outdoor amenity space.

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 inter alia (c) loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance resulting from the emission of noise, light or vibration; (d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances; In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular inter alia (a) development, which may have a

materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The site is not within a designated AQMA and nor is it adjacent to one. However, the impact on air quality remains an important material consideration. The proposed development would introduce new residents into an area that has an established road network and therefore may expose future occupants to air pollution associated with road traffic. The new development would also potentially increase road usage in the area by potential future occupiers. Therefore mitigation measures are recommended to be secured via condition should permission be granted. These include a Site Management Plan, Low Emission Strategy (LES) and no burning of materials on site.

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

#### Flooding and drainage

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

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

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

The site is located within Flood Zone 2 and residential development is classified as a more vulnerable use.

Paragraph 101 states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for

applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 102 states that if, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- It must be demonstrated that the development provides wider sustainability to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- A site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

An FRA was included with the originally submitted planning application. However, following advice received from the Council's flooding consultants RPS Group, a number of issues were raised with this FRA. In particular, RPS identified that this FRA underestimated flood levels and that this would result in insufficient mitigation being provided and result in flood risk increasing over the lifetime of the development.

The applicant has since undertaken a new FRA and additional addendums to this FRA in seeking to address flood risk. In addition, the applicant has submitted a SuDS Drainage Strategy.

Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the exception test if required. The NPPG outlines that residential development is a 'more vulnerable use' which can be acceptable within Flood Zone 2.

Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the exception test if required.

The FRA has shown that the site lies within Flood Zone 2 (1 in 100 plus climate change). This is consistent with the Council's own Strategic Flood Risk Assessment 2010. As the site lies within Flood Zone 2, and the proposal seeks residential development, the sequential test is required. The NPPG 2014 provides guidance on the sequential test and states that the developer

should justify with evidence to the local planning authority what area of search has been used when making the application.

The Council's SHLAA 2014 provides detailed information identifying other available sites, identified in Farnham and the surrounding area. Officers consider that there is justification for applying the area of search for the sequential test across Farnham only. This is on the grounds that the draft Waverley SHMA October 2013 and the West Surrey SHMA 2014 should be given weight as it is evidence of housing need. This evidence identifies a need for housing in the settlement. It concludes that the evidence converges on provision of around 512 new homes per annum needed for the whole Borough. Although the SHMA does not break this overall housing need down for individual settlements or areas, it is reasonable to consider that Farnham, as one of the four largest settlements in the Borough, requires new homes.

This approach to limit site searches to individual settlements when carrying out sequential tests has been endorsed by Counsel (Steven Whale, QC) on the analysis of the flood risk sequential test in relation to the Berkeleys application in Cranleigh. Officers are therefore satisfied that this is the correct approach to take in looking sequentially at the location of housing development.

The applicants have submitted a sequential test report where they have outlined other sites that have been considered. The applicants have used the Council's SHLAA 2014 as the basis for site assessment. The applicants have defined the search area to Farnham only. As outlined above, officers consider this approach to be acceptable. To inform the site selection, the applicants have assessed other sites in the SHLAA which are within or adjacent to the defined settlement of Farnham. The following table provides a list of sites considered by the applicant:



SHLAA Site ID	Site Address	Flood Zone	Area (Ha)	Unit Capacity
25	Land West of Badshot Lea	Flood Zone 1	6.14	140 (@ 22.8 dph)
26	Land at South East Badshot Lea	Flood Zone 1/2	2.94	80-100 (@ 27.21 to 34.01 dph)
29	Coxbridge Farm, Alton Road	Flood Zone 1	14.21	350 (@ 24.63 dph)
33	Badshot Lea Service Station	Flood Zone 2/3	0.12	8 (@ 57 dph)
133	Land to Viners Mead and Colemans, Wrecclesham Road	Flood Zone 1	0.25	7 (@ 28 dph)
136	35-42 East Street	Flood Zone 1	0.65	30 (@ 46 dph)
137	Bourne Mill, Guildford Road	Flood Zone 2/3	1.02	35 (@ 34 dph)
190	54/55 Southern Way, Farnham	Flood Zone 1	0.06	5 (@ 80 dph)
264	Victoria House, South Street	Flood Zone 2/3	0.06	8 (@ 133 dph)
285	The Bush Hotel, the Borough	Flood Zone 2	0.10	5 (@ 50 dph)
332	Land at Waverley Lane, Farnham	Flood Zone 1/2/3	13.32	190 (@ 14.26 dph)
333	Land at 35 Frensham Vale, Lower Bourne	Flood Zone 1	4.93	70 (@ 14.2 dph)
343	Land at Stockwood Way, Hale (Parcel B)	Flood Zone 2/3	3.35	60-80 (@ 17.91 to 23.88 dph)
380	Stephenson Engineering site, 66 Wrecclesham Hill	Flood Zone 1	0.32	12 (@ 55 dph)
381	Land south of Badshot Lea (CON071, CON001, CON002)	Flood Zone 1	38.28	500-850 (@ 13.06 to 2.22 dph)
436	Land at Preymead Farm Industrial Estate, Badshot Lea	Flood Zone 3	1.35	31 (@22.9 dph)
478a	Part of SSE Farnham Depot, Lower Weybourne Lane (within countryside)	Flood Zone 1	1.9	40 (@ 35 dph)
478b	Part of SSE Farnham Depot, Lower Weybourne Lane (within urban area)	Flood Zone 1	1.14	40 (@ 35 dph)
484	Farnham Police Station, Long Bridge	Flood Zones 2/3	0.4	50 (@ 96 dph)
498	Weydon Works, Weydon Lane	Flood Zone 1	0.15	9 (@ 40 dph)
545	Baker & Oates, Gardeners Hill Road, Farnham	Flood Zone 1	2.49	50 (@ 20.08 dph)
546	West of Switchback Lane, Rowledge	Flood Zone 1	2.26	60-70 (@ 26.55 to 30.97 dph)
573	Land off Crondall Lane	Flood Zone 1	9.02	160 (@ 17.74 dph)

In considering the above sites, officers consider that sites within Flood Zones 2 and 3 can be discounted as these sites do not have a lower probability of flooding. In assessing other sites, officers consider that considerations should be given to their sites availability, lawful uses, physical constraints, planning constraints and location. Officers further consider that consideration should be given to the site's size and yield for housing development.

A number of the sites assessed above have other planning constraints and lawful uses which may make their loss un-desirable and are not as sustainably located as the application site. The site subject of this application adjoins the defined settlement of Farnham and is in close proximity to the facilities within Badshot Lea. Officers note that two other planning applications in the local area for housing development are currently being considered by the Council, which include WA/2014/0391 at Lower Weybourne Lane and WA/2014/2113 at St Georges Road. Both these sites lie partly within Flood Zones 2 and are the sites numbered 25 and 26 above. Officers consider that these sites must be discounted in the assessment as they fall within Flood Zone 2. Another site in close proximity to the site, known as Little Acres Nursery, was subject to a mixed-use development which included 38 dwellings (WA/2012/1829), was refused by the Council and dismissed at appeal. Although this site falls within Flood Zone 1, officers consider this site can be considered preferable for reason of this previous history.

The other sites considered in the Council's SHLAA have various development yields and site size. A number of the sites in the SHLAA would generate small yields. Officers consider that these sites should not be considered as suitable realistic options for the proposed housing development. In applying a similar density to that proposed under the current scheme, officers consider that a number of the other sites can also be discounted. The yield generation that is comparable to the current site which are located within Flood Zone 1 consists of SHLAA number 136 (35-42 East Street), number 330 (Park Farm), 478 (Farnham Depot) and 545 (Baker Oates).

Number 136 is a site within the centre of Farnham. This site is a current employment site and therefore is not considered to be reasonably available. Number 330 has limited access onto a small rural lane. Number 478 is a brownfield site that is highlighted as potentially contaminated land. Number 545 is sited further away from local amenities in comparison to the application site and has recently been refused permission by the Council for housing development (WA/2015/0317).

Officers note that a large proportion of the built up area of Badshot Lea lies within Flood Zone 2. The site and wider parts of Badshot Lea are not subject to any landscape designations. This makes some sites more desirable for housing development than others. Officers consider that meeting housing in and around Farnham through sites within Flood Zone 1 would be limited due to the constraints of the Borough. The most up to date research shows that the need for new homes is sufficiently greater than that originally accounted for under the 2002 Local Plan period. The site is located in close proximity to the centre of Badshot Lea village and is considered to be in a sustainable

location for housing. The site also abuts two roads which could provide good access to the site.

Officers conclude that the applicant has passed the flood risk sequential test and that there are no other reasonably available alternative sites at lower risk of flooding suitable for this development.

In light of the above assessment, officers consider that there are no reasonably available sites that could accommodate the proposed development in areas at lower risk of flooding (Flood Zone 1). Consideration is now given to the FRA and its compliance with the requirements of paragraph 103 of the NPPF.

There have been recorded flooding incidents on the site, most notably in 1968 and 1990.

The FRA identifies that the site has a slight fall in land levels from north to south and that there is an adjacent water course which functions as a means of draining the adjacent highway. The nearest main river to the site is the Blackwater approximately 400m north of the site. Two sewer pipes are also present along the west boundary of the site.

The applicants have used modelling data to assess the existing levels of the Blackwater River. The FRA outlines that there would be limited risk of flooding from this river to the site. However, In order to mitigate against potential overland flow from the river, low earth bunding is proposed along the northern boundary of the site. The identified watercourse runs south adjacent to the west of the site and then eastwards and drains into the lake beyond to the east. Due to the natural sloping gradient of the site, the southern part is identified as medium risk of surface water flooding. The Council's Strategic Flood Risk Assessment identifies the site as having a low risk of groundwater flooding.

The FRA outlines that the indicative site layout would result in 0.32 ha of impermeable area and 0.60 ha remaining permeable. A sequential approach has been taken to manage surface water run-off, including the provision of a SuDS scheme. It is proposed that a swale would be created along the western part of the site which would drain to the south-east corner of the site where a dry detention pond would be located and provide the required surface water attenuation. The outflow from this pond would be controlled via a flow restrictor and discharge into the adjacent water course. Further, a compensation storage alleviation area is proposed at the southern part of the site. The flood compensation storage and retention pond would allow for the displacement of water, in the event of a flood, from the proposed dwellings.

The floor levels of the proposed dwellings are proposed to be set at 300m above the existing ground level. The FRA assessment has accounted for the 1 in 100 year flow plus 20% climate change.

The FRA outlines the following mitigation measures to account for flood risk:

- Habitable property ground floor levels within the site should be set at the minimum of whichever is the higher of (i) 300mm above the ground level of the site or (ii) 73.3m AOD.
- A compensatory storage volume of 47 cubic metres or greater should be provided within the landscaped strip along the southern boundary of the site, possibly in connection with the provision of an infiltration basin and connecting swale.
- A low earth bund should be provided along the northern edge of the site with a minimum crest level of 73.6 m AOD.
- As a further precaution, a low earth bund should be provided along the western boundary running from a level of 73.60 m AOD at the north west corner to 73.3 AOD at the south west corner.

The Council's independent flooding consultants RPS have scrutinised the FRA and Addendums and consider that suitably worded conditions could be applied to ensure compliance with the NPPF. RPS confirm that the 100 year plus climate change flood event from the River Blackwater is unlikely to affect the site.

RPS has also evaluated the proposed SuDS Strategy and considers that it has been designed in accordance with the drainage hierarchy described in the NPPG. The strategy is supported by infiltration testing results which indicate that the use of infiltration techniques would be feasible. RPS conclude that the FRA and Addendums have satisfactorily demonstrated that flood risk from all sources has been satisfactory assessed and appropriately mitigated for. They have, however, recommended a condition seeking specific modelling to be undertaken in regard to surface water flooding.

The proposed SuDS Strategy states that percolation tests have been undertaken at the site that confirm that infiltration is an appropriate means of drainage. In summary, the SuDS strategy includes the following:

- Individual soakaways to serve properties.
- Individual drives drained to infiltration trenches.
- Permeable surfaces.
- Adopted highway drainage.
- Swale to treat, convey and infiltrate water from highway.
- Infiltration basin to treat, store and infiltrate water from swale in wet weather, and
- The exceedance flow arrangements.

The County Lead Local Flood Authority has made initial comments on the proposed SuDS Strategy seeking points of clarification. Officers are awaiting the formal response and an oral report will be made to the meeting.

The Environment Agency has referred the LPA to its standing advice. Officers consider that the proposal is compliant with this.

Thames Water has provided advice in respect of proximity of new development to public sewers. Thames Water recommends that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services would be required. Further advice is given stating that a ground water discharge permit would be required from Thames Water. Having regard to the comments from Thames Water, officers consider that informatives should be applied to any planning permission to ensure that the advice given is drawn to the applicants' attention.

Having regard to the views of the Environment Agency and the Council's flood risk consultants, RPS Group, the proposed development is considered to be acceptable in respect of flooding and drainage issues. In view of the flood compensation and mitigation measures now proposed, officers conclude that the development would be made safe from sources of flooding and would not increase flood risk elsewhere and would comply with policy set out in the NPPF 2012.

#### Archaeological considerations

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 a Heritage Statement, which concludes that there is a moderate probability of archaeological features being present in the ground on site. The report recommends that further archaeological investigations would be required prior to construction works, in the form of trial trench evaluation.

The County Archaeologist raises no objection subject to the imposition of a condition to secure the further archaeological works identified, if outline permission is granted.

The impact on archaeological interests can 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.

#### Minerals Safeguarding

The site lies adjacent to an identified operational Mineral site known as Farnham Quarry. This site forms part of a Minerals Safeguarding Area, protected by Policy MC6 of the Surrey Minerals Plan 2011 Core Strategy. Surrey County Council Minerals and Waste Service has raised no objection. The County council advises that whilst the site lies immediately adjacent to the Minerals Safeguarding Area, the Farnham Quarry is exhausted in terms of its mineral extraction. The proposed development would not therefore hinder either the restoration of the Farnham Quarry or mineral extraction.

#### Crime and disorder

S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

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

The proposal is for outline planning permission and the detailed layout and design of the development would be addressed in the 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. Officers consider that the natural surveillance over each property would be good, which is beneficial in terms of crime prevention.

The comments of the Council's Crime Prevention Design Advisor have been carefully considered. Officers note the concerns expressed with regard to layout and access to rear of properties.

A balance must be struck in terms of lighting of open spaces in the development, to ensure that the development provides an atmosphere in which users feel safe but also maintains the character of the local area. Additionally, a balance must be struck between providing landscaping which provides visual interest and contributes to the character and quality of the area and maintaining an open aspect of all parts of the development to ensure natural surveillance.

Officers consider that the refinements to the indicative layout could be achieved at reserved matters stage and addresses the material issues.

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

#### Impact on local 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 SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development.

The application proposes the erection of 30 dwellings (the housing mix is set out in the section of this report titled 'Proposal'), of which 19 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)	£92,462
Transport Improvements	£67,129.88
Environmental Improvements	£7,554
Recycling and Refuse	£900
MOVA junction system	£5,000
Total	£173,045.88

The applicant has indicated a willingness to enter into a suitable legal agreement to secure relevant contributions. As of yet, a signed and completed legal agreement has not been received. However, it is anticipated that an agreement would be entered into. Subject to the receipt of a suitable, signed legal agreement to secure infrastructure contributions, it is concluded that the proposal would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF in respect of infrastructure provision.



## Effect upon the SPA

The proposal is for up to 30 residential dwellings. The site is located within the 5km Buffer Zone of the Thames Basin Heaths Special Protection Area (SPA), which was classified on 9<sup>th</sup> March 2005 under the EC Birds Directive.

Additional housing development, particularly within 5km of the boundary of the SPA, has the potential to adversely affect its interest features, namely Nightjar, Woodlark and Dartford Warbler, which are three internationally rare bird species for which it is classified. Planning Authorities must therefore apply the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2012 (as amended), to housing development within 5km of the SPA boundary. The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SPA.

The South East Plan was published by the Government on 6th May 2009. South East Plan Policy NRM6 deals specifically with the Thames Basin Heaths Special Protection Area. While the South East Plan was formally revoked on 25th March 2013, Policy NRM6 was retained and continues to form part of the Statutory Development Plan to be used when assessing development proposals.

Policy NRM6 states that new residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin Heaths SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects and that such measures must be agreed with Natural England. The policy states that where development is proposed within the 400m to 5km Zone, mitigation measures would be delivered prior to occupation and in perpetuity. It adds that these measures will be based on a combination of access management of the SPA and provision of Suitable Alternative Natural Greenspace (SANG). The Policy sets out standards and arrangements for the provision of SANG and access management.

The Thames Basin Heaths Delivery Framework was endorsed in February 2009 by the Thames Basin Heaths Joint Strategic Partnership Board (JSPB) on behalf of the member Local Authorities (including Waverley) and other stakeholders, in order to ensure that additional housing development avoids such effects on the SPA.

In December 2009, Waverley adopted its own Avoidance Strategy for the Thames Basin Heaths Special Protection Area. This builds on the principles

established in the South East Plan and the Delivery Framework and identifies that there are three options open to developers for meeting avoidance requirements:

- provide new SANG themselves;
- buy into provision of new SANG assembled by the local authority; or
- buy into the upgrading of an existing SANG site owned by the local authority or a third party.

In conjunction with Policy NRM6 in the South East Plan, and through Local Plans, the Delivery Framework provides a comprehensive, consistent and effective provision of avoidance and mitigation measures to enable new housing development in accordance with the RSS and Local Plans.

Development which is in accordance with Local Plans, Avoidance and Mitigation Strategies and the Delivery Framework would not be likely to have a significant effect on the SPA because it will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures.

In order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution (£92,478.40, including monitoring fee) towards a SANG (Farnham Park), in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy (December 2009). This Strategy was formally adopted by the Council on 13th December 2009.

Although the applicant has indicated a willingness to provide the necessary SPA contributions, no legal agreement has yet been secured. Therefore if permission is granted it would need to be subject to the satisfactory conclusion of an appropriate legal agreement.

### 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 £43,500) 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.

#### 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.

The application property does not fall within a designated SPA, SAC or SSSI. The site is, however, un-developed and has a natural grassland surface. The

applicants have submitted an Ecology Survey. The survey included a data/desk-top assessment and on-site field assessment. The on-site survey was undertaken in July 2013 (Extended Phase 1 Habitat Survey) and included areas outside the site up to 50 m away. the survey undertaken assessed the presence of legally protected species. The on-site survey concluded that no evidence of bats, protected bird species, badgers, Great Crested Newts, reptiles, water voles, otters, crayfish, dormice or invasive species were found.

The survey does, however, note that the site has some natural habitats that could accommodate some notable species, such as shrubs and trees for birds and common reptile species. The survey provides an assessment of potential impacts arising from the proposed development. The survey identifies that the site forms part of the Tongham Pond and Tices Meadow SNCI. The County Countryside Management and Biodiversity Manager has confirmed that the site does not form part of the SNCI. The land to the east of the site is considered to have the characteristics that could form part of the Tongham Pond and Tices Meadow SNCI, however, this has not been adopted by the Council.

The Ecology Survey states that, as there are similar habitats adjacent to the site, the loss of the existing semi-improved grassland would have a negligible impact. Although no specific legally protected species have been identified on the site, a number of mitigation measures have been suggested in the survey. These include:

- Erection of bird/bat boxes on suitable trees;
- Construction of reptile hibernacula; and
- Ensure any additional planting is of native species and consideration of additional tree planting.
- Removal of dense vegetation and trees should be undertaken outside the bird breeding season (1<sup>st</sup> March to 31<sup>st</sup> August)

Although a licence is not required in relation to reptiles, a Precautionary Method of Working (PMoW) document should be prepared by an ecologist which should cover the initial site works to avoid any harm.

The SWT has advised that a reptile survey be undertaken. In response to this, the applicants ecologist has submitted an additional statement dated 29<sup>th</sup> April, which states that the site does not contain features that would support a dense number of reptile species. In response, the SWT (letter dated 11<sup>th</sup> May) outlines that the LPA should seek assurance from the applicant that a suitable translocation site to accommodate any reptiles found would be available. The SWT have confirmed that the mitigation measures put forward by the applicants ecologist follows accepted guidelines.

Having regard to the applicant's ecological survey and the comments from the SWT, officers consider that the mitigation measures put forward by the ecologist can be supported and sought via condition if permission is granted. Officers further consider that, taking into account the comments from SWT, a condition is required seeking the Method of Working Document that would require specific precautionary measures with regards to reptiles.

Officers are satisfied that the submitted ecological information provides a satisfactory assessment of the likely presence of protected species being present on site and appropriate mitigation measures to enhance/protect biodiversity.

### 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 for private outdoor amenity space for each dwelling is considered to be positive in terms of the health and well being of future residents.

The Council has sought the views of NHS England, Health Watch, Guildford and Waverley Clinical Commissioning Group and the Director of Public Health for Surrey. No comments have been expressed by these bodies.

Nonetheless, officers are satisfied that the scheme makes provision for access to the end users of the dwellings and that any environmental hazards arising from the development would be minimised or sufficiently mitigated. Further, the site is within in close proximity to other existing residential properties and local amenities in Badshot Lea and, further afield in Farnham, which provide various social and cultural facilities that contribute to healthy living.

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

#### 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.

### Third Party and Farnham Town Council comments

A number of concerns have been raised by third party representations and by the Town Council. These comments have been very carefully considered by officers.

The majority of the concerns relate to the impact on the countryside, the landscape and visual impact, availability of infrastructure, traffic and congestion, flood risk, effects on wildlife, conflicts with Policies C2 and C4 of the Local Plan and the loss of views.

The report is considered to be comprehensive in addressing these issues.

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

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included 1 or more of the following:-

- 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 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.

### Cumulative Effects/in-combination effects

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

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

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

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.

### Conclusion and planning judgment

The application is for outline planning permission with all matters reserved. Therefore, the detail of the 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 must be balanced against any negative aspects of the scheme.

The site is located in the Countryside Beyond the Green Belt and Strategic Gap, 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. Linked to this, Policy C2 and C4 are housing land supply policies and given the lack of a 5 year supply of housing, Members are



advised that Policies C2 and C4 can only be afforded limited weight in respect of constraints on development in principle.

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.

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 be sufficient to accommodate this increase in traffic.

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 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 of 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 and Strategic Gap 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 and details to be assessed at Reserved Matters stage, 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.

Officers therefore consider that this scheme can be supported and accordingly the recommendation is that planning permission be granted.

### **Recommendation**

That, subject to the completion of a S106 agreement to secure the provision of 37% affordable housing, highway and transport improvements and

infrastructure including education, environmental improvements and recycling and for the setting up of a Management Company to manage open spaces and the SuDS scheme, and subject to consideration of the views of the Lead Local Flood Authority, and subject to conditions, permission be GRANTED

1. Condition

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

1. layout;
2. scale;
3. landscaping
4. appearance, and
5. access

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 numbers to which this permission relates are P2 Revision B, PL-002 Revision C. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

4. Condition

Before any other operations are commenced the vehicular and pedestrian access arrangement to the site shall be designed and constructed, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

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

5. Condition

Prior to first occupation of the development the applicant shall provide new footways on St Georges Road and Low Lane adjacent to the boundary of the application site, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

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

6. Condition

Prior to first occupation of the development the applicant shall deliver a traffic management scheme on Low Lane, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

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

7. Condition

Prior to first occupation of the development the applicant shall provide parking restrictions on St Georges Road, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

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

8. Condition

Prior to first occupation of the development space shall be laid out within the site 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 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 Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF.

9. Condition

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

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

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

Reason

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

10. Condition

No operations involving the bulk movement of earthworks and 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 and the NPPF.

11. Condition

Prior to first occupation of the development the following facilities shall be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:

- (a) The secure parking of bicycles within the development site
- (b) Dedicated trickle charging points for electric vehicles for each dwelling

and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In recognition of the transport sustainability guidance in the National Planning Policy Framework (2012).

12. 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

In the interests of preserving archaeology, in accordance with Policy HE14 of the Waverley Local Plan 2002.

13. Condition

Prior to commencement of development, a Low Emission Strategy (LES) for the development during both construction and operational phases, in accordance with the Good Practice Guidance - Low Emission Strategies, shall

be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Reason

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

14. Condition

Prior to commencement of development, a site management plan for the suppression of mud, grit, dust and other emissions during any deconstruction and construction phases shall be submitted to and approved in writing by the Local Planning Authority. Emissions generation activities should be controlled and minimised through use of mitigation measures that are identified in Section 4.2 of the London Councils Best Practice Guidance, and other similar guidance.

Reason

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

15. Condition

There shall be no burning of materials on site during the construction phase of 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.

16. 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/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.

17. Condition

No development shall take place until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the

satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

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

18. Condition

Prior to commencement of development, an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include mitigation measures outlined under Section 7 of the Ecology Report dated 8th August 2013.

Reason

In the interests of biodiversity and ecology on the site, in accordance with Policy D5 of the Waverley Borough Local Plan 2002 and the NPPF.

19. Condition

Full details of the waste and recycling storage facilities shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the approved details.

Reason

To ensure an acceptable level of waste and recycling storage is provided in accordance with Policies D1 and D4 of the Waverley Local Plan 2002

20. Conditions

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 and to mitigate flood risk, in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002 and the NPPF.

21. Condition

Prior to commencement of development, a Precautionary Method of Working Statement (PMW) for Reptiles shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the measures set out in letter dated 29th April 2015 by Royal Haskoning DHV, including an identified translocation area. The development shall be carried out in strict accordance with the agreed details.

Reason

In the interests of biodiversity and ecology on the site, in accordance with Policy D5 of the Waverley Borough Local Plan 2002 and the NPPF.

22. Condition

Prior to commencement of development, a local area surface water model shall be submitted to and approved in writing by the Local Planning Authority. The local area surface water model shall include the requirements in letter dated 1st June 2015 by RPS. The development shall be implemented in strict accordance with the agreed details and thereafter retained.

Reason

In order to mitigate flood risk, in accordance with the NPPF 2012.

23. Condition

The development hereby permitted shall be carried out in strict accordance with the mitigation strategies outlined in Section 5 of the Flood Risk Assessment Second Addendum dated May 2015 and thereafter retained for the lifetime of the development, unless otherwise first agreed in writing by the Local Planning Authority.

Reason

In order to mitigate flood risk, in accordance with the NPPF 2012.

Informatives

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning team at Surrey County Council.
2. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.



3. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a highways licence or 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. 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)
4. 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).
5. 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.
6. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
7. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
8. "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.

9. 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.
10. The Wildlife & Countryside Act 1981 makes it an offence to damage or destroy the nest of any wild bird whilst that nest is in use or being built. It is also an offence to take or destroy the egg of any wild bird.
11. The applicant is advised that payment of the Planning Infrastructure Contribution within 28 days of commencement of work should be marked for the attention of the Planning Obligations Officer (cheques should be made payable to Waverley Borough Council), in accordance with Section 6.1 of the Unilateral Undertaking. Please note that this is a requirement of the agreement and no invoice will be sent at this stage.
12. The applicant's attention is drawn to the provisions of the Flood Water Management Act 2010. Consent for any works carried out to the watercourse may require separate consent from the Lead Local Flood Authority (LLFA). Please contact Surrey County Council at [surreycc.gov.uk](http://surreycc.gov.uk) for more information.
13. The applicant's attention is drawn to the advice provided by Thames Water in email dated 6<sup>th</sup> August 2014.
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.