

WA/2015/2387  
Friends Life Ltd  
11/01/2016

Outline application with all matters reserved except for access for the demolition of the existing building and the erection of up to 96 dwellings with associated car parking and up to 4200sqm of commercial floor area for purpose of Class A1( retail) or Class A2 (professional and financial services) or Class A3 (food and drink) or Class A4 (drinking establishments) (as amended by plan received 11/01/2016) at The Woolmead, East Street, Farnham GU9 7TT

Committee:  
Meeting Date:

Joint Planning Committee  
05/07/2016

Public Notice:  
Grid Reference:

Was Public Notice required and posted: Yes  
E: 484117 N: 147017

Town:  
Ward:  
Case Officer:  
13 Week Expiry Date:  
Neighbour Notification Expiry Date:  
Time extension agreed to:  
Extended expiry date:

Farnham  
Farnham Moor Park  
Gemma Paterson  
11/04/2016  
29/01/2016  
Yes  
08/07/2016

#### RECOMMENDATION A

That subject to the completion of a S106 legal agreement to secure infrastructure contributions towards highway improvements, early years and secondary education, recycling, playing pitches and equipment and to secure Thames Basin Heaths SPA contributions within 3 months of the date of resolution to grant permission, permission be GRANTED subject to conditions.

#### RECOMMENDATION B

That if requirements of Recommendation A are not met, permission be REFUSED.



## Arial Layout



## Proposal

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

The reserved matters, which do not form part of the current planning application, include:

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

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

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

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

The proposal is for the demolition of the existing building comprising 5276m<sup>2</sup> (gross internal floor area) of Class A1 (shops), 4175m<sup>2</sup> (gross internal floor area) of Class B1 (office) use and 4 no. 2 bedroom units; and the erection of a new building comprising up to 96 residential units and 4,200m<sup>2</sup> (gross internal floor area) of Class A1 (shops), A2 (financial and professional services), Class A3 (café's and restaurant) or Class A4 (drinking establishments).

The proposal for up to 96 dwellings incorporates the following mix:

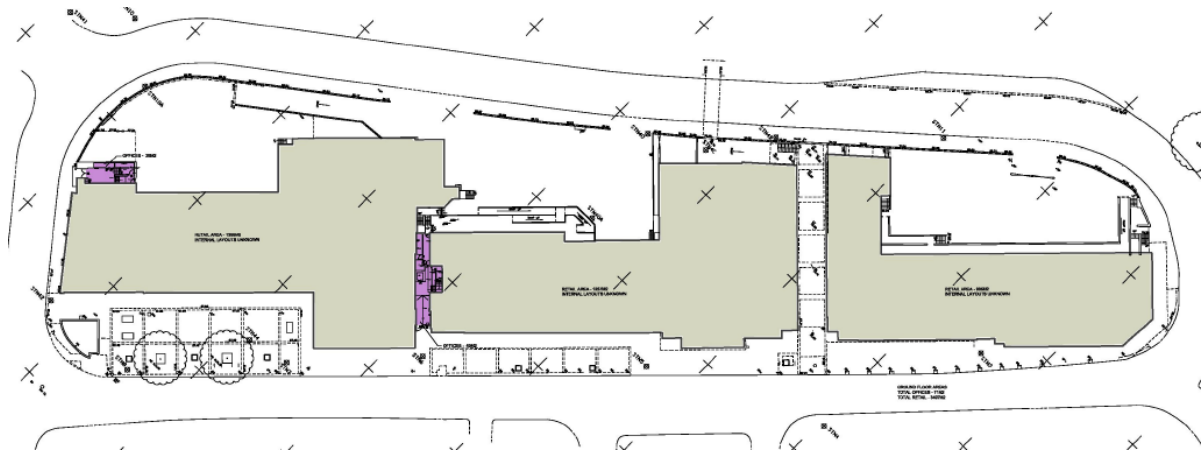
- 16 no. 1 bedroom units
- 70 no. 2 bedroom units
- 10 no. 3 bedroom units

The proposal does not seek to provide any affordable housing as part of the scheme and has submitted a Financial Appraisal (Viability Assessment) to demonstrate that the provision of affordable housing would not be viable given the constraints of the site.

186 parking spaces are proposed in total. Cycle parking for the dwellings would be provided within the curtilage of each plot (either in sheds or garages) and cycle parking for the flats would be accommodated in secure cycle stores.

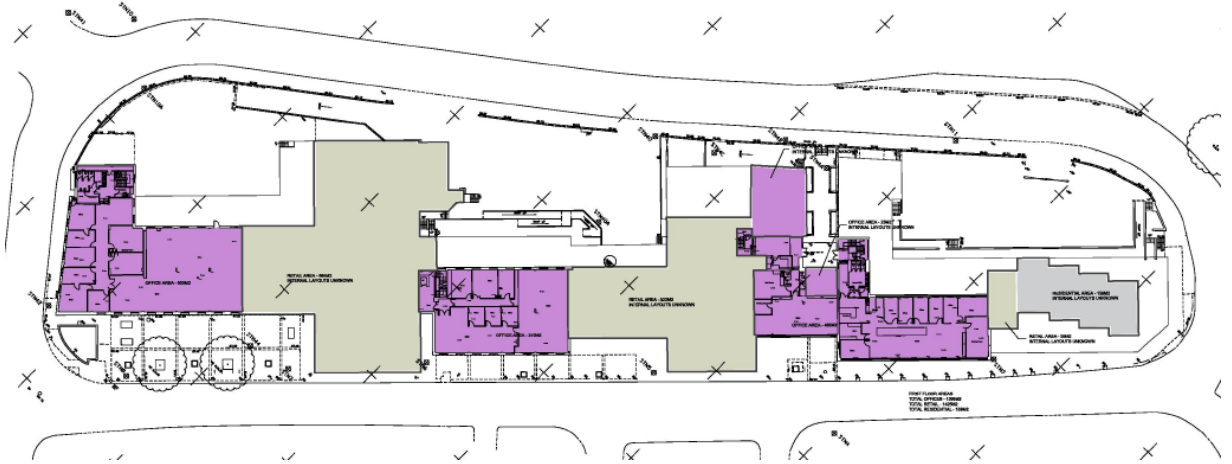
### Associated Plans

Existing Ground Floor Plan:

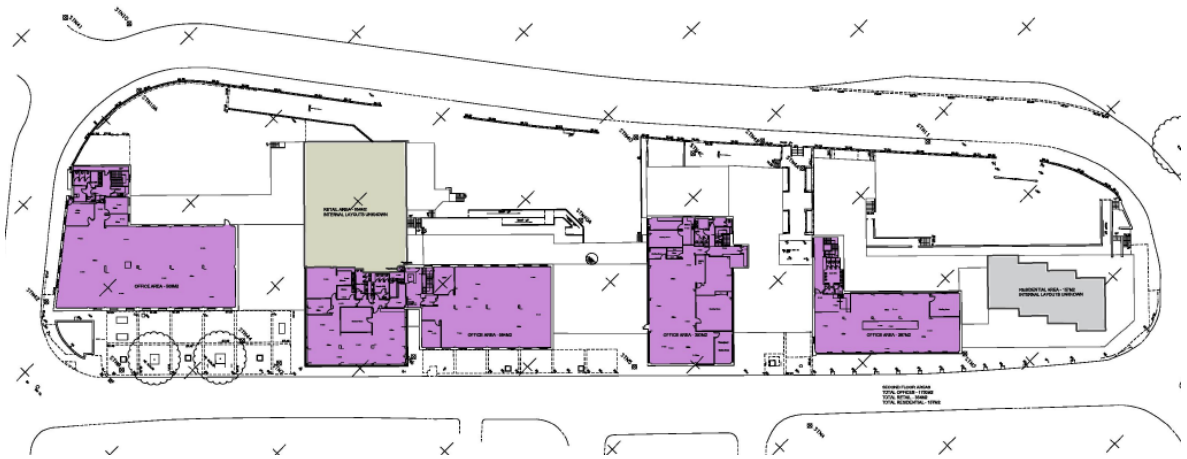




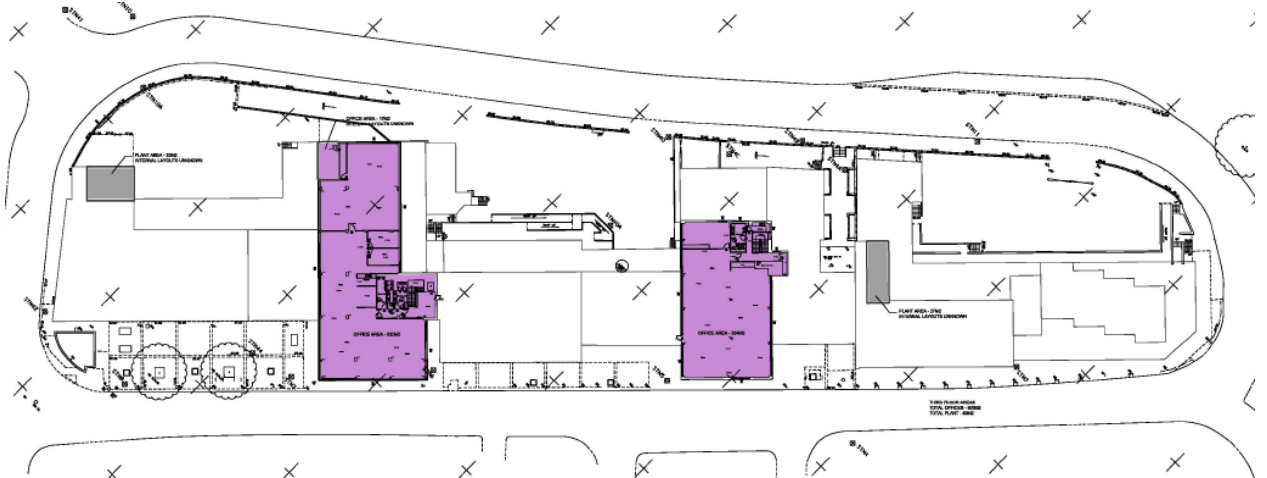
Existing First Floor Plan:



Existing Second Floor Plan:



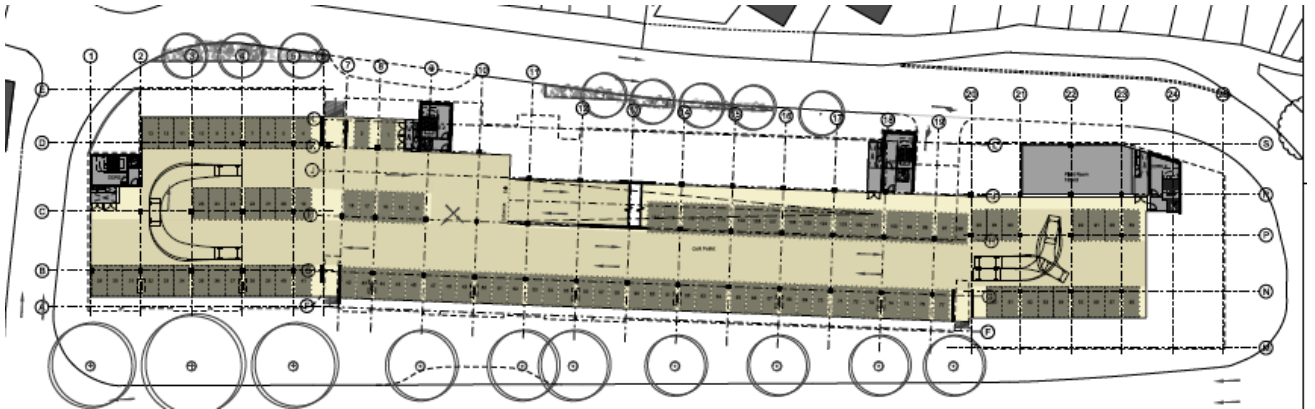
Existing Third Floor Plan:



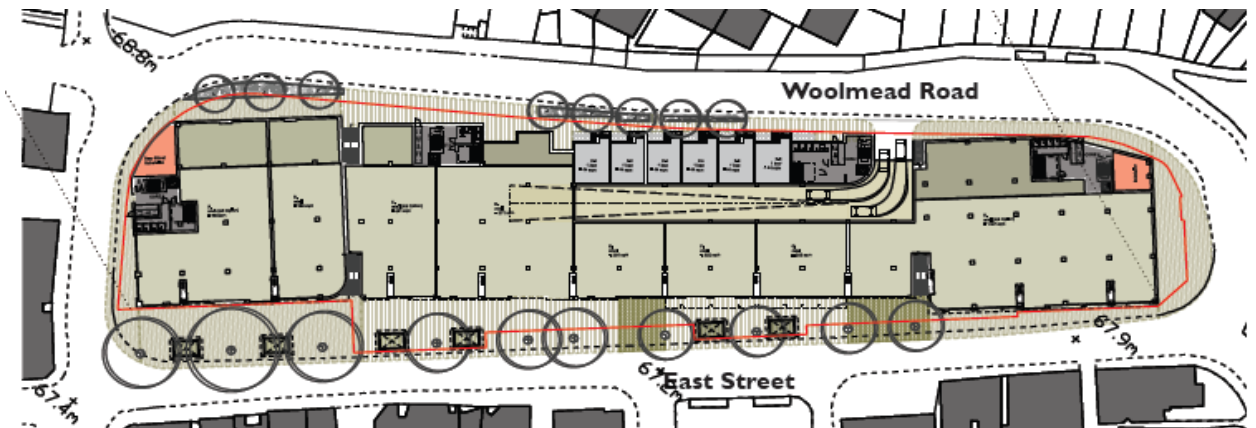
Existing East Street Elevation:



Indicative Basement Plan:



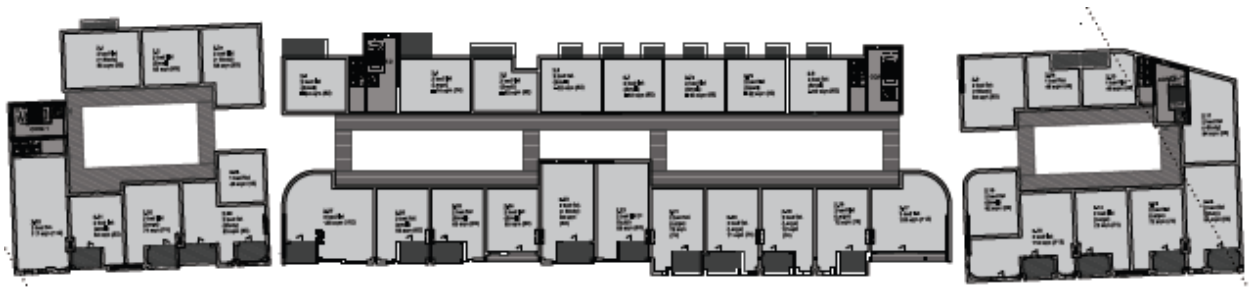
Indicative Ground Floor Plan:



Indicative First Floor Plan:



Indicative Second Floor Plan:



Indicative Third Floor Plan:



Indicative East Street Elevation:



Indicative East Street Elevation continued:





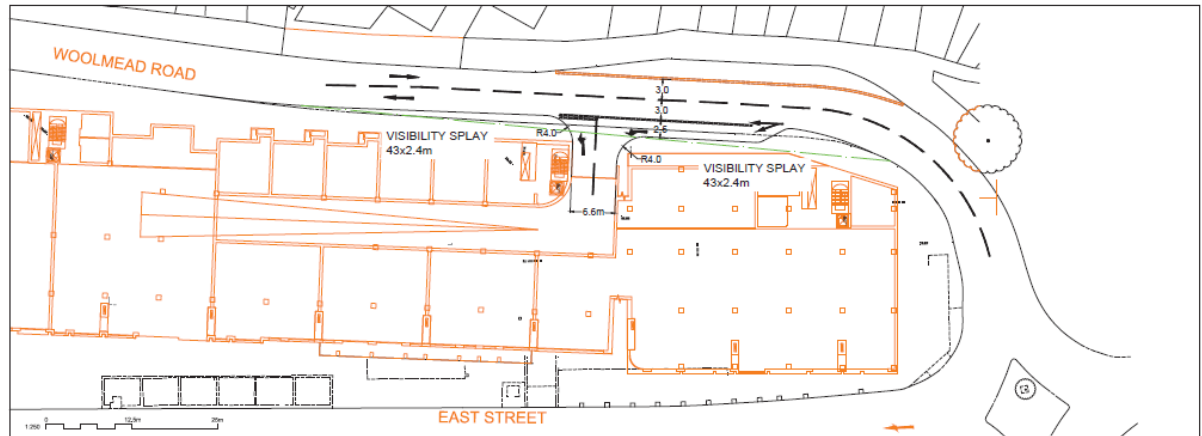
Indicative East Street Elevation continued:



Proposed New Access:



PRE BRIGHTWELLS - RIGHT IN / RIGHT OUT



POST BRIGHTWELLS - LEFT IN / LEFT OUT

## Heads of Terms

Highway and transport mitigation package:-

- Modified vehicular site accesses subject to technical and safety requirements



#### Section 106 financial payments:-

- Prior to commencement of the development to pay to the County Council a sum of £6,150 in respect of the future auditing and monitoring of the Travel Plan.
- On occupation of each residential unit, the developer shall offer to each household a voucher for the purchase of a bicycle (up to a maximum value of £200) or a bus pass (up to a maximum value of £200) and thereafter the developer shall monitor and report to the Highway Authority the uptake of the vouchers by each household, all in accordance with a scheme to be submitted to and agreed in writing by the Highway Authority.
- Prior to first occupation of the development to pay to the County Council the sum of £60,000 for improvements to bus stops in Farnham Town Centre. The improvements shall comprise but not be limited to provision of raised kerbing, timetable cases, sign flags and pole, Real Time Information Displays, and bus shelters.
- Prior to first occupation of the development to pay to the County Council the sum of £50,000 for intelligent bus priority and cycling/pedestrian safety and accessibility improvements within Farnham Town Centre.
- Prior to first occupation of the development to fund and procure the necessary traffic regulation orders required to implement parking restrictions at the proposed loading bays on East Street and Woolmead Road.
- To fund a minimum of two car parking spaces within Farnham Town Centre as dedicated Car Club Spaces from the date of first occupation of the development

All financial contributions due to the Highway Authority shall be:

- i). index linked from the payment date to the date of any resolution to grant planning consent;
- ii). spent within a period of 10 years from the date of receipt by the Highway Authority.

Education contributions:

- £61,921 for Early Years Contribution
- £138,176 for Secondary Contribution

## Recycling:

- £1,472.00 for provision of recycling containers for residential dwellings

## Playing Pitches and Equipment:

- £58,000 towards playing pitch improvements at Farnham Park relating to drainage and playing surface improvements
- £54,000 towards to the replacement and improvement in provision of play equipment in Gostrey Meadow, Farnham

## Relevant Planning History

CR/2015/0017	Prior Notification Application - Change of use from Class B1a (office) to Class C3 (residential) use to provide 45 dwellings.	Prior Approval Not Required	03/11/2015 Not implemented – Extant
WA/1975/0077	Use of part of first floor as offices	Full Permission	15/04/1975 Implemented
FAR51A/70	Renewal of consent	Full Permission	02/07/1971
FAR51/70	Variation of planning permissions FAR120D/62 61/64 to provide for 18 more car parking spaces on loading area	Full Permission	02/04/1970
FAR120E/62	Proposed demolition and redevelopment as shops, offices and maisonettes	Full Permission	19/04/1967
FAR120D/62	Proposed demolition and redevelopment as shops, offices and maisonettes	Full Permission	28/09/1966
FAR120/62	Proposed demolition and redevelopment as shops, offices and maisonettes	Outline Permission	20/09/1962

## Adjoining Site History at East Street

WA/2016/0268	Application under Section 73 for the variation of Condition 3 (Plans) and Condition 61 (Sustainability Statement) and removal of Condition 60, (Combined Heat and Power	Joint Planning Committee resolved to grant	22/06/2016
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	<p>Scheme) of WA/2012/0912 (East Street Redevelopment) to allow: 106 sq m increase in size of extension to Brightwell House, realignment of rear of Building D21, removal of Gostrey Centre community use from Building D20 resulting in space to be occupied by Use Class A1/A3 Retail/ Food and Drink, internal alterations and amendment to landscaping scheme; revision to heating strategy, omitting energy centre and changes to comply with current Building Regulation and other regulation requirements with subsequent revisions to Sustainability Statement; amendment to affordable housing provision to provide 100% shared ownership flats. This application is accompanied by an Addendum to the Environmental Statement (as amplified by emails and plans received 21/03/2016 and 01/06/2016 in relation to flood risk and as amended by email and viability information received 06/05/2016 in relation to the proposed affordable housing mix)</p>	<p>Planning Permission Subject to the completion of an appropriate legal agreement</p>	
<p>WA/2016/0456</p>	<p>Application under Section 19 (Listed Building Consent) to vary Condition 6 of WA/2014/1926 (approved plan numbers) to allow a variation to the extensions and alterations permitted at Brightwells House, Brightwells Road, Farnham GU9 7SB</p>	<p>Joint Planning Committee resolved to grant Planning Permission</p>	<p>22/06/2016</p>

### Planning Policy Constraints

Developed Area of Farnham  
 Town Centre Area  
 Central Shopping Area  
 East Street Opportunity Area  
 Pedestrian Improvement Area  
 Adjacent to Farnham Conservation Area  
 Thames Basin Heaths 5km Buffer Zone

AQMA Buffer Zone  
Area of Area of High Archaeological Potential

Development Plan Policies and Proposals

Policy TC1 – Town Centre Uses  
Policy TC2 – Existing Retail Uses  
Policy TC3 – Development within Town Centres  
Policy IC1 – General Considerations  
Policy IC2 – Safeguarding Suitably Located Industrial and Commercial Land  
Policy D1 – Environmental Implications of Development  
Policy D2 – Compatibility of Uses  
Policy D4 – Design and Layout  
Policy D5 – Nature Conservation  
Policy D8 – Crime Prevention  
Policy D9 – Accessibility  
Policy D13 – Essential Infrastructure  
Policy D14 – Planning Benefits  
Policy H4 – Density and Size of Dwellings  
Policy H5 – Subsidised Affordable Housing within Settlements  
Policy H10 – Amenity and Play Space  
Policy HE14 – Sites and Areas of High Archaeological Potential  
Policy M1 – The Location of Development  
Policy M2 – The Movement Implications of Development  
Policy M4 – Provision for Pedestrians  
Policy M5 – Provision for Cyclists  
Policy M14 – Car Parking Standards

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. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is in the process of replacing the adopted 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.

In the latest provisional timetable for the preparation of the Local Plan (Part 1), the Council is scheduled to approve the plan for publication in July 2016.

Other Guidance:

- National Planning Policy Framework (2012)
- National Planning Policy Guidance (2014)
- Farnham Design Statement (2010)
- Strategic Housing Land Availability Assessment (2014 update)
- West Surrey Strategic Housing Market Assessment (2015)
- Infrastructure Delivery Plan (2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)
- Waverley Borough Council Town Centres Retail Study Update (2013)
- Waverley Economic Strategy (2015-2020)
- Council's Employment Land Review (2014)
- Surrey County Council Vehicular and Cycle Parking Guidance (2012)
- Waverley Parking Guidelines (2013)
- Waverley Density and Size of Dwellings SPG (2003)
- Waverley Residential Extensions SPD (2013)
- Surrey Design Guide (2002)

Consultations and Town Council Comments

Farnham Town Council	No objections and fully supports this application, which should be delivered as soon as possible. The Town Council also supports the provision of affordable housing for this development off site.
County Highway Authority	No objection subject to conditions to secure visibility splays, closing of existing access, vehicle and cycle parking provision, loading/unloading of service vehicles, a Construction Management Plan, a Delivery and Service Management Plan and implementation of the Framework Travel Plan.

Environment Agency	The proposal falls outside of the Environment Agency remit as statutory planning consultee and as such, the Environment Agency does not wish to comment.
SuDS & Surface Water Drainage	<p>No objection - satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents. Would recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.</p> <p>All the matters are reserved and proposal is not increasing the runoff and rate of discharge. Satisfied that a viable method of dealing with surface water can be achieved which would not increase flood risk. Therefore, no objection to this application subject to submission of an appropriate SuDs design at detailed design stage.</p> <p>Asks for the following information, but this can be conditioned at the detailed design stage (or post construction as required) as part of response:</p> <ul style="list-style-type: none"> <li>• Detailed drawings of all the SuDS/Drainage elements and layout</li> <li>• Details of where any exceedance flows would run to avoid risks to people and property</li> <li>• Details of construction phasing, i.e, how drainage will be dealt with during works including pollution prevention</li> <li>• Details of the required maintenance regime for the SuDS elements and who will be responsible for maintenance</li> <li>• A post construction verification report by an engineer setting out that the elements have been installed as agreed.</li> </ul>
Thames Water	<p>Waste comments</p> <p>Recommends that petrol/oil interceptors be filtered in all car parking/washing/repair facilities.</p>

Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

Recommends the installations of a properly maintained fat trap on all catering establishments.

recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

Expects the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installations, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, an informative must be attached to the planning permission.

#### Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision of drainage to ground, water courses or a suitable sewer. In respect to 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 or combined at the final manhole nearest the

	<p>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. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>There are public sewers crossing or close to the 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 08000093921 to discuss the options available at this site.</p> <p>With regard to sewerage infrastructure capacity, Thames Water would not have any objection to the above planning applications.</p> <p>Water Comments With regard to water supply, this comes within the area covered by the South East Water Company.</p>
South East Water	No comments received
Scotia Gas Networks	No comments received
Scottish & Southern Energy Plc	No comments received
County Archaeologist	The desk based assessment prepared by Planning Heritage Ltd provides an overview of the potential of the site to contain heritage assets and therefore this meets the initial requirements of the National Planning Policy



	<p>Framework regarding cultural heritage. The assessment suggests that there is a low potential for archaeological remains, but it is still possible that evidence of the medieval and post medieval development of Farnham may be present. However, it is clear that the previous development of the site will have had some impact on the potential for below ground remains to have survived, particularly in view of the fact that at least part of the site appears to contain basements.</p> <p>At present, the level of past disturbance is unclear, it is considered that further information is required so that an informed decision can be made on the nature and extent of any further archaeological investigations that may be required. Therefore, advises that any future detailed planning application should be supported by a detailed impact assessment that clearly sets out the extent of known previous disturbance, and also contains if possible the results of the archaeological monitoring of any test pits or geotechnical work that may be planned. It will then be possible to advise on whether any further work is required.</p> <p>As the assessment has demonstrated that it is very unlikely that remains important enough to require preservation in situ will be present, it is considered that it would be reasonable to secure the impact and assessment and any additional archaeological work by the use of recommended conditions.</p> <p>As outlined in NPPF, it will be necessary for the developers to ensure that this work is implemented to the appropriate professional standards.</p>
<p>Waste &amp; Recycling Co-Ordinator</p>	<p>The refuse and recycling is to be stored in 4 “cores” at ground level and will be collected via service laybys. It is suggested that the following containers are distributed in the storage points:</p>

	<p><u>Refuse</u> 12 x 1100 litre flat lidded black refuse bins</p> <p><u>Dry recycling</u> 20 x 240 litre blue recycling bins</p> <p><u>Food waste</u> 1 x 240 communal food waste bin in each storage position</p> <p>Only 140 litre and 240 litres are available. If larger bins are to be utilised, then these would need to be provided at the developer's expense.</p>
<p>Councils Environmental Health Officer – Air Quality</p>	<p>No objection - Consideration shall be given to development that may potentially have an unacceptable impact during construction for nearby sensitive locations.</p> <p>The application involves construction work to develop properties on land not currently in residential use. This can affect the locality through fugitive dust emissions during demolition and construction. Has considered the application and has accepted that as there are no safe levels of exposure all measures should be taken to address the impacts of dust that may arise from this development.</p> <p>It should also be noted that the introduction of residential properties may expose future occupants to air pollution associated with road traffic and is likely to increase road usage in the area by the occupants who will commute to their work, educational and shopping destinations daily. The application site is not currently in residential occupation and therefore all additional vehicular traffic will have a significant additional effect on the air quality at this location.</p> <p>This is also likely to cause a further deterioration in air quality at the nearby Air Quality Management Area (AQMA) and be likely to cause negative effects on surrounding towns and villages. Consequently, this is likely to</p>

further compromise the health of those residents living within the most polluted areas.

A report commissioned by Waverley, The Farnham Traffic Management and Low Emission Feasibility Study, carried out by AEA Technology in April 2012, noted that the highest emissions affecting air quality directly related to diesel cars due to the quantity of these vehicles using the local road network. Therefore, consideration has been given to the additional impact on this location of any vehicular use and mitigation measures will be required to offset the additional development.

Recommends that a condition requiring a site management plan for the suppression of mud, grit, dust and other emissions during any deconstruction and construction phase should be submitted to and approved in writing by the Planning Authority. Emissions generation activities will be controlled and minimised through use of mitigation measures that are identified in section 4.4 of the London Councils' Best Practice Guidance, and other similar guidance. The site management plan should sufficiently detail all potential sources of dust and emissions and include robust mitigation measures for use by all site operatives throughout all development phases.

The applicant is advised that due to the close location of the air quality analyser station, 3m from the proposed works, agreed measures should be robustly followed to ensure no dust, fumes and fugitive emissions leave the site boundary that may affect the analyser.

Further recommends that a condition is placed on this application to ensure that should the air quality deteriorate further due to the additional traffic at this location, further mitigation will be required from the developer in order to protect

existing and future residents from the subsequent health impacts.

This will ensure the development is consistent with the aims and objectives of the Council's Air Quality Action Plan.

Recommends that a condition be placed on the consent to prohibit burning of any materials on site to protect the air quality for the existing receptors in the buffer zone to the AQMA.

Consideration should be given to the DEFRA good practice guidance "Low Emission Strategy: Using the Planning System to Reduce Transport Emissions" with a view to mitigating the impact of the development.

Therefore recommends a condition requiring an agreement with the Planning Authority regarding this mitigation so that prior to the commencement of development a scheme detailing the provision of Electric Vehicle Charging Points (EVPs) within the development shall be first submitted to and approved in writing by the Local Planning Authority.

The developer may suggest measures to the Planning Authority which may include a requirement to install electric charging points at a ratio of 1:10 for privately accessible car parking spaces, or 1:20 for publicly accessible car parking spaces, to encourage the uptake of low emission vehicles. The development shall be carried out in strict accordance with the scheme and maintained thereafter. Publicly accessible points can be registered with a national scheme to ensure availability of EVPs to a wider network of users.

Recommends that there is a condition on the hours of construction which would be 08:00-18:00 on Monday to Friday, 08:00-13:00



	<p>Saturday, and no activities on Sunday and Bank Holidays.</p> <p>No development shall commence until details of air ventilation, lighting and surveillance to the underground car park have been submitted to and approved in writing by the Local Planning Authority.</p>
Council's Environmental Health Officer – Land Contamination	No significant issues identified.
Council's Estates and Valuation Officer	<p>The Woolmead office space has been marketed by commercial agents for some time albeit unsuccessfully. This is partly attributable to the fact that there has been no certainty of term offered beyond June 2016 but principally, and even with the attraction of its parking provision, the space it is due to the very poor existing state of the accommodation whereby considerable investment would be required to bring it up to a lettable standard.</p> <p>Woolmead offers larger retail units of more standard configuration and though currently occupied by a number of retailers, these are of a secondary and tertiary nature. The accommodation is very dated and the retail frontages lack prominence.</p> <p>Whilst the proposal for the redevelopment of this site would result in an overall net loss of retail space to the town of approximately 11,500 sq ft (1,070m<sup>2</sup>) , it is considered there would be an overall net benefit in terms of being able to deliver retail units which offer a not only a modern specification but larger floor plates.</p>
Police Architectural Liaison Officer	<p>'Secured by Design' is the UK Police flagship initiative, supporting the principles of 'designing out crime' by use of proven crime prevention measures and measurable and appropriate security standards.</p> <p>Section 2.1.2.4. of the developers' Design</p>

	<p>Access Statement details recommendations from an Surrey Police Crime Prevention Design Advisor. Although can find no record of this consultation, the recommendations seem reasonable and is pleased to see the developer is planning to accommodate them within the proposals. An additional observation would be, that anti-ram measures be considered for the fronts of the retail units, which should be flat fronted with no recesses.</p> <p>Should this application gain consent, asks that a planning condition be applied to require the development to achieve the full Secured by Design award, for the retail and residential aspects. An early meeting with the developers would ensure assessment on all matters.</p>
Public Health	No comments received
NHS England	No comments received
Guildford & Waverley Clinical Commissioning Group	No comments received
Health Watch	No comments received
Surrey County Council Emergency Planning	No comments received

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 31/12/2015 site notices were displayed around the site on 24/12/2015 and neighbour notification letters were sent on 23/12/2015.

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

Retail/ Economic concerns:

- Too many retail and food chains in Farnham already
- A more sympathetic approach to housing density and encouragement of smaller local retail business would be more conducive to long term rehabilitation of Farnham Town Centre
- Retail space would only likely attract large national chain-type retailers that can afford and utilise larger stores
- Proposed retail units only serve larger out of town developments

- Proposal discriminates against growth of smaller, local, independent retail business
- A wider mix of small to mid-sized units would be more balanced for the town and small business
- Developer merely maximising profits by increasing retail space and replacing offices and the employment they provide with poor quality dwellings
- Employees from the offices would have used the retail shops beneath

#### Visual concerns:

- Design does not reflect the purpose or period of the building behind
- Object to the elevation treatment
- Proposal is not in keeping or sympathetic with the existing diverse architecture of the rest of Farnham.
- Designers have pitched for maximum occupancy available of the building area that is not the best solution for the town.
- Unable to determine if there is a loss of privacy and/or light
- Inappropriate scale of development
- Want a development that is original and imaginative for a dominant and important location in Farnham
- The Woolmead was an effort in sustainable development, being a mixed use scheme of shops, offices and housing, current proposal is not
- Structural frame is sound and could be freshly clad in a contemporary finish, quality street furniture, incorporation of trees, natural surface materials in a true spirit of re-cycling
- Retaining and reworking existing buildings would make economic and environmental sense
- Yet another monolithic building, this time dressed up in cladding
- Loss of office and employment space is of concern and at odds with Waverley's employment policy document that demonstrates a shortfall.

#### Highways concerns:

- Reduction in density would have a reduced impact on traffic flows.
- Bear Lane is not designed for two way and an increased volume of traffic
- Junction of High Park Road/Park Row will be dangerous and a potential bottleneck
- Making Bear Lane two way will mean losing on street parking
- On street parking for current residents is already insufficient, the removal of spaces to create a two way Bear Lane and additional cars requiring parking will be unacceptable
- Majority of homes have at least two cars, current proposal does not cover possible 1-2 cars per residence

- Traffic Management Plan during construction not acceptable as increased traffic could spell disaster for local residents
- Object to the traffic volume, access and parking issues that would result from the scheme

Other concerns:

- Town Council and Farnham Society support the proposal and such there is little chance for individuals' objections to be taken into consideration in achieving an important, significant and enlightened scheme

3 letters have been received expressing support for the following reasons:

- Thoughtful and well considered application
- Provides essential housing
- Vastly improved retail offering for the town centre
- Architectural enhancement to the street scene
- Scheme to enhance Farnham's regional economic significance
- Farnham Society would like to work with the applicants to discuss design, architectural elements, deliveries for residential units and refuse collection
- Car parking concerns could be readily addressed with a few less units
- If Brightwells development takes place, there would be a congestion problem, a no right turn into the car park for traffic travelling west to east
- There should be permanent off-road facilities for retail use
- Great improvement to the existing scheme

#### Submissions in support

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

- Although submitted in outline, the application submission contains detailed information to demonstrate how a development of this size, comprising a mix of residential and commercial uses can be successfully accommodated on the site.
- The ability of the site to successfully and appropriately accommodate up to 96 residential units and up to 4,200sqm of Classes A1 or A2 or A3 or A4 space is not in doubt.
- The flexible use sought for the commercial space is to aid both vitality and viability in the town centre generally and in this part of the town centre in particular. The Applicant does, however, recognise that a balance of these town centre uses is required.



- Permitted development rights exist for the change of use of Class B1a offices to Class C3 residential under Schedule 2, Part 3, Class O of The Town and Country Planning (General Permitted Development)(England) Order 2015. The Council confirmed on the 3rd November 2015 that prior approval for the office to residential change of use (45 dwellings) would not be required. Originally introduced as a temporary measure the Government has recently announced that these permitted development rights will be made permanent.
- Access is the one reserved matter for which approval is sought at this outline planning application stage. Appearance, Landscaping, Layout and Scale are all reserved for subsequent approval.
- Potential future changes to the directional flow of highway traffic around the site has also been taken into account. Drawing K851/200 demonstrates how the proposed vehicular access to/from the site, a priority T-junction on Woolmead Road, can operate with either one-way or two-way traffic flows.
- A Residential Travel Plan has also been submitted in support of the proposals. This sets out the overall approach to sustainable travel and describes the measures proposed to promote sustainable travel which include informing residents of alternative modes of transport.
- The Design and Access Statement sets out clearly the design approach to the application proposals. The approach is based on a clear understanding of the site, the existing buildings and the context. In particular a significant amount of contextual work has been undertaken.
- The application has been informed by the Heritage Assessment which has provided a full understanding of the site, including a specific assessment of the setting of heritage assets
- The proposals would support the aims of Policy D1 since they would not result in the loss of any buildings of merit or interest nor impact or cause harm to the visual character of the locality. No neighbours would be materially affected and levels of traffic generation will also reduce.
- The proposals would be of a high quality design in accordance with all the requirements of Policy D4. In particular the amount of development proposed would enable the final form of development to be appropriate in terms of scale, height and form and appearance.

- A housing mix that is in accordance with Policy H4 can also be delivered and the ground floor commercial units would also be easily accessible in accordance with Policy D9.

### Determining Issues

- Principle of development
- Prematurity
- Location of development
- Loss of suitable located commercial land
- Loss of retail
- Housing land supply
- Housing mix and density
- Affordable housing
- Highway considerations, including traffic and parking considerations
- Cycle and refuse/recycling storage
- Indicative layout and impact on visual amenity
- Standard of accommodation
- Provision of amenity space
- Impact on heritage assets
- Compatibility of uses
- Impact on residential amenity
- Flooding and drainage
- Land contamination
- Air quality considerations
- Archaeology considerations
- Effect on SPA
- Infrastructure considerations
- Crime and disorder
- Financial considerations
- Biodiversity and compliance with Habitat Regulations 2010
- Comment on third party representations
- Environmental Impact Regulations 2011 (as amended)
- Pre Commencement Conditions
- Development Management Procedure Order 2015 - Working in a positive/proactive manner
- Conclusion/ planning judgement

### Planning considerations

#### Principle of development

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration except for access.

As such, the applicant is seeking a determination from the Council on the principle of the development of the site for Class A1 (shops), A2 (financial and professional services), Class A3 (restaurant and café's) and Class A4 (drinking establishments) floor space and up to 96 residential units.

The NPPF 2012 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 2012 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 2012 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 or specific policies within the Framework indicate development should be restricted. In such cases, the presumption in favour of development does not apply.

The proposal is located in Farnham Town Centre where Policies TC1 and TC3 seek to maintain and enhance the role of the town centres as the focus of shopping, commercial and social life and encourage investment in town centre uses in the Town Centre.

### Prematurity

Annex 1 of the NPPF 2012 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 Plan; 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.

Officers conclude that the emerging Local Plan is not at an advanced stage and that the Farnham Neighbourhood Plan is at a relatively 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.

### Location of development

Paragraph 69 of the NPPF 2012 states 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.

The site is located within the Town Centre of Farnham. 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.

Policy TC3 of the Waverley Borough Council Local Plan 2002 states that the Council will encourage investment in town centre uses within the defined Town Centre Areas. Development which would improve the attractions of a town centre will be permitted, provided that it:

- a) Maintains or enhances the quality of the environment and is of an appropriate scale, having regard to the size and character of the town centre itself and the buildings nearby;
- b) Will not adversely affect the vitality and viability of the defined Central Shopping Area; and
- c) Improves accessibility, wherever possible, for pedestrians, cyclists and people with disabilities or

The provision of residential properties is consistent with maintaining a vibrant Town Centre at a variety of times of the day, as set out at Paragraph 23 of the NPPF, which states that Local Authorities should recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites. The proposal would create new housing in a sustainable location, close to existing facilities and transport links, thereby reducing the need of future occupants to travel to meet their day-to-day needs.

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 Farnham.

Therefore, it is considered that the proposal would provide new residential dwellings, retail and commercial units in a highly sustainable location.

#### Loss of suitable located commercial land

The NPPF 2012 establishes 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 include that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

Paragraph 18 the NPPF 2012 highlights the Government's commitment to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.

At paragraph 22, the NPPF 2012 sets out that planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed.

Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Paragraph 160 of the NPPF 2012 states that Local Planning Authorities should have a clear understanding of business needs within the economic markets operating in and across their area. Paragraph 161 requires local planning authorities to assess the needs for land or floor area for economic development and assess the existing and future supply of land available for economic development and its sufficiency and suitability to meet the identified needs.

Taking account of the planning context for Waverley, the Keynote Policy can be developed into a number of aims relating to the themes of inter alia securing a healthy economy.

Aim 5 of the Waverley Borough Local Plan 2012 seeks to help to achieve a healthy economy in a way which conserves and enhances the quality of the Borough's environment and infrastructure.

The Council's Employment Land Review (ELR), which was updated in 2014, provides an analysis of the Borough's employment land supply as well as an assessment of the likely demand for employment land and premises up until 2031. The ELR is a supporting document, which is to inform the emerging Local Plan and therefore is not an adopted Policy document, but is a material consideration in the determination of this application.

The ELR includes three different scenarios, an Experian based scenario, a Higher Growth scenario and a Trend based scenario, which all suggest a different need for the Borough. The ELR recommends that a scenario that is more realistic and better aligned to the Council's policies and aspirations lies between the Experian based scenario and the Trend based Scenario.

Taking the middle point between the Experian based scenario and Trend based scenario, the ELR found that there is a demand for some 16,000sqm of additional Class B1 (a) / (b) floor area in the Borough by 2031.

The ELR found that the key challenge for Waverley will be to safeguard its good quality employment sites in order to be able to meet the needs of local businesses, while releasing surplus industrial and warehousing land that is not fit for purpose in order to help relieve the strong housing pressures.

However, it does recommend that opportunities for bringing forward new employment land and the redevelopment / intensification of existing allocated sites should be considered.

The loss of suitably located industrial and commercial land will be resisted by the Council. Sites will be regarded as being suitably located where they meet one or more of the following criteria of Policy IC2 of the Waverley Borough Local Plan 2002:-

- a) the continued use of the site for commercial or industrial purposes would not have a materially adverse impact on the local environment or the amenities of nearby residents;
- b) they lie within or close to residential areas which can provide a source of labour;
- c) they are conveniently located to customers/markets and to other firms;
- d) they are located where the highway network can satisfactorily absorb the traffic generated; and
- e) they are conveniently served by public transport and/or are conveniently accessible from nearby residential areas by walking/bicycle.

The existing building on site is used for various purposes, which equates to approximately 4175m<sup>2</sup> of Class B1 (a) (office) use gross internal floor area, 5276m<sup>2</sup> of Class A1 (shop) use gross internal floor area and 316m<sup>2</sup> of Class C3 (dwellinghouse) use gross internal floor area.

The proposal would result in a loss of 4175m<sup>2</sup> (gross internal floor area) of B1a (Office Use).

The site is well located in terms of access to the strategic highway network, access to Farnham Town Centre, access to a centre of population (Farnham)



capable of providing a source of labour and is conveniently located in terms of access to public transport. Whilst the site is not identified on the Proposal Maps as being suitably located commercial land, the above assessment confirms that the site still continues to meet the criteria of Policy IC2 of the Waverley Borough Local Plan 2002. Therefore Policy IC2 of the Waverley Borough Local Plan 2002 is engaged.

Policy IC2 of the Waverley Borough Local Plan 2002 requires that in giving consideration to applications which conflict with this policy the Council will require the applicant to demonstrate that there is no need for the site to be retained for employment purposes.

Officers consider that in practical terms, the requirements of Policy IC2 of the Waverley Borough Local Plan 2002 and the guidance on market signals contained within paragraph 22 of the NPPF 2012 can be tested by assessing the effective market demand for the site.

It is understood from the Design and Access Statement submitted in support of this application that the part of the building in Class B1 (office) use is currently vacant. In seeking to demonstrate that there is no need for the site to be retained as commercial land, marketing information has been submitted to support the application, which demonstrates to the satisfaction of Officers, that the site has been marketed since 2008 as office space on short term leases.

However, the supporting marketing information does not give details of the marketing particulars, any numbers and dates of any views or any details of any offers made. The marketing information also fails to give details of any measures to refresh the marketing campaign since 2008 beyond it being reviewed periodically.

Notwithstanding the above, the Council's Estates and Valuation Manager has carried out a detailed site appraisal based upon the supporting marketing information and an expert knowledge of the commercial market signals in Farnham.

The Estates and Valuation Officer has advised that whilst there is a relatively healthy demand in Farnham for smaller, self-contained office space between 92.90m<sup>2</sup> and 185.80m<sup>2</sup>, there is very little requirement for large office space. This could be attributed to the lack of provision and availability of large, modern office buildings within Farnham, with occupiers choosing to locate in Guildford, Camberley or Aldershot instead.

The Estates and Valuation Manager has noted that the Woolmead office space has been marketed for a significant period of time, albeit

unsuccessfully. This could be partially attributed to the fact that there has been no certainty of term offered beyond June 2016, but principally, even with the attraction of dedicated parking provision, due to the poor state of the existing office floor area, which requires considerable investment to bring it up to a lettable standard.

It would appear that the applicants have marketed the site as Class B1 office space with no success, and from all the evidence available relating to commercial market signals in Farnham, it seems unlikely that they could viably develop either wholly or partially the site for Class B1 (office) purposes.

Furthermore, it is a material consideration that permitted development rights exist for the change of use of Class B1 (office) use to Class C3 (dwellinghouse) under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development Order) 2015 (as amended). It has been confirmed under Prior Approval Application CR/2015/0017 in November 2015 that prior approval for the change of use from the Class B1 (office) use to Class C3 (dwellinghouse) use to provide 45 residential units is not required and could therefore be carried out under permitted development rights. Significant weight is therefore given to this as a material fall back position in balancing the loss of the existing Class B1 (office) use.

There is little to be gained from trying to ensure that the site is wholly or partially developed for Class B1 (office) use when the market signals point to there being no viable prospect that such development will be brought forward. The NPPF 2012 sets out that planning policy should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

In light of the evidence submitted demonstrating that the site in its current form is not a viable entity, nor is wholesale redevelopment viable, and taking account of the permitted development fall back position, the loss of the Class B1 (office) use floor area is accepted.

It is also relevant that the site is located within the Town Centre Area where, as set out above, a variety of uses are encouraged by the NPPF and Policies in the Local Plan in the interest of supporting the vitality and viability of the Town Centre, including retail. Residential use is also appropriately, particularly on upper floors and can encourage night time activity.

## Loss of retail

The NPPF 2012 set out that town centres should be recognised as the heart of a community and any proposed development should support their vitality and viability.

Paragraph 70 of the NPPF 2012 states that planning decisions should guard against the unnecessary loss of valued facilities and services and ensure that established shops, facilities and services are available to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

Paragraph 23 of the NPPF 2012 states that local authorities should define the extent of town centres and primary shopping areas...and set policies that make clear which uses will be permitted in such locations.

Waverley Economic Strategy 2015-2020 states that 'the retail sector is of particular importance to Waverley as it plays a major role in the vitality and attractiveness of the Borough's town centres. The 2013 Waverley Town Centres Retail Study Update confirmed that all four of the Borough's town centres are healthy, vital and viable. Waverley's town centres offer a good mix of shops; services; and bars and restaurants, with many small, independent shops but also good representation from national retailers and charity shops.'

Waverley Borough Council Town Centres Retail Study Update (2013) provides a vision for Waverley's Town Centres, in particular continuing 'to support Farnham's role as a centre providing an extensive range of convenience and comparison shopping'.

Town centres are of particular importance and the Waverley Borough Council Local Plan 2002 seeks to maintain and enhance their role as the focus of shopping, commercial and social life in the Borough. The Waverley Borough Council Local Plan 2002 recognises that all four of Waverley's town centres are historic and relatively small in scale and that they have scope to accommodate only limited development. It emphasises the importance of safeguarding the character and quality of each town centre and identifies retail, leisure and commercial uses as the most appropriate for town centre locations.

The site is within the Central Shopping Area of Farnham Town Centre wherein the Council will seek to promote vitality and viability and retain retail uses on the ground floor of premises.

Policy TC1 of the Waverley Borough Council Local Plan 2002 advises that the Council will seek to maintain and enhance the role of town centres as the

focus of shopping, commercial and social life in the Borough and will seek to retain and encourage a mix of uses which contributes to the vitality and viability of these centres. In particular, the Council will:

- a) seek to encourage and retain retail uses and other commercial and community uses which attract customers and visitors during and beyond normal shopping hours and add visual interest within the centre;
- b) encourage and retain residential accommodation in appropriate locations; and
- c) encourage new uses and development which both attract more customers, visitors and spending; and maintain or enhance the quality of the town centre environment.

Policy TC2 of the Waverley Borough Council Local Plan 2002 seeks to retain existing Class A1 retail uses at ground floor level within the Town Centre and designated Central Shopping Areas, unless it can be demonstrated that all reasonable efforts have been made to market the premises as a shop and that the proposal would:

- a) Contribute to the vitality and viability of the central shopping area by introducing activity and visual interest at street level; and
- b) Not result in an over-concentration of non-retail uses to the detriment of the vitality and viability of the area

The details submitted in support of this application state that the proposal would reduce the existing level of retail floor area from 5276m<sup>2</sup> to 42000m<sup>2</sup>, an overall loss of 1076m<sup>2</sup>. The applicant seeks 4200m<sup>2</sup> floor area of flexible mixed use comprising an unspecified mix of Class A1 (shops), A2 (financial and professional services), Class A3 (caf  s and restaurant) or Class A4 (drinking establishments). As such, the loss of Class A1 (shops) floor area as a result of the proposal could be greater than the 1076m<sup>2</sup> cited in the supporting documentation, given the flexibility of uses sought.

In accordance with Policies TC1 and TC2 of the Waverley Borough Local Plan 2002, the loss of the retail uses will be resisted unless it can be demonstrated that all reasonable efforts have been made to market the premises for the purpose of retail. Officers consider that in practical terms, this can be tested by assessing the effective market demand for the premises as a retail use by way of a marketing campaign.

No marketing information has been submitted in support of this application to demonstrate that there is no demand for the level of Class A1 (shop) use floor area currently provided by the site.

The Council's Estates and Valuation Officer has advised that there is a good demand for Class A1 (shop) space in Farnham. However, due to the historic nature of some of the buildings, many retail units are either awkwardly

configured or are too small to provide the necessary sales space required by larger brands or anchor stores. As such, Farnham Town Centre is currently compromised in its ability to accommodate larger brands who would otherwise consider Farnham as a good trading location.

Whilst Woolmead offers larger retail units of a more standard configuration, the accommodation is very dated and the retail frontage lacks prominence. Although there are existing retail operations currently operating from the site, these are of a secondary and tertiary nature.

The Council's Estates and Valuation Officer advises that whilst the proposed redevelopment of the site would result in a loss of Class A1 (shops) floor area to the Town Centre, there would be an overall net benefit in terms of being able to deliver retail units which offer not only a modern specification, but larger floor plates, which would be far more attractive to potential primary retailer brands.

The need for larger store requirements is supported by the Waverley Borough Council Town Centres Retail Study Update (2013), which at paragraph 3.13 states the historic trend of growth by multiple retailers and increased competition between companies has meant that the retail structure is increasingly dominated by large companies requiring larger shop units.

Furthermore, paragraph 5.15 -1.16 of the Waverley Borough Council Town Centres Retail Study Update (2013) notes that whilst Farnham Town Centre does not have a high proportion of quality retailers that might be expected to improve the vitality and profile of Farnham, looking at the retailers already present and those seeking representation in Farnham, it is clear that major retailers consider the town to be a viable retailing location.

Policies TC2 and TC3 of the Waverley Borough Local Plan 2002 go on to say that proposals within the Town Centre must also contribute to the vitality and viability of the Central Shopping Area by introducing activity and visual interest at street level and not result in an over concentration of non-retail uses to the detriment of the vitality and viability of the area.

There is natural synergy between retail development and leisure uses within a town centre, which come together to increase the attractiveness of the centre as a destination. Shops, cafes, restaurants and bars are recognised as appropriate town centre uses that can be individual attractions but also complement each other. Restaurants and bars bring life and interest to the town centre outside shopping hours and add to the vitality of the centre. As such, Officers consider that the proposals would add to the vitality and viability of the area.

Policy TC13 of the Waverley Borough Local Plan 2002 seeks to enhance the environment of Farnham Town Centre by improving conditions for pedestrians and minimising the impact of vehicular traffic.

Whilst the proposal would result in the loss of the existing subway under Woolmead Road, the proposal would continue to maintain the existing pedestrian links with the remainder of the town centre. Existing retailers and leisure operators can expect to benefit from the increased shopper presence the development will bring. The development should have a positive effect on the Town Centre as a whole.

Having regard to this information, Officers are of the opinion that, in this instance, despite no marketing exercise being undertaken, the proposal would generate significant pedestrian activity and add visual interest to Farnham Town Centre, contributing to the vitality and viability of the area in accord with Policies TC1, TC2, TC3 and TC13 of the Waverley Borough Local Plan 2002.

#### Housing land supply

The provision of new market housing would assist in addressing the Council's housing land supply requirements. Pending the completion of the new Waverley Local Plan the latest evidence of housing need in the Strategic Housing Market Assessment 2015 (SHMA) is the starting point for considering the amount of housing that the Council is required to supply. The SHMA (2015) indicates that 519 dwellings are needed per annum.

The latest 5 year housing land supply assessment shows a supply of 4.66 years, based on the unvarnished housing need figure in the SHMA (2015) and includes the number of homes needed to meet the backlog of unmet need. This falls short of the 5 year housing land supply as required by the NPPF 2012.

The current proposal would provide a material contribution to the housing land supply in the Borough. This is a significant material benefit which must be weighed against the other considerations for this application.

#### Housing mix and density

The NPPF 2012 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 West Surrey Strategic Housing Market Assessment September 2015 (SHMA) provides an updated likely profile of household types within Waverley. The evidence in the SHMA 2012 is more up to date than the Local Plan, however, the profile of households requiring marking housing demonstrated in the SHMA is broadly in line with the specific requirements of Policy H4 of the Waverley Borough Local Plan 2002.

The density element of Policy H4 of the Waverly Borough Local Plan 2002 is given less weight than guidance in the NPPF 2012 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. The SHMA 2015 sets out the likely profile of household types in the housing market area.

The SHMA 2015 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	10 %	30%	40%	20%

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

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Market	16.7%	72.9%	10.4%	0%

The proposal would result in 16 no. 1 bedroom units, 70 no. 2 bedroom units and 10 no. 3 bedroom units. Whilst this mix would accord with criteria (a) and (b) of Policy H4 of the Waverley Local Plan 2002, it would not meet the local need mix of the SHMA 2015. The proposal would propose a much higher proportion of smaller units than that encouraged by the SHMA. However, in this particular case, the proposed mix is considered to be supported. Officers



consider that the provision of a higher percentage of smaller units within a sustainable town centre location to be acceptable and to result in a more efficient use of land.

On the basis of the above figures, officers are satisfied that the proposal would be of an appropriate housing mix, which would accord with Policy H4 of the Waverley Borough Local Plan 2002.

### Affordable housing

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.

There is also a high local need for affordable housing in Waverley, especially in Farnham which has the highest proportion of local housing need.

Additionally, the West Surrey Strategic Housing Market Assessment 2015 (SHMA) indicates a need for 337 additional affordable homes to be provided each year.

Paragraph 50 of the NPPF 2012 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 is required in particular locations, reflecting local demand.

Policy H5 of the Waverley Borough Local Plan 2002 requires at least 25% affordable housing on qualifying sites with a density above 40 dwellings per hectare.

The proposal does not provide any on site affordable housing and no contribution has been offered towards off-site provision. The applicant contends, in the form of a Viability Study undertaken by Fenn Wight, dated January 2016, that the proposal would not be viable should affordable housing be sought.

Paragraph 173 of the NPPF 2012 states that to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements 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.

Officers have sought the views of independent viability consultants who have assessed the applicants financial appraisal submitted with the application and have concluded that the profit level is below the normal target rates a developer would consider acceptable. The viability information submitted with the application demonstrates with the existing use value is at a level which makes the scheme unable to support affordable housing. This is due to the increase in the existing use value resulting from the prior approval fall back position.

Overall, the viability consultants have found that the assumptions and inputs used in appraising the financial viability of the proposed development to be fair and reasonable. As such, they have concluded that a scheme providing any affordable housing would not be viable.

The report from the viability consultants is contained within Exempt Appendix A as it contains commercially sensitive information. If Members wish to discuss the detail of the viability report at the meeting then this will need to be in exempt session.

Taking into account the expert view of the Councils viability consultants, Officers consider that an objection to the application in relation to absence of affordable housing provision would not be justifiable in this instance.

#### Highway considerations, including traffic and parking considerations

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 of the NPPF 2012 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 limits the significant impacts of the development.

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

The application is accompanied by a Transport Assessment (TA) which assesses existing transport conditions in the area and assesses the impact of the proposed development.

The County Highway Authority has considered the submitted Transport Assessment and has confirmed that from a highway safety and capacity point of view, the proposed development would not have a severe impact upon highway safety, subject to an appropriate agreement being secured for improvements to the local highway network.

The highway network surrounding the site comprises Dogflud Way, East Street, Bear Lane, Woolmead Road, South Street and The Borough all form part of the town centre one way system, comprising two lanes of traffic with footways on both sides of the carriageway.

It is pertinent to this assessment of this current application that the traffic management proposal associated with the permitted Brightwell's Development (WA/2012/0912 and WA/2016/0268) would introduce two way traffic flow on Woolmead Road and Bear Lane, and by doing so allows East Street to become a pedestrian and cycle priority zone, with a bus service and controlled service vehicle hours. These measures are being progressed through the Section 278 agreement process with Surrey County Council.

Existing on road cycle routes connect the site to Farnham Rail Station. Facilities for pedestrians accessing East Street adjacent The Woolmead Centre comprise signalised crossing facilities at the junction of The Borough with East Street, South Street and Bear Lane. Pedestrian and cycle provision around The Woolmead Centre would be further enhanced from those improvements associated with the permitted Brightwells development (WA/2012/0912 and WA/2016/0268).

The TA advises that the traffic implications of the proposed development have been assessed by comparing the likely traffic generated by the present office, retail and residential uses within the building of The Woolmead Centre and comparing that to the generated traffic from the proposed residential flats

and retail use. It is understood that, following discussions with Surrey County Council, it was agreed that it would be appropriate for the current TA to use the vehicle trip rates adopted in the Transport Assessment for the permitted Brightwells redevelopment (WA/2012/0912 and WA/2016/0268).

The conclusion of the trip generation analysis within the TA demonstrates to the satisfaction of Officers, that the proposed development would generate significantly fewer vehicle trips than the current permitted Class B1 (office), Class A1 (shop) and Class C3 (dwellinghouse) uses at The Woolmead Centre.

The TA further demonstrates that the current permitted Class B1 (office) use would attract commuter traffic in to the town centre during the respective AM and PM peak periods from outlying areas that form part of the dominant flows entering/exiting the Woolmead Road/East Street Gyratory. The proposed development would have the opposite effect, with vehicles either remaining within the town centre (with residents walking and cycling to work) or travelling in the opposite direction to the dominant traffic flows.

As a result of the likely reduction in traffic generation resulting from the proposed development when compared with the existing lawful use, Surrey County Council are satisfied that there is no requirement for the TA to undertake any traffic modelling of the Woolmead Road/East Street gyratory.

In terms of vehicle access, this would be maintained from Woolmead Road, albeit one access would be provided at a revised location, in order to allow access and egress to the proposed basement car park. Given that the development at Brightwells proposes to introduce two-way traffic movements on Woolmead Road and Bear Lane, two configurations for the proposed access arrangements have been submitted in support of this application; the pre-Brightwells access configuration demonstrates that vehicles can safely enter and exit the site onto the existing one way, two lane traffic system that currently exists on Woolmead Road and the post Brightwells access configuration demonstrates that through the utilisation of a left entry off slip, vehicles can safely enter and exit the site onto the proposed two-way traffic system. The final design would be secured through a highway S.278 agreement.

Officers are satisfied that the visibility splays proposed at both configurations can be achieved in accordance with the relevant guidance and that swept path analysis submitted in support of the application demonstrates vehicles can safely exit Woolmead Road and enter the basement car park.

The County Highway Authority has considered the submitted Transport Assessment and has confirmed that from a highway safety and capacity point

of view, the proposed development would not have a severe impact upon highway safety, subject to an appropriate agreement being secured for the funding and procuring of the necessary traffic regulation orders required to implement parking restrictions at the proposed loading bays on East Street and Woolmead Road.

Subject to conditions and implementation of the above improvement, the proposal is considered to be acceptable on highway safety and capacity grounds and would not result in severe residual cumulative impacts.

In addition to highway safety and capacity concerns, the scheme must also be acceptable in terms of sustainability. The NPPF 2014 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 application is supported by a Travel Plan, prepared by Cannon Consulting Engineers, reference CCE/K851/TP-01LAN and dated November 2015, which advises that provision the opportunity for sustainable transport modes to and from the site has been an influencing factor in the design of the development, which has incorporated the following key measures into the proposal:

- Off-street car parking provision to accord with Waverley Council Parking guidance
- Cycle parking to provision to accord with Waverley Council Parking guidance
- Provision of communal electric vehicle parking points within the basement carpark to accord with Surrey County Council guidance.

In addition to the above key measures, the Travel Plan gives an overview of a Residential Travel Plan (RTP) which outlines a package of measures designed to reduce car use originating from residential development by supporting alternative modes of transport.

A Travel Plan Co-ordinator would be appointed to take responsibility for the development and the management of the RTP. Such measures include, contribution towards the cost of purchasing bicycles for new residents, offer cycle vouchers, the creation of a residents bicycle group, organise promotional events to encourage travel behaviour change, discounts with local transport providers and information on car sharing opportunities. The proposed package of measures would be detailed in a Travel Information Pack provided to all new residents of the development.

The Highway Authority has also sought a number of transport mitigation measures to improve accessibility to the site by non-car modes in the local area, including:

- the future auditing and monitoring of the Travel Plan.
- a voucher for the purchase of a bicycle (up to a maximum value of £200) or a bus pass (up to a maximum value of £200)
- contribution for improvements to bus stops in Farnham Town Centre. The improvements shall comprise but not be limited to provision of raised kerbing, timetable cases, sign flags and pole, Real Time Information Displays, and bus shelters.
- contribution for intelligent bus priority and cycling/pedestrian safety and accessibility improvements within Farnham Town Centre.
- funding of two car parking spaces within Farnham Town Centre as dedicated Car Club

The Highway Authority is satisfied that the proposed package of transport mitigation measures would improve accessibility to the site by non-car modes of travel; therefore the planning application does meet the transport sustainability requirements of the National Planning Policy Framework.

It is considered that the package of mitigation measures proposed would directly mitigate the impact of traffic generated by the development, and would also provide a reasonable and proportionate level of mitigation to help mitigate the cumulative impact of future development in Farnham.

The NPPF 2012 supports the adoption of local parking standards for both residential and non-residential development.

The Council has adopted a Parking Guidelines Document that was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

Whilst the indicative basement plan (found at Appendix 1 of the Design and Access Statement submitted in support of this application) would seem to suggest 114 vehicle parking spaces would be provided to serve the site, the actual number of parking spaces depicted on this Plan is 108. However, the TA and the submitted planning application form advise that 101 vehicle parking spaces would be provided to serve the site.

The Council's Parking Guidelines require the following residential parking provision to be made within the site:

No. of units	Dwelling Type	Recommended by WBC parking guidelines
16	1 bedroom flat	1 space
70	2 bedroom flat	1 spaces
10	3 bedroom flat	1.5 spaces
	<b>Total</b>	<b>101 spaces</b>

The details shown on the indicative basement plan demonstrate to the satisfaction of Officers that the required residential parking provision could be satisfactorily accommodated on the site.

The TA is silent in relation to the parking provision required to serve the proposed Class A1 (shops), A2 (financial and professional services), Class A3 (restaurant and café's) or Class A4 (drinking establishments) use.

The Council's Parking Guidelines state that non food retail use above 500m<sup>2</sup> requires 1 vehicle space per 25m<sup>2</sup> and that Class A2 (financial and professional services) is required to provide 1 vehicle space per 30m<sup>2</sup>. The Council's Parking Guidelines state that there are no parking requirements for Class A3 (restaurant and café's).

It is clear from the details submitted in support of this application that no commercial parking space provision is being proposed as part of this application.

There are currently 62 vehicle parking spaces serving the Woolmead. Using the Council's Parking Guidelines, Officers have calculated that the existing commercial parking provision does not currently meet the Council's Parking Guidelines:

Exiting Use	Floor Area	Recommended parking WBC guidelines	Total
Class A1*	5276m <sup>2</sup>	1 car space per 25 m <sup>2</sup>	53 spaces
Class B1**	4175m <sup>2</sup>	1 car space per 100 m <sup>2</sup>	42 spaces
Class C3	4 x 2 bedroom	1 space per unit	4 spaces
		<b>Total</b>	<b>99 spaces</b>

\* Subject to a 75% reduction for a Town Centre location, as suggested by the Council Parking Guidelines

\*\*For Class B1 use, the Council Parking Guidelines gives a range of 1 car space per 30m<sup>2</sup> to 1 car space per 100m<sup>2</sup>, depending on the location. Given that the site is located within a highly sustainable town centre location, it is reasonable for Officers to calculate the existing Class B1 parking provision as 1 car space per 100m<sup>2</sup>.

However, Officers recognise that the site is in a highly sustainable town centre location that has good access to regular public transport and is in close



proximity to a number of large public car parks within easy walking distance, should future employees or customers of the proposed retail use require car parking.

Whilst Officers acknowledge that the parking provision for the commercial element of the proposal is not capable of meeting the requirements of Policy M14 of the Waverley Borough Local Plan 2002 and Council's adopted Parking Guidelines, great weight is given to the existing shortfall in the commercial parking provision, as required by the Council's Parking Guidelines and the highly sustainable location of the site and the site being within close proximity to a number of public car parks.

This matter is to be weighed against the benefits of the scheme and should be considered in the overall balance of the application.

#### Cycle and refuse/recycling storage

The NPPF 2012 states that in order to make the fullest possible use of cycling, development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists.

Policy M5 of the Waverley Borough Local Plan 2002 accords with the NPPF 2012 in requiring developments to include, where possible, safe and convenient cycle routes which can connect to the Borough-wide cycle network.

Storage provision should be made for a variety of different sized refuse bins, recycling and food waste. The application form submitted with this application states 'large waste bins at the rear', although this is not demonstrated on the supporting drawings.

Using the calculations under paragraph 5.5 of the Council's Requirements for Refuse and Recycling on New Development guidance, the following refuse/recycling bins are required to serve the residential element of the proposal:

Units	Refuse (per unit per fortnight)	Recycling (per unit per fortnight)	Total Refuse (all units per fortnight)	Total Recycling (all units per fortnight)
16 no. 1 bed	100 litres	100 litres	1600 litres	1600 litres
70 no. 2 bed	170 litres	170 litres	11900 litres	11900 litres
10 no. 3 bed	240 litres	240 litres	2400 litres	2400 litres
		<b>Total</b>	<b>15900 litres</b>	<b>15900 litres</b>

The refuse and recycling bins would be stored within four core areas at ground level and would be collected via service laybys.

The Council's Waste & Recycling Co-Ordinator has advised that 12 no. 1100 litre flat lidded black refuse bins, 20 x 240 litre recycling bins and 4 no. 240 litre communal food waste bins in each core storage position are required.

Furthermore, provision needs to be retained within the site to provide waste and recycling facilities to serve the ground floor commercial use of the premises.

The indicative bin stores show on the indicative ground floor plan submitted in support of this application shows the following bin provision:

- 15 no. 1100 litre bins
- 4 no. 600 litre bins
- 1 no. 140 litre bins
- 7 no. 40 litre bins
- 6 no. 25 litre bins

Although the bins shown in the indicative bin storage do not meet the requirements set out by the Council's Waste & Recycling Co-Ordinator, Officers are satisfied that there is ample space within the proposed bin storage areas to meet the relevant requirements. In the event permission is granted, Officers consider it reasonable to request further details of the proposed bin storage, through planning condition, in order to ensure that the proposal would meet the necessary guidelines for refuse and recycling.

With regards to secure cycle parking, the Council's Parking Guidelines require the following residential parking provision to be made within the site:

No. of units	Dwelling Type	Recommended parking WBC guidelines
16	1 bedroom flat	1 space
70	2 bedroom flat	1 spaces
10	3 bedroom flat	2 spaces
	Total	106 spaces

The details submitted in support of this application demonstrate that 106 residential and 18 commercial secure cycle parking spaces would be provided within the site. The secure cycle parking would be provided adjacent to the indicative bin storage area. This does not appear large enough to accommodate the number of cycle storage spaces proposed. However

Officers are satisfied that an acceptable layout could be achieved on site to secure the required cycle parking at the detailed reserved matters stage. In the event permission is granted, Officers consider it reasonable to request further details of the proposed cycle parking storage, in order to ensure that the proposal would meet the necessary guidelines for secure cycle parking.

In light of the above, Officers are satisfied that the indicative plans demonstrate that the proposal could secure the required cycle and refuse/recycling storage in accordance with Policies D1, D4 and M5 of the Waverley Borough Plan 2002.

#### Indicative layout and impact on visual amenity

The NPPF 2012 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 Waverley Borough Local Plan 2002 accords with the NPPF 2012 in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

Woolmead is a key site within Farnham as a result of its location and position in relation to the historic core of Farnham. It is considered a key gateway building into Farnham.

The character of the area can be defined by its distinctive roof scape, the domestic scale of the commercial and retail buildings and the architecture and building morphology.

In particular the undulating heights and setbacks of the buildings add to the character and variety of the area. The majority of the buildings are Victorian, constructed from traditional materials.

The Woolmead is characteristic of 1960s' architecture with a strong frontage, weaker service area and a scale and mass which are at variance with the surrounding area. This is considered to be one of the poorest buildings, in terms of its design quality, within Farnham Town Centre and one which has little relationship with its context.

Whilst the application is in outline form, with all matters reserved except access, illustrative layout plans and a Design and Access Statement have been submitted, providing information to demonstrate how the design, character and layout have evolved.

The indicative plans give some basic information about the parameters for development including the quantity and scale of the proposed development.

Officers are satisfied that indicative plans submitted in support of this application demonstrate that the quantum of development proposed could be accommodated on the site.

Although the indicative proposed built form would be significantly larger than that it replaces, the height of the built form would be in keeping with the vertical emphasis that is characteristic of Farnham. Officers are therefore satisfied that built form of the scale and size proposed could be reasonable for this site.

Amenity for the future occupiers of the scheme has also been considered, with indicative internal courtyards and open internal walkways servicing each unit.

The public realm aspects of the site and linkages to the permitted Brightwells development (to the south) have been well developed, to ensure that key vistas are associated with key access points. The applicants have demonstrated that an acceptable design could be achieved in isolation and in conjunction with East Street.

Officers are satisfied that the site could accommodate a scheme which could be developed to function well, be of a high quality design, integrate well with the site and create a positive and enhanced public realm along East Street so as to establish itself as the gateway to Farnham town centre.

#### Standard of accommodation

The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25<sup>th</sup> March 2015. This statement should be taken into account in applying the NPPF 2012 and in particular, the policies on local standards or requirements at paragraphs 95, 174 and 177.

New homes need to be high quality, accessible and sustainable. A new national space standard was introduced by the Government in 2015 (Technical housing standards – nationally described space standard) which is to be assessed through the planning system. The optional new national standards should only be required through any new Local Plan policies, if they address a clearly evidenced need and where their impact on viability has been considered.

The indicative minimum gross floor areas of the proposed dwellings set out over two storeys are as follows:

Technical requirements for minimum gross internal floor areas	Proposed internal floor areas
1 bedroom / 1 persons      39m <sup>2</sup>	44m – 46 m <sup>2</sup>
1 bedroom / 2 persons      50m <sup>2</sup>	
2 bedroom / 3 persons      61m <sup>2</sup>	60m <sup>2</sup> - 94m <sup>2</sup>
2 bedroom / 4 persons      70m <sup>2</sup>	
3 bedroom / 4 persons      74m <sup>2</sup>	106m <sup>2</sup> - 126m <sup>2</sup>
3 bedroom / 5 persons      86m <sup>2</sup>	
3 bedroom / 6 persons      95m <sup>2</sup>	

It is noted that the proposal fails to meet the standards for 1 bedroom/2 persons and 2 bedroom/3 persons. As such, whilst the majority of the proposed units would provide an acceptable standard of accommodation for future occupants, some would not provide a particularly high standard of accommodation for future occupants having regards to Paragraph 17 of the NPPF 2012 and Policies D1 and D4 of the Local Plan 2002.

However, the Council do not have an up to date policy requiring these standards to be met and having regard to the benefits of the new residential unit in a sustainable town centre location, this is not considered to warrant a refusal of the application.

#### Provision of amenity space

On promoting healthy communities, the NPPF 2012 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 Waverley Borough Local Plan 2002 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.

Amenity for the future occupiers of the scheme appears to have been considered within the indicative plans, with internal courtyards and open

internal walkways servicing each proposed residential unit. This is not ideal, but will be a matter of detail which is a reserved matter.

Notwithstanding this, the site is within a convenient distance of public open space and various town centre amenities, including Gostrey Meadow.

In this instance, Officers consider the lack of outdoor amenity space acceptable due to the site's town centre location and close proximity to a variety of outdoor public spaces.

The Fields in Trust Guidance for Outdoor Sport and Play beyond the Six Acre Standard England (2016). For a scheme of 96 residential units the FIT guidance recommends that a Local Area of Play (LAP), a Locally Equipped Area of Play (LEAP) and a contribution towards a Multi Use Games Area. none of these have been provided. However, contributions have been sought towards playing pitch improvements in Farnham Park and play equipment in Gostrey Meadow. The site is not considered suitable for outdoor play given its central Town Centre location between busy roads. Furthermore, having regard to the large proportion of smaller units proposed which are less likely to contain families, it would not be considered reasonable to raise an objection to the proposal on this basis.

It is considered therefore that the proposal would comply with Policy H10 of the Waverley Borough Local Plan 2002.

#### Impact on heritage assets

The statutory test for the assessment of proposals affecting listed buildings and their settings is contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area.

Paragraph 128 of the NPPF 2012 states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

The NPPF 2012 defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Before deciding on whether there is harm to the significance of a heritage asset or its setting as a result of the proposal, and if so, whether it is substantial or less than substantial harm, paragraph 129 of the NPPF 2012 first advises that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 131 of the NPPF 2012 states that, 'in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness'.

Paragraph 132 of the NPPF 2012 states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building... should be exceptional'.

Paragraph 133 of the NPPF 2012 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site;
- and

- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 of the NPPF 2012 states that ‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.’

Policies HE3 of the Waverley Borough Local Plan 2002 state that development should preserve or enhance the character and setting of Listed Buildings.

The NPPG 2014 provides guidance under the Section titled ‘Conserving and Enhancing the Historic Environment’. Whilst not a policy document, it does provide further general advice to policies in the NPPF 2012.

In the case of *East Northants District Council v Secretary of State* [2014] – the *Barnwell Manor* case – the Court of Appeal said that Local Planning Authorities should give “considerable importance and weight” to the desirability of preserving the listed building and its setting, when carrying out the balancing exercise in determining a planning application that affects such a building and its setting. Members should therefore approach the present application on that basis

To the immediate south of the site, beyond East Street is 9 Cambridge Place, a Grade II Listed Building, the significance of which lies in its good example of 18th Century architectural detailing. This is a designated heritage asset.

Also south of the site is The Royal Deer, a 19<sup>th</sup> Century Building of Local Interest, which is significant as a result of its design by Farnham architects A.J and L.R Steadman in 1929. This is a non-designated heritage asset.

To the far south west of the site lie a number of Listed Buildings that comprise The Borough. These are designated heritage assets. The site is also located just outside of Farnham Conservation Area, which bounds the site to the south west and partially beyond East Street to the south. This is a designated heritage asset.

The significance of Farnham Conservation Area lies in the relationship of medieval route ways and street layout with the medieval and later historic buildings giving a unique grain and depth of settlement.



The Farnham Design Statement states that any development which harms the Conservation Area will be unacceptable and that any new development should be designed to preserve or enhance the Conservation Area.

The Farnham Conservation Area Appraisal mentions the site several times, noting that it is a 1964 monolithic brick and concrete structure that is unsympathetic to Farnham in the long term and drew much criticism at the time from townspeople and architects, who saw it as a complete negation of every thing they had tried to achieve in scale and design.

The Council's Heritage and Design Officer notes that the existing built form of The Woolmead is of little historic or architectural interest and is not a good example of twentieth century architecture or town planning.

The Council's Heritage and Design Officer concludes that the existing built form is not worthy of retention and therefore supports the principle of the replacement of the building.

Whilst the final scale, layout, appearance and landscaping of the proposed built form remain as reserved matters, Officers are satisfied that the indicative layout demonstrates that the proposed development could be accommodated on the site. The indicative layout of the proposed built form is not dissimilar to the existing built form and the potential scale and mass of the proposed built form is considered reasonable for the site.

Officers therefore consider that the quantum of development proposed on the site would not cause harm to the setting or the significance of the adjacent heritage assets and would continue to preserve the character and appearance of the Farnham Conservation Area.

The Council's Historic Building Officer has assessed the proposal and has concluded that the proposal would not harm the significance of the designated and non-designated heritage assets.

As such, the proposal would accord with Policies HE3 and HE8 of the Waverley Borough Local Plan 2002 and would not invoke paragraphs 133 and 134 or even 135 of the NPPF 2012.

#### Compatibility of uses

Policy D2 of the Waverley Borough Local Plan 2002 seeks to ensure new and existing land uses are compatible.

The site is within the designated Town Centre wherein there are various commercial and residential uses within close proximity to the application site.

It is noted that where a residential use proposed above commercial use, there is a requirement under Building Regulations to provide sound proofing. For this reason, it is considered unnecessary to recommend a safeguarding condition to secure sound proofing, as this would be required under other legislation, if permission is granted.

Furthermore, the Town Centre location is such that there are a variety of uses in close proximity wherein some noise generation can be expected.

As such, Officers are satisfied that the proposed flats would not lead to a conflict with the proposed commercial ground floor use of the site nor the existing surrounding commercial units use of the ground use of the premises, in accordance with Policy D2 of the Waverley Borough Local Plan 2002.

#### Impact on residential amenity

The NPPF 2012 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. The indicative layout is considered to demonstrate that a high quality layout could be provided which would provide a good level of amenity for future occupiers of the development. Officers would comment that, if permission is granted, any Reserved Matter pursued must consider the residential environment of future occupiers of the indicated ground floor flats located on the norther side of the development, as these would appear to face directly onto the public highway, which is not a satisfactory arrangement.

The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network.

However, these issues are transient and could be minimised through the requirements of planning conditions to secure an appropriate construction management plan, if outline permission is granted.

The closest residential occupiers are on the upper floors on the opposite side of East Street, on Cherry Tree Road and on Bear Lane. The indicative layout suggests that the building and windows could be located a sufficient distance from these residential occupiers in order to prevent an unacceptable impact on these properties in terms of loss of light, privacy or overbearing impact.

Although in outline form with all matters other than access reserved, Officers believe the quantum of development proposed could be adequately accommodated within the site and allow for a good standard of amenity for existing and future residents. Officers consider that the proposal would therefore comply with Policies D1 and D4 of the Waverley Local Plan 2002 and guidance contained within the NPPF 2012.

Officers consider that the proposal would therefore comply with Policies D1 and D4 of the Waverley Local Plan 2012 and guidance contained within the NPPF 2012.

#### Flooding and drainage

Paragraph 100 of the NPPF 2012 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. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards.

Local Plans should apply a sequential, risk based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term

The site lies within Flood Zone 1 and is therefore located within an area which is of the lowest flood risk. As the site is under 1.0 ha, a Flood Risk Assessment is not required to support the application.

In terms of drainage, the scheme would be required to incorporate a sustainable drainage system (SuDS). In a Written Ministerial Statement on the 18th December 2014, the Secretary of State for Communities and Local Government set out the Government's expectation that SuDS will be provided in new developments, wherever this is appropriate. The Statement requires decisions on planning applications relating to major developments should ensure that SuDS for the management of surface water run-off are put in place, unless demonstrated to be inappropriate. Under these arrangements, Local Planning Authorities should consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development.

The National Planning Practice Guidance states at paragraph 080 that generally, the aim should be to discharge surface water run off as high up the following hierarchy of drainage options as reasonably practicable:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

Particular types of sustainable drainage systems may not be practicable in all locations. Any future drainage design would need to consider the above hierarchy and provide evidence to inform the final design. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

The NPPG 2014 states that whether SuDS should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The Department for Environment, Food and Rural Affairs (DEFRA) has published non-technical standards for SuDS (March 2015) which will be taken into account by the LLFA and local planning authorities in assessing the acceptability of SuDS schemes.

Surrey County Council as the Lead Local Flood Authority has reviewed the surface water drainage proposal and assessed it against the NPPF 2012, its accompanying PPG and Technical Standards. The application is supported by a Surface Water Drainage Statement which demonstrates that there

would be no increase in impermeable areas within the site. Surrey County Council is satisfied that a viable method of dealing with surface water could be achieved, which will not increase flood risk on the site and has raised no objection to this outline application, subject to submission of an appropriate SuDS design at the detail design stage.

In terms of foul drainage, Thames Water has raised no objection to the scheme and therefore it is considered that sufficient capacity exists to accommodate the proposed development.

#### Land contamination

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Policy D1 of the Local Plan sets out that development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water and from the storage and use of hazardous substances. The supporting text indicates that development will not be permitted unless practicable and effective measures are taken to treat, contain or control any contamination. Wherever practical, contamination should be dealt with on the site.

A Contamination Assessment, prepared by Nott Group, reference 72304/R/002, dated 05 July 2014 has been submitted in support of the application. On reviewing this Assessment, the Council's Contaminated Land Officer has confirmed that no significant issues of contamination have been identified and therefore raises no objection to the proposal.

In light of the above, Officers conclude that the proposal would be in accordance with Policy D1 of the Waverley Local Plan 2002 and guidance contained within the NPPF 2012.

#### Air quality considerations

Paragraph 120 of the NPPF 2012 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 of the NPPF 2012 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 of the Waverley Borough Local Plan 2002 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 lies within the Farnham Air Quality Management Area Buffer Zone. As such, the impact of the proposal on air quality is an important material consideration.

The application involves construction work that would affect the locality through fugitive dust emissions during demolition and construction.

The Council's Air Quality Officer has assessed the details submitted in support of this application and given that it is accepted that as there are no safe levels of emission exposure in this area, measures should be taken to address the impacts of dust that may arise from this development.

Furthermore, the introduction of residential properties to the area may expose the future occupants to air pollution associated with road traffic and is likely to increase road usage in the area by the occupants. This is also likely to cause a further deterioration in air quality at the nearby Air Quality Management

Area and be likely to cause negative effects on those residents living within the most polluted areas.

In order to mitigate the emissions associated with the development, if permission is granted, the Council's Air Quality Office recommends a condition to secure a scheme detailing the provision of Electric Vehicle Charging Points (EVPs) within the development.

Furthermore, if permission is granted, the Council's Air Quality Officer has recommended conditions to secure details of air ventilation, lighting and surveillance to the proposed basement car park, and a Site Management Plan for the suppression of mud, grit, dust and other emissions during any deconstruction and construction phase.

It is also considered reasonable, if permission is granted, to recommend conditions to restrict hours of construction and to prohibit burning of any materials on site to protect the air quality for the existing receptors in the Buffer Zone to the Air Quality Management Area.

In light of the above, Officers are satisfied that air quality could be suitably controlled through conditions and the proposal is considered to accord with Policy D1 of the Waverley Local Plan 2002 and guidance contained within the NPPF 2012.

#### Archaeology 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 lies within an Area of High Archaeological Potential. Pursuant to Policy HE14 of the Waverley Borough Local Plan 2002, it is necessary for the application to take account of the potential impact on archaeological interests.

The application is supported by a Desk-Based Heritage Assessment, prepared by Planning Heritage, dated September 2015.

The County Archaeologist is satisfied that the Desk-Based Heritage Assessment provides an overview of the potential of the site to contain heritage assets and meets the initial requirements of the NPPF 2012 regarding cultural heritage.

The Desk-Based Heritage Assessment concludes that whilst there is low potential for archaeological remains on the site, it is still possible that evidence of the medieval and post medieval development of Farnham may be present.

However, it is clear that previous development of the site would have had some impact on the potential for below ground remains to have survived, particularly in view of the fact that at least part of the site appears to contain basements.

Currently, the level of past disturbance is unclear and as such, the County Archaeologist considers that further information, in the form of a detailed Impact Assessment, is required to support any future Reserved Matters application. The Impact Assessment must clearly set out the extent of known previous disturbance and also contain, where necessary, any results of the archaeological monitoring of any test pits or geotechnical work that may be planned.

The County Archaeologist is satisfied that the Desk-Based Heritage Assessment has demonstrated that it is very unlikely that remains important enough to require preservation in situ will be present and therefore considers that it would be reasonable to secure the Impact Assessment and any additional archaeological work by way of condition, should planning permission be granted.

The impact on archaeological interests could be sufficiently controlled through the imposition of conditions. The proposal is therefore considered to comply with Policy HE14 of the Local Plan and advice contained within the NPPF 2012.

#### Effect on SPA

The site is located within the Thames Basin Heaths 5km Buffer Zone. The proposal would result in a residential development that would increase the number of people living (permanently) on the site.

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.

As the proposal would result in a residential development, in order for the development to be acceptable in planning terms, a Section 106 Agreement is required as part of any subsequent planning approval to secure a financial contribution (£227,639.70), in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area Avoidance Strategy (December 2009). This strategy was formally adopted by the Council on 13 December 2009.

In line with this strategy and the requirements of Regulation 48 of the Habitats Regulations, a Section 106 Agreement is required to ensure that the additional residential unit proposed by this development will not have any likely significant effect on the Thames Basin Heaths Special Protection Area. The level of financial contribution sought is required to be in line with the specific tariffs set out in the adopted Avoidance Strategy which relate to the number of residential units and number of bedrooms proposed. As such, the requirement for the S106 Agreement meets the three tests set out above.

The applicant is willing to enter into a legal agreement to secure the financial contribution so as to adequately mitigate the impact of the development upon the Thames Basin Heaths Special Protection Area.

Subject to this agreement being completed, the proposals would comply with the requirements of Policies D13 and D14 of the Local Plan and paragraph 203 of the NPPF 2012.

#### Infrastructure considerations

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.

CIL Regulation 123 states 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 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.

Surrey County Council has requested financial contributions towards Early Year and Secondary Education, in order to mitigate the impact upon existing service provision following the construction of new residential units.

An Early Years contribution of £61,921 is requested, to be applied to education infrastructure projects to develop outdoor play areas at Farnham Football Club and at Curious Explorers full day care (also known as ABC) in central Farnham. A Secondary Contribution of £138,176 is requested to be applied to a project at Farnham Heath End School, to provide a new classroom building. This will enable the school to increase its capacity to offer school places to more local children.

In addition, Surrey County Council as Highway Authority has sought a number of contributions and improvements works to the local highway network, which have been set out in detail above. This will improve the connectivity of the site.

The Council's Waste and Recycling Co-ordinator has also sought a contribution of £1,472.00 for the provision of appropriate refuse and recycling provision.

The Council's Green Spaces Manager has also sought contributions of £58,000 towards playing pitch improvements at Farnham Park relating to drainage and playing surface improvements and £54,000 towards to the replacement and improvement in provision of play equipment in Gostrey Meadow, Farnham.

It is considered that the contributions sought are fully justified and would meet the tests set out within CIL Regulation 122, in that they are necessary to make

the development acceptable in planning terms; they are directly related to the development; and they are fairly and reasonably related in scale and kind to the development as they address impacts resulting from the proposed scheme.

The infrastructure providers have confirm that the identified contributions meet the tests of CIL Regulation 123.

The applicant is willing to enter into a legal agreement to secure the relevant infrastructure improvements, so as to adequately mitigate the impact of the development upon existing services and facilities and the highway network. Subject to this agreement being completed, the proposals would comply with the requirements of Policies D13 and D14 of the Local Plan and paragraph 203 of the NPPF 2012.

### Crime and disorder

S17 (1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area.

This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Secured by Design' is the UK Police flagship initiative, supporting the principles of 'designing out crime' by use of proven crime prevention measures and measurable and appropriate security standards.

Section 2.1.2.4. of the Design and Access Statement submitted in support of this application details secure by design measures, including gated parking, CCTV coverage, residential intercom and resident only courtyard access.

The Surrey Police Crime Prevention Design Advisor has confirmed that these recommendations seem reasonable and welcomes their accommodation within the proposals.

Should permission be granted, it would be reasonable to recommend an informative that the development to achieve the full Secured by Design award or the retail and residential aspects.

### 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 £139,200) per annum for six years.

#### Biodiversity and compliance with Habitat Regulations 2010

The NPPF requires that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

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

In addition, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.' The application property does not fall within a designated SPA, SAC, SNCI or SSSI. It is not within 200m of ancient woodland or water, and is not an agricultural building or barn.

The application is accompanied by an Ecological Appraisal, prepared by Green Environmental Consultants Limited, reference 1018/1, dated March 2015.

The Ecological Appraisal demonstrates to the satisfaction of Officers that the proposal would not cause harm to legally protected species, as the Site is ecologically very poor due to the urban environment in which it sits and there are no features which require protection. Furthermore, enhancement potential is limited due to its location and surrounding poor habitats.

In light of the above, Officers raise no objection on biodiversity grounds.

#### Comment on third party representations

Officers have considered the Town Council's comments and the third party representations received in detail and all the matters raised have been addressed above.

#### Accessibility and Equalities Act 2010 and Human Rights Implications

The indicative layout suggests that level access to the retail units could be achieved. Furthermore lifts in each of the cores would provide level access to dwellings. These details would be secured at the detailed reserved matters stage.

#### Environmental Impact Regulations 2011 (as amended)

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2011 (as amended) or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

#### Pre Commencement Conditions

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

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

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

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

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

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have accepted amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

### Conclusion/ planning judgement

In forming a conclusion, the NPPF 2012 requires that the benefits of the scheme must be balanced against any negative aspects of the scheme.

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. While the extent of the shortfall may be a material consideration, the requirement for the local planning authority to demonstrate a five-year supply has to be seen in the context of the NPPF's exhortation to "boost significantly the supply of housing" and against a background of imperative of delivery.

In terms of the benefits of the scheme, 96 residential units would make a contribution to an acknowledged shortfall in deliverable sites for the five-year period and would help boost the area's supply generally.

Delivery of market homes in the context of the constraints that apply to the Borough would comprise the most significant social benefit to flow from the proposed development and would be consistent with the NPPF's basic imperative of delivery.

The proposal would provide an appropriate mix of housing to meet the needs Borough as identified in the West Surrey SHMA. Whilst there is a conflict with the need set out in the SHMA, the proposal would comply with Policy H4 and assists in meeting the need for smaller units in the Borough.

The site is located within a sustainable location in terms of access to services and facilities, and the scale of development would not result in a significant level of vehicular movements. The indicative parking space provision would fall below the Council's Parking Guidelines. However, given the sustainable Town Centre location which the site occupies, together with availability of public car parks in close proximity, the under provision is considered

acceptable, when taking account of the significant benefits resulting through regeneration, housing provision and likely increased footfall to the Town Centre.

The proposal would result in the loss of suitably located industrial land and would result in a reduction of retail floor space but does seek to provide a flexible mix of Class A1 (shops), A2 (financial and professional services), Class A3 (café's and restaurant) or Class A4 (drinking establishments) gross internal floor area, that would add visual interest to Farnham Town Centre, contributing to the vitality and viability of the area

The proposal would not result in harm to any surrounding designated or non-designated heritage assets and would preserve the setting of the Conservation Area and the surrounding Listed Buildings.

In addition, a draft S106 has been submitted to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development, an early years and secondary education contribution, recycling and play pitches and equipment. Should Members accept the Officers recommendation to approve the application, the S106 will be completed to secure the above obligations. As these matters would only arise directly from the scheme or in mitigation of its effects they are not considered as benefits as such.

Notwithstanding, the scheme is considered overall to constitute a substantial and beneficial redevelopment of a key site within Farnham which would result in a significant improvement and regeneration of this run down site.

Officers therefore consider that the benefits of the scheme would be significantly outweigh the adverse impacts upon identified, when assessed against the policies in the NPPF 2012 taken as a whole or specific policies in the NPPF 2012 indicate that the proposal should be resisted.

### **Recommendation A**

That subject to the completion of a S106 legal agreement to secure infrastructure contributions towards highway improvements, early years and secondary education, recycling, play pitches and equipment and to secure Thames Basin Heaths SPA contributions within 3 months of the date of resolution to grant permission and permission be GRANTED subject to the following conditions:

1. Condition

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

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

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

#### Reason

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

#### 2. Condition

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

#### Reason

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

#### 3. Condition

The plan numbers to which this permission relates are FNM\_ATP\_001, FNM\_ATP\_002, FNM\_EXT\_000, FNM\_EXT\_100, FNM\_EXT\_200, FNM\_EXT\_300, FNM\_EXT\_400, 2750-A-3001, 2750, 2750-A-3002, , 2750-A-3003, , 2750-A-3004, , 2750-A-3009, , 2750-A-3011, 2750-A-3012, 2750-A-3013, 2750-A-3015, 2750, 2750-A-3018, Indicative Ground Floor Plan: Retail, Indicative 1ST Floor Plan: Residential, Indicative 2nd Floor Plan: Residential, Indicative 3rd Floor Plan: Residential, Basement Plan (unnumbered), Indicative Proposals: East Street Elevation 1 of 3 (unnumbered), Indicative Proposals: East Street Elevation 2 of 3 (unnumbered), Indicative Proposals: East Street Elevation 3 of 3 (unnumbered), Indicative Proposals: Sections (unnumbered), Indicative Proposals: Massing/Context (unnumbered) and K851/200 Rev C. The development shall be carried out in accordance with the approved plans. No material variation from these



plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

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

4. Condition

The residential units shall not be first occupied unless and until the proposed vehicular access to Woolmead Road has been constructed and provided with visibility zones in general accordance with the approved plans and thereafter the visibility splays shall be kept permanently clear of any obstruction between 0.6m and 2.0m above ground level.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

5. Condition

The residential units shall not be first occupied unless and until the existing accesses from the site to Woolmead Road have been permanently closed and any kerbs, verge, footway, fully reinstated.

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 Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

6. Condition

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

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

7. Condition

The commercial units shall not be first brought into use unless and until space has been laid out within the site in general accordance with the approved plans for the loading/unloading and parking of servicing and refuse vehicles. Thereafter the loading/unloading and parking areas shall be retained and maintained for their designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M2 and M14 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

8. 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 Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning

Policy Framework 2012. This is a pre-commencement condition to ensure highway safety during the construction process.

9. Condition

The development hereby approved shall not be occupied unless and until a Delivery and Servicing Management Plan for commercial element of the development, to include but not be limited to details of:

- (a) location of Deliveries and Servicing clearly marked on a Location Plan.
- (b) times of Deliveries and Collections each day, including communication of delivery timings.
- (c) number of Deliveries and Collections each day.
- (d) size and type of the servicing vehicles used.
- (e) detailed design of loading/unloading bays on East Street and Woolmead Road, including measures to prevent private cars from parking in the bays.

has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented in accordance with the approved plans.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

10. Condition

No operations involving the bulk movement of 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 Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

11. Condition
- The development hereby approved shall not be commenced unless and until a scheme for:
- (a) secure parking of bicycles for the residential units within the basement car park
  - (b) secure parking of bicycles on East Street available for use by the public
  - (c) facilities provided for the commercial units for cyclists to change into and out of cyclist equipment / shower
  - (d) facilities provided for the commercial units for cyclists to store cyclist equipment
  - (e) providing safe routes for pedestrians / cyclists to travel between the site and the adjacent public highway
- has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be implemented. Prior to the occupation of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012. This is a pre commencement condition as the details go to the heart of the consent.

12. Condition
- Prior to first occupation of the residential units, the approved Framework Travel Plan dated November 2015 shall be implemented in accordance the Travel Plan Timetable (Table 8, Page 28) and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies M1 and M2 of the Waverley Borough Local Plan 2002 and Section 4 'Promoting Sustainable Transport' in the National Planning Policy Framework 2012.

13. Condition
- The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to

and approved in writing by the planning authority. Those details shall include:

- (a) a design that satisfies the SuDS Hierarchy
- (b) a design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS
- (c) evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+30% allowance for climate change storm events) at all stages of the construction (Pre, Post and during) with associated discharge rates and storages volumes. Reason: To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site

#### Reason

To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site in accordance with Section 10 of the NPPF 2012 and the NPPG 2014. This is a pre-commencement condition because the details cannot be reasonably discharged after permission has been implemented. The matter goes to the heart of the planning permission.

#### 14. Condition

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- (a) an indicative programme for carrying out of the works
- (b) the arrangements for public consultation and liaison during the construction work
- (c) measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- (d) details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- (e) measures to control the emission of mud, grit, dust and other emissions during any deconstruction and construction phase
- (f) a scheme for recycling/disposing of waste resulting from demolition and construction waste

The site management plan should sufficiently detail all potential sources of dust and emissions and include robust mitigation measures for use by all site operatives throughout all development phases. The

applicant is advised that due to the close location of the air quality analyser station, 3m from the proposed works, agreed measures should be robustly followed to ensure no dust, fumes and fugitive emissions leave the site boundary that may affect the analyser

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as it relates to the construction phases of the development.

15. Condition

No machinery or plant shall be operated, no process shall be carried out, no deliveries taken at or dispatched from the site and no queuing except between the hours 08:00 - 18:00 Monday to Friday and 08:00 - 13:00 on Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason:

In the interests of residential amenity, in accordance with policies D1 and D4 of the Waverley Borough Council Local Plan 2002 and paragraph 17 of the NPPF 2012.

16. Condition

The development hereby approved shall not be first occupied unless and until a scheme from the provision of Electric Vehicle Charging Points (EVP's) within the development has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason

To protect the air quality for the existing receptors in the buffer zone to the Air Quality Management Area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as this matter goes to the heart of the acceptability of the development.

17. Condition

No development shall commence until details of air ventilation, lighting and surveillance to the underground car park have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

To protect the air quality for the existing receptors in the buffer zone to the Air Quality Management Area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as this matter goes to the heart of the acceptability of the development.

18. Condition

No burning of any materials shall take place on the site.

Reason

To protect the air quality for the existing receptors in the buffer zone to the Air Quality Management Area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

19. 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 to and approved in writing by the Local Planning Authority.

Reason

In the interests of preserving the archaeology of the site in accordance with Policy HE15 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition as this matter goes to the heart of the acceptability of the development.

20. Condition

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

Reason

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

21. Prior to the occupation of any Class A3 Unit, full details of the extract ducting for that unit shall be submitted and approved to the Local Planning Authority. The extract ducting shall be installed in accordance with the approved details prior to the occupation of the development.

The extract ducting shall thereafter be maintained in accordance with the approved details.

#### Reason

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

#### Informatives

1. 'IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.
2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.
3. 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.
4. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
5. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.



6. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
7. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
8. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>.
9. 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). The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
10. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
11. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights,

road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

12. The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
13. 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.
14. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure. Please see the following link for further details on the county council's commuted sums policy:  
<http://www.surreycc.gov.uk/environment-housing-and-planning/planning/transport-development-planning/surrey-county-council-commuted-sums-protocol>
15. Thames Water recommends that petrol/oil interceptors are to be filtered in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.
16. Thames Water recommends the installations of a properly maintained fat tarp on all catering establishments
17. Thames Water recommends, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.

18. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. 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 expects the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.
19. With regard to surface water drainage it is the responsibility of a developer to make proper provision of drainage to ground, water courses or a suitable sewer. In respect to 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 or combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
20. There are public sewers crossing or close to the 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 08000093921 to discuss the options available at this site.
21. 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. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
22. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

## **Recommendation B**

That, if requirements of Recommendation A are not met, permission be REFUSED for the following reasons:

1. The applicant has failed to enter into an appropriate legal agreement to secure a programme of highway improvement works to mitigate the impact of traffic generated by the development. As such the proposal would fail to effectively limit the impacts of the development on existing infrastructure. The application therefore fails to meet the transport requirements of the National Planning Policy Framework 2012 and Policies M2 and M14 of the Waverley Borough Local Plan 2002.
2. The applicant has failed to enter into an appropriate legal agreement to secure appropriate planning infrastructure contributions towards education, recycling and playing pitches and equipment. As such, the proposal fails to limit the impacts of the development on existing infrastructure. The proposal therefore conflicts with Policies D13, D14 and H10 of the Waverley Borough Local Plan 2002 and paragraphs 7 and 17 of the NPPF.
3. The Local Planning Authority considers that the proposals (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NRM6 of the South East Plan and paragraphs 118 and 119 of the NPPF 2012.