

WA/2016/0339  
M Jackson  
Gleeson Development  
Ltd  
23/02/2016

Hybrid application: Part Outline application for the erection of up to 254 dwellings with access from The Street Tongham and emergency access from Grange Road, provision of open space, including children's play areas, sustainable urban drainage system and associated works. Access only to be determined at Outline; Full application for change of use from agricultural land to use as a Suitable Alternative Natural Greenspace (SANG) and associated works on land to the east of Tongham Road to serve the proposed development and surrounding area, including access, pathways and associated landscaping (this application is a cross boundary application; please also see Guildford Borough Council application 16/P/00222, the majority of the site falls within Guildford Borough Council) at Land At North End Of Tongham Road, Runfold (as amended by updated SANG LEMP (landscape ecological management plan) and letter of intent received 25/7/2016; SANG outline LEMP costs, SANG outline capital costs schedule, Revised SANGS plan (rev K) received 6/6/2016, Revised master plan (1613 10e) received 12/4/2016 and as amplified by Ecology letter received 2/8/2016, SANG delivery email received 28/7, Archaeological assessment received 28/7/2016, Highways modelling information received 11/3/2016; Travel plan, SANG Letter from Natural England, and response to SCC Highways comments received 11/3/2016 and Heritage Assessment received 9/3/2016, and additional ecology information received 02/08/2016 and 04/08/2016)

Committee: Joint Planning Committee  
Meeting Date: 08/11/2016

Public Notice: Was Public Notice required and posted: Yes  
Grid Reference: E: 487800 N: 148120

Town: Farnham  
Ward: Farnham Moor Park  
Case Officer: Rachel Kellas  
13 Week Expiry Date: 24/05/2016  
Neighbour Notification  
Expiry Date: 08/04/2016  
Neighbour Notification  
Amended/ Additional  
Expiry Date: 29/07/2016

Time extension agreed Yes  
to:  
Extended expiry date: 28/09/2016

RECOMMENDATION That permission be REFUSED

### Introduction

The application was reported to the Joint Planning Committee on the 15/08/2016 when the application was deferred to allow officers to seek information regarding the following:

- The suitability of the pedestrian access via the Christmas Pie Cycle Way/A331 between the SANG site and the proposed residential development
- Clarification on the previous agricultural use of the site
- Conflicts between badgers and dogs running off leads within the SANG site

Officers have obtained additional information on the above considerations and comments are provided on these within the relevant sections of this report.

In addition to the additional information received, there have also been material changes to policy since the time of the August meeting. The Farnham Neighbourhood Plan has been published for consultation and the emerging Local Plan has been published for Regulation 19 consultation. The relevance of the policies within these documents is addressed within the body of this report.

Since the time of the August committee meeting, Guildford Borough Council has refused the associated planning application for which the reference is 16/P/00222. The reasons for refusal for that application were:

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

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

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

- contribution towards local pedestrian and cycle infrastructure improvements including the Christmas Pie route and Public Right of Way Route 344;
- contribution towards road safety improvements within the vicinity of the site including parking formalisation scheme for The Street;
- payment of a Travel Plan monitoring fee; and
- contribution towards education provision, including early years, primary and secondary education.

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

The original recommendation of your officers was subject to Guildford Borough Council approving the associated application. Officers have considered in detail the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford. The officers' report sets out an assessment of the development within Waverley Borough as well as any impacts resulting from the housing development, rather than considering the principle. Given this, it is highly material that the Guildford application has been refused, and as such officers have reviewed the original recommendation in light of this.

### Background

This is a cross boundary application wherein the majority of the application site lies within Guildford Borough. Separate applications have been submitted to both Waverley and Guildford Council's. The reference for the associated Guildford application is 16/P/00222.

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

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

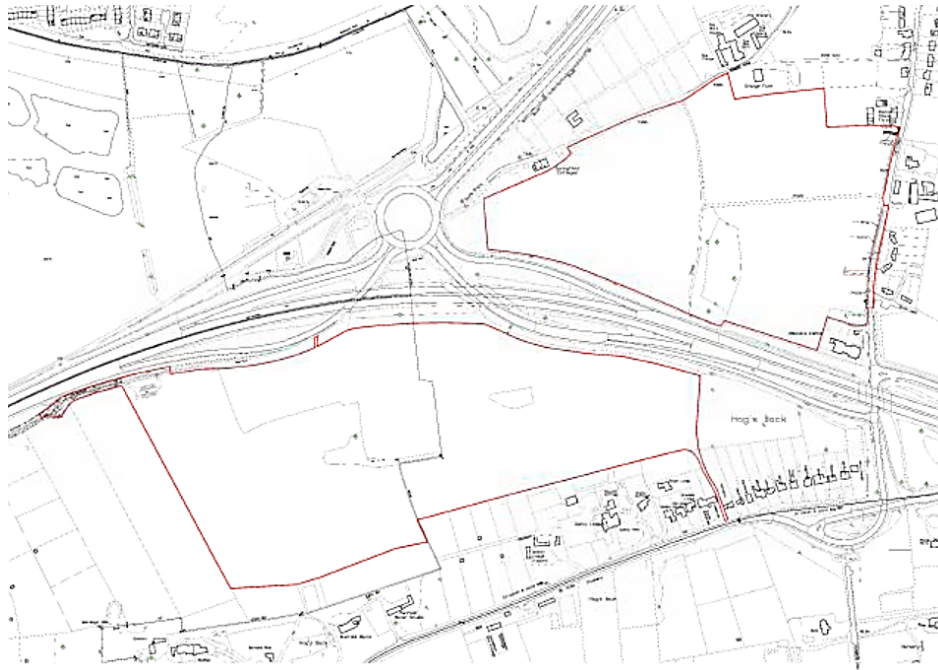
An application for outline planning permission is used to establish whether, in principle, the development would be acceptable. This type of planning application seeks a determination from the Council as to the acceptability of the principle of the proposed development and associated access. If outline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

Reserved matters which do 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

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

## Location Plan



## Site Description

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

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

The northern portion of the site (within Guildford Borough) is located on the opposite side of the A31/A331, measures 13 hectares and is located to the south of Tongham, and to the west of the Street which bounds the site on its western side. The site is bordered by the Hogs Back Brewery on the east, and

residential development to the north and east. The Ambulance station is adjacent to the south east corner of the site. There is existing woodland and several lines of mature poplar trees within the site.

## Proposal

Permission is sought for two main elements:

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

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

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

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

The application includes the following heads of terms:

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £836,996 – Ash Grange Primary School
- Secondary education £898,143 – projects at Farnham Heath End school to expand and provide sufficient school places Plan for the provision and management of the SANG, management of the SANG car park and access to the SANG
- £250,000 towards an improvement scheme for the A331/A31 roundabout

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

### Proposed SANG Plan

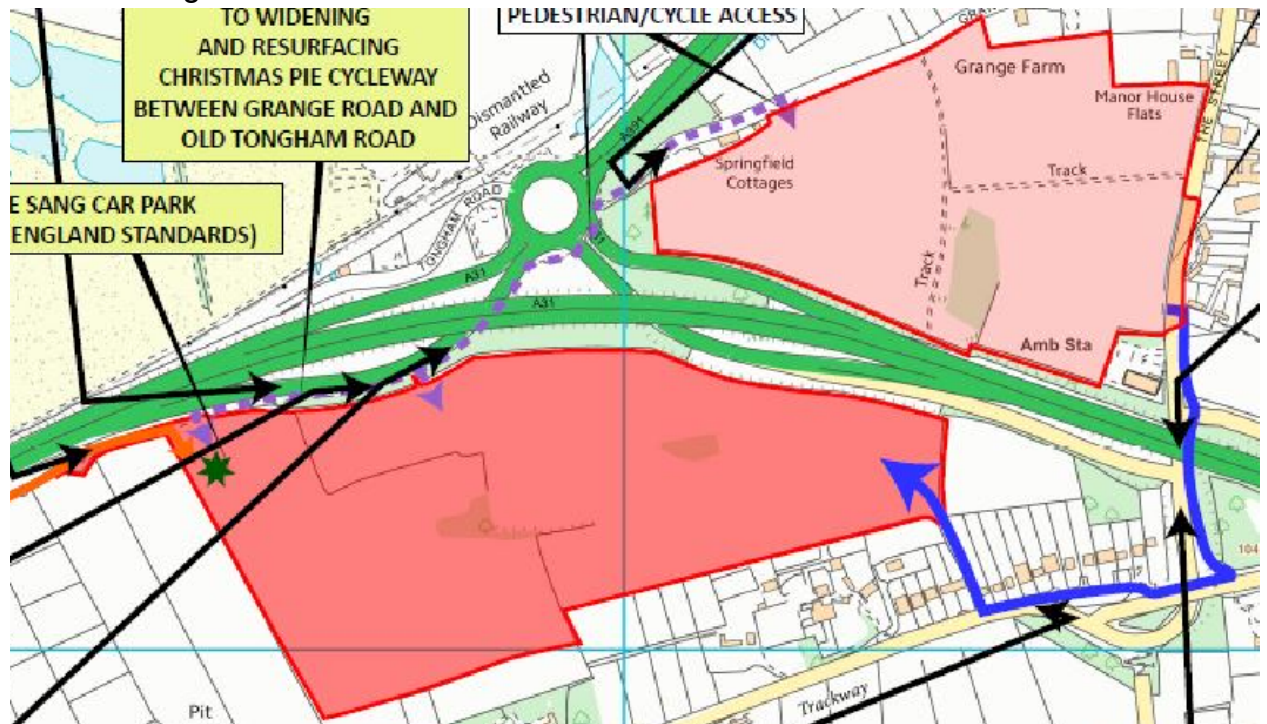


### Residential development illustrative plan (wholly within Guildford Borough)





## Plan showing access between SANG and residential sites



### Relevant Planning History

N/A

### Planning Policy Constraints

Countryside beyond the Green Belt – outside developed area boundary  
Agricultural Land Grades 2 and 3  
Farnham/Aldershot Strategic Gap  
County Primary Route Network  
Thames Basin Heaths SPA 5km Buffer Zone  
Wealden Heaths I SPA 5km Buffer Zone  
Adjacent to Area of Great Landscape Value

### Development Plan Policies and Proposals

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

Draft Local Plan Part 1 Policies:

Policy RE1 Countryside beyond the Green Belt  
Policy RE3 Landscape Character  
Policy TD1 Townscape and Design

Policy NE1 Biodiversity and Geological Conservation  
Policy NE2 Green and Blue Infrastructure  
Policy NE3 Thames Basin Heaths Special Protection Area  
Policy SP1 Presumption in Favour of Sustainable Development  
Policy SP2 Spatial Strategy  
Policy ICS1 Infrastructure and Community Facilities  
Policy AHN1 Affordable Housing on Development Sites  
Policy AHN2 Rural Exception Sites  
Policy AHN3 Housing Types and Size  
Policy HA1 Protection of Heritage Assets  
Policy LRC1 Leisure, Recreation and Cultural Facilities  
Policy ALH1 The Amount and Location of Housing  
Policy ST1 Sustainable Transport  
Policy CC1 Climate Change  
Policy CC2 Sustainable Construction  
Policy CC3 Renewable Energy Development  
Policy CC4 Flood Risk Management

Saved Policy of the South East Plan 2009:

Policy NRM6 Thames Basin Heaths Special Protection Area

Draft Farnham Neighbourhood Plan Policies:

FNP1 Design of New Development and Conservation  
FNP10 Protect and Enhance the Countryside  
FNP12 Thames Basin Heaths Special Protection Area (SPA)  
FNP13 Protect and Enhance Biodiversity  
FNP14 Housing Site Allocations  
FNP27 Public Open Space  
FNP30 Transport Impact of Development  
FNP31 Water and Sewerage Infrastructure Capacity  
FNP32 Securing Infrastructure

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

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002) and the South East Plan 2009 (solely in relation to

policy NRM6) therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. 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 (Non-Strategic Policies and Site Allocations) will follow the adoption of Part 1. The new Local Plan builds upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. On 19 July 2016 the Council approved the publication of the draft Local Plan Part 1 for its Pre-submission consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period commenced in early August and concluded on 3<sup>rd</sup> October 2016. In accordance with paragraph 216 of the NPPF, weight can be given to the draft Plan, but the degree to which it can is determined by the stage the Plan has reached and the extent to which there are any unresolved objections to it. It is considered that significant weight can be given to the Pre-submission Plan following the Pre- Submission Plan document publication on Friday 19 August, given its history of preparation thus far, the iterations of it and the extent of consultation and consideration on it to date. The weight afforded to the Draft Local Plan will increase as the Plan progresses through Examination and onto its adoption in 2017.

Following the submission of the Farnham Neighbourhood Plan, the Council commenced consultation on 19 August 2016. The Council therefore considers that the neighbourhood plan is a material consideration in the determination of this application and significant weight can be given to its policies. The weight afforded to the Farnham Neighbourhood Plan will increase as the Plan progresses through Examination and onto its adoption.

Other guidance:

- National Planning Policy Framework (NPPF) 2012
- National Planning Practice Guidance (NPPG) 2014 (as amended)
- Council's Parking Guidelines 2013
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)

- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Surrey Design Guide (2002)

Consultations and Town/Parish Council Comments

Since deferral of this item on 15/08/2016, further consultation has been carried out with the County Highway Authority only.

Farnham Town Council	No objections, but would question the long term maintenance and security of the proposed SANG
Crime Prevention Design Adviser	<p>Emergency access route from Grange Road on the Northern Border of the development; with the inclusion of this route it is opening up the permeability of the site for both vehicular and pedestrian access. This would allow an easy escape route for any perpetrators either on foot or in a vehicle. With the current open ground beyond this development it allows easy access on foot to a fleeing perpetrator with available routes across the A331 in to the housing estate on the Hampshire side of the A331. Which could allow an undetected vehicle to escape the area. Or for a pedestrian to blend in to a large housing estate in order to prevent detection.</p> <p>Footpath on to Grange Road. Consideration should be given to not allowing these access points to reduce the sites permeability. If the emergency access is deemed to be required it should have a security fence and incorporate security gates to a minimum height of 180cm.</p> <p>Under-croft / access to parking: In general the parking allocation for the blocks of flats appears to be accessed via an under-croft, these are historically linked to Anti-Social Behaviour as they act as a honeypot for local youths to gather and shelter from the bad weather and or to be out of sight to the residents in the immediate area. If they are to be included the under-croft should be gated to prevent people gathering under it.</p> <p>Parking. Allocated Car Parks should be able to be viewed from active room and close to the property the southern boundary homes don't appear to meet this requirement consider placing the parking in front of the buildings.</p>

	<p>SANG Parking: The proposed site for the SANG parking is distant from the residential area of the development. With the details shown there will be limited natural surveillance, consideration should be given to locating it within the SANG area.</p> <ol style="list-style-type: none"> <li>1. Due to the limited parking availability within the development and that of the Street at Tongham there are no details on how the open spaces will be protected against vehicle entering on to the open spaces in order to park. These open spaces should be protected from unauthorised vehicle entry.</li> <li>2. Management of Open spaces, there appears to be no identified responsible body nominated to manage the open spaces once the development has been completed.</li> </ol>
<p>Council's Environmental Health Officer (noise)</p>	<p>Having reviewed the development proposal and supplied information, it has been determined that noise from the site crosses the no observed effect level and becomes noticeable. However, as defined within the National Planning Practice Guidance, the noise has no adverse effect so long as the exposure is such that it does not cause any change in behaviour of attitude. The noise can slightly affect the acoustic character of an area but not the extent to which there is a perceived change in quality of life. If the noise exposure is at this level no specific measures are required to manage the acoustic environment. As such, no conditions are recommended.</p>
<p>Council's Waste &amp; Recycling Officer</p>	<p>All dwellings lie within the boundary of Guildford Borough Council, there is no provision required for Waverley Borough Council to provide or empty waste and recycling containers.</p>
<p>County Archaeologist</p>	<p>Original response 3/3/2016:</p> <p>The applicants have acknowledged the policy requirement and have submitted a desk based assessment prepared by CGMS Consulting. Unfortunately the submitted assessment is for a site in Crediton, Devon and therefore does not enable an informed decision to be made regarding the archaeological potential of the application site.</p> <p>It is advised that an archaeological assessment for the application site should be submitted before a decision made</p>

	<p>on the merits of the planning application.</p> <p>Once the assessment has been received, an informed decision can be made regarding the need for further work to both clarify the archaeological potential and devise appropriate responses to mitigate the threat posed by the proposals to any potential archaeological remains.</p> <p>Amended response 28/07/2016:  The application has been amended and is supported by a desk based archaeological assessment prepared by CGMS Consulting which aims to identify and assess the significance of any Heritage Assets with archaeological significance that may affected, and the potential impact of the proposal on any such assets, so enabling decisions to be made on what further archaeological work is necessary.</p> <p>The assessment has consulted all currently available sources including the Surrey Historic Environment Record in order to characterise the archaeological potential of the site and concludes that the site has a moderate potential to contain remains from the Neolithic and Bronze Age with a good potential for the Iron Age and Roman periods.</p> <p>It is considered appropriate to carry out further investigations in order to further define the potential of the site and advise that in the first instance this should comprise an archaeological evaluation trial trenching exercise on areas proposed for new build, which will aim to rapidly establish whether archaeological remains are present. The results of the evaluation will enable suitable mitigation measures to be developed.</p> <p>Given that the assessment has demonstrated that the site has been disturbed by previous activity to some degree, it is not considered necessary for the archaeological work to be undertaken in advance of any planning permission; but securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, condition recommended.</p>
County Highway	Original response 18/05/2016:

Authority	<p>No objection subject to securing appropriate contributions and subject to conditions.</p> <p><b>Accessibility</b></p> <p>The National Planning Policy Framework (2012) states that the Local Planning Authority should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport, and that developments should be located where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities. The site is located within walking and cycling distance of many existing facilities. There is a continuous footway on the eastern side of The Street, a footway from the site to the existing crossing point on The Street is being provided. There are existing bus stops within walking distance of the site which provide future occupiers with an alternative mode of transport to the private vehicle. The bus routes provide access to both Ash and Aldershot railway stations which provides sustainable travel further afield.</p> <p>Part of the contributions to be secured will be to improve local pedestrian and cycle infrastructure in the vicinity of the site; in particular improvements to the Christmas Pie cycleway and Public Rights of Way footpath 344 will be implemented. A Travel Plan has been approved by our Travel Plan Officer and will be implemented upon first occupation; a Travel Plan Co-ordinator along with the continued monitoring by Surrey County Council will ensure that objectives and targets are being met.</p> <p><b>Trip Generation and Distribution</b></p> <p>A Transport Assessment was provided as part of this application. The junction assessments were audited by our modelling team. The results for each junction assessment show that junctions will continue to operate within capacity having taking into account development traffic and future growth. The development traffic is not going to result in a significant increase in vehicular traffic compared with the existing levels of traffic.</p> <p>£250,000 is to be secured to go towards a capacity improvement scheme for the A331/A31 roundabout. As well as this contribution, £40,000 is to be secured in order for the</p>
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parking improvement scheme for The Street to be implemented. The parking improvement scheme will include the formalization of parking on the eastern side of The Street to effectively manage the flow of traffic. These contributions would mitigate against any impact of the development on the immediate highway as well as within the vicinity of the site.

#### Suitable Alternative Natural Greenspace (SANGs)

The access arrangements to the SANG has been agreed in principle, however the priority for vehicles and cyclists should be agreed at detailed design stage. It has been agreed that secure cycle parking would also be provided at the SANG site. The SANG will have provision of 18 parking spaces which will access the site using Tongham Road. The developer has carried out an assessment of the access road from the roundabout with Tongham Road and Old Bridge Road. Drawing No. ITB10194-SK-005 shows the width of the road from the roundabout into the site, the majority of the route is wide enough to allow simultaneous movement of two vehicles. The areas on Tongham Road where it is not wide enough for vehicles to pass will result in vehicles having to wait to allow oncoming vehicles to pass, however this is an existing situation and the SANG site will not exacerbate this. Although it may cause some inconvenience it is not a highway safety issue. The proposed access into the SANG car park means vehicles will enter and leave the site in forward gear.

The impact of the SANG on Tongham Road is minimal and will not be significant. The Transport Assessment suggests the impact of the proposal, if all parking spaces are occupied and turned over within a single hour, will be 36 additional two-way vehicle movement in one or, or one movement every two minutes. Taking this into account with the existing peak hour two-way flows of 32, this would result in 68 two way movements or circa one every minute. As stated in the Transport Assessment, Manual for Streets identifies a threshold of around 100 vehicles per hour as being acceptable for use as a shared use; therefore footways do not need to be provided on Tongham Road.

The S106 contributions to be secured would improve pedestrian/cyclist access from Grange Road to the SANGs



	<p>site.</p> <p>Additional comments received 13/09/2016</p> <p>Additional supplementary information has been provided by the County Highway Authority including a statement from the Road Safety Audit team. This is reported in full within the Highway Safety section of this report. In summary, no objection is raised subject to appropriate off site contributions and conditions.</p>
County Rights of Way Officer	<p>The Countryside Access Team do not object to this application, but see a number of opportunities for improvements to the public rights of way system linked to this development.</p> <p>It is requested that surface improvements be made to both Footpath 345 and 344 Tongham. These are the nearest public rights of way to the site and foot traffic is likely to increase on these routes if consent is given. Improvements to these paths via a section 278 agreement are sought. A clause should be included, so that if the applicant is unable to deliver these improvements then a financial sum is provided by the applicant to allow the County Council to complete the works.</p> <p>The 'Christmas Pie Route' (CP Route) is a long distance route linking Guildford to Farnham and vice-versa. It serves as a well used functional and recreational link for cyclists, pedestrians and equestrians between these two settlements and is largely all off road, utilising the public rights of way network and parts of the quieter rural road network. The CP route runs through Tongham very close to the site. A contribution of £40,000 to improve a part of or parts of the CP Route and a number of interconnecting rights of way is sought.</p>
Environment Agency	This application has been assessed as having a low environmental risk. No comments to make.
Guildford Borough Council	No response received
Highways England	No objection
Lead Local Flood	Satisfied that a viable method of dealing with surface water can be achieved which will not increase flood risk. This is

<p>Authority (Surrey County Council)</p>	<p>because the proposed method of surface water discharge is most suitable for the ground geology. Therefore, no objection to this outline application subject to submission of an appropriate SuDS design at the detail design stage.</p> <p>However, it is recommended 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>Natural England</p>	<p>Original response:</p> <p>Thames Basin Heaths SPA – Objection – Insufficient information</p> <p>Currently, the individual bespoke proposals for avoidance and mitigation measures (i.e. the creation of Suitable Alternative Natural Greenspace SANG) offered with this proposal are not considered to be appropriate. While in principle Natural England considers that the proposed SANG is suitable there are aspects of the application that need clarification:</p> <ul style="list-style-type: none"> <li>• Due to the slightly complex nature of the site advises that we need more specificity over how management will be achieved. Natural England requires such information to eliminated any doubt over the success of the proposed management</li> <li>• The applicant should provide a single SANG management approach, and follow it through fully</li> </ul> <p>Consequently, it is Natural England’s view that the planning authority will not be able to ascertain that this proposed development would not adversely affect the integrity of the SPA. In combination with other plans and projects, the development would be likely to contribute to a deterioration of the quality of the habitat on which the birds depend and increased disturbance to the bird species for which the SPA is classified, by reason of increased access to the heath including access for general recreation and dog-walking. There being alternative solutions to the proposal and there being no imperative reasons of overriding public interest to allow the proposal, despite a negative assessment, the proposal will not pass the tests of regulation 62.</p> <p>Amended response (26/07/2016):</p>

## Thames Basin Heaths SPA – Removal of objection

Since this time (letter of 08 April 2016 raising objection) Natural England has received additional information from the applicant, in the form of an amended landscape and Environmental Management Plan (LEMP) which outlines that the Land Trust will take on the SANG for in perpetuity management, with the following clause in relation to step-in rights:

“The S106 Agreement ... would contain a ‘step-in’ rights clause, for the transfer of the SANG and the unexpended balance of the SANG Contribution to another registered charity that has comparable charitable purposes to the Land Trust and approved by the Council in consultation with Natural England”

Having been in receipt of this LEMP, Natural England can now advise that the individual ‘bespoke’ proposals for an onsite Suitable Alternative Natural Greenspace (SANG) offered with this development are appropriate. Therefore removes the previous objection. This is under the provision that the following conditions are appended to any planning permission granted:

- A S106 must be drawn up and formalised to include all of the specifications for in-perpetuity management (including step-in rights) and funding that have been outlined within the LEMP. The S106 must be finalised in agreement with both your Authority, the Land Trust and Natural England

- The S106 should also include the provision of a commuted sum and maintenance fund. This would constitute a sum of money upfront to the management company to guarantee SANG management and maintenance for a defined period. The residents service charge should be calculated accordingly to ensure the necessary maintenance fund is achieved by the end of the guaranteed period, which should realise the necessary funding for SANG management/maintenance in perpetuity thereafter. The maintenance fund should be ring-fenced and can be held by the LPA, or if it is to be held elsewhere the management

company will need to provide the Council with the necessary accounting details each year to demonstrate the fund is present and all is in order.

- The SANG is established and fully useable prior to the site's first residential occupation

- Full Strategic Access Management and Monitoring (SAMM) contributions made, in line with your Authority's Thames Basin Heaths SPA Avoidance Strategy.

Additional response (04/08/2016):

- Notes that the development affects 30.69ha of agricultural land, of which 26.7ha is best and most versatile (BMV) agricultural land (ALC Grades 2 and 3a on this site). Of this, only 12.3ha (grades 2 and 3a) will be lost to the housing development, while the remaining 14.4ha (grade 3a) is potentially reversible back to agricultural land if this was ever needed. This latter parcel would therefore remain a high quality resource for future generations. This is due to the proposed use of this land as SANG, with no intrusive hard landscaping works (earthmoving/re-contouring/landscaping, stripping off topsoil, large areas of hard surfaces etc.)
- In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the built development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.
- Consequently, advises that if the development proceeds, the developer uses an appropriately experienced soil specialist to advise on, and supervise, soil handling for the areas of built/hard development, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. Detailed guidance is available in Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites (including accompanying Toolbox Talks), recommends that this is followed.

In relation to the issues surrounding protected species for the SANG portion of the site, considers that the clarification

	<p>provided by Matt Jones is sufficient to show that this site will not present any significant protected species issues. However, you should refer to Natural England's <a href="#">Standing Advice</a> on protected species; this should provide you with some guidance on whether a proposal will require a license.</p>
<p>Surrey Hills AONB Officer (comments to Guildford Borough Council)</p>	<p>No objection</p>
<p>Surrey Wildlife Trust</p>	<p>The proposed development would result in new dwellings within 5km of part of the Thames Basin Heaths (TBH) Special Protection Area (SPA). The Local Authority may therefore wish to consider this application against their TBH SPA Avoidance Strategy and consult Natural England the statutory authority for such designated habitats.</p> <p>The Trust would advise that the Preliminary Ecological Appraisal Report and Protected Species Survey Report by The Ecology Partnership and the Landscape and Ecological Management Plan by EAD Ecology dated January 2016, which the applicant has provided in support of the above planning application, provides much useful information for the Local Authority to be able to assess the potential status of protected and important species on the proposed development site and the likely effect of the development on them.</p> <p>Advises the Local Authority, that should they be minded to grant this planning application for this site, the applicant should be required to undertake all the recommended actions in section 4 and section 5 of the Assessment Report for biodiversity enhancements, and sections 2.21-2.5 for bats, 3.11 for dormice, sections 4.11-4.17 for reptiles, sections 5.22-5.24 for birds and sections 6.18- 6.29 for badgers in the Protected Species Report.</p> <p>This will help prevent adverse effect to legally protected species resulting from the proposed development works and help to off-set adverse effects to the biodiversity value of the site resulting from the proposed development.</p>

Landscape and Ecological Management Plan for the proposed SANG site.

It does not appear that Phase 2 Protected Species survey work has been undertaken on this site, as it has been undertaken on the proposed development site. Although the proposed use of the site as a SANG will not involve a large amount of development works, creation of hard features such as the car park and the proposed use of the site by humans and pets is likely to have a significant disruptive effect on wildlife currently using the site and on its biodiversity value.

Use of the site as a SANG should not adversely affect the biodiversity value of a site but should seek to enhance it. Without full ecological knowledge of the species use of the site to inform the process, development works and the final design of the SANG including route of paths and planting proposals together with on-going maintenance regimes could adversely affect biodiversity without appropriate mitigation/compensation works.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. Section 40(3) also states that, *“conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”*.

Advises that knowledge of, for example current badger, reptile and bird use of the site would be required to inform development works and future site management to maintain and preferably enhance the site’s biodiversity value.

The proposed SANG site is in a noisy area adjacent to the very busy A31, it is on a slope overlooking this road and can only be reached by car or foot journeys involving busy roads. The walking routes proposed to facilitate the 2.4km walk route look somewhat contrived. Advises that the proposed SANG may not prove a popular alternative to the SPA, for which it is intended.

**Biodiversity Value.**

The applicant's ecologist has stated that they were unaware of the full extent of the proposed housing development. Advise the Local Authority to seek confirmation from the applicant that the ecological recommendations made by their retained ecological company are still appropriate.

Advises that retaining and enhancing the boundary vegetation, hedgerows and woodland on this site is likely to be important to the biodiversity value of this site.

Concerned that development plans appear to show some fragmentation of the central hedgerow on the housing site, a habitat used by badgers, bats and breeding birds. It is also likely to act as a wildlife corridor. Would therefore advise the Local Authority to consider the importance of this hedge line to the site's biodiversity value and look for a robust strategy to ensure its continued biodiversity function.

Advise that all important habitats such as boundary features are retained in the public domain and made the subject of a Landscape and Ecological Management Plan (LEMP) which the Local Authority should have the opportunity to consider. This plan should include details of planting and seeding proposals with species lists, ecological enhancements such as bird and bat boxes and hibernacula, conservation maintenance regimes and a monitoring program.

**Additional response (04/08/2016):**

Notes the contents of a letter from Matt Jones of EAD Ecology dated 2<sup>nd</sup> August 2016 concerning the lack of phase 2 protected species surveys on the SANG site.

Concurs that the creation of the SANG would not involve major development works, the introduction of significant

anthropogenic activity on this site is likely to have an impact on the species currently using it.

Without ecological survey information on the populations of legally protected species likely to be currently using this site, such as reptiles and nesting wild birds, SANG creation and management proposals would need to be particularly robust to ensure that these animals have sufficient undisturbed habitat in which to be able to survive effectively.

Whilst the proposed LEMP for the proposed SANG, if fully implemented, is likely to add biodiversity value to the SANG site in its current ecological condition, would advise that, if the Local Authority is minded to grant this application, without a full protected species survey of the proposed SANG site, it will be important to ensure that all the precautionary actions detailed in the SANG LEMP to protect species should be fully implemented as should all the future habitat management actions.

Surrey Wildlife Trust has the following additional ecological advice;

Reptiles.

Note that an Ecological Clerk of Works will supervise the SANG implementation, we would advise that the Local Authority has the opportunity to approve a Reptile Mitigation Strategy to help prevent risk of injury arising to these legally protected species from development works associated with SANG development, particularly any hard works such as car park construction and path creation.

Nesting Birds

As the proposed development involves the removal/management of dense shrubbery/vegetation, we would recommend that this is done outside the main bird nesting season (March to August inclusive), to avoid adverse effect to nesting wild birds.

All species of birds are protected under Section 1 of the Wildlife and Countryside Act (1981 as amended). The protection was extended by the Countryside and Right of Way (CRoW) Act 2000. This legislation makes it an offence



to intentionally;

- Kill injure or take most wild birds.
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built.
- Take or destroy an egg of any wild bird.

Monitoring.

Advises that the SANG LEMP includes a monitoring programme to allow the Local Authority to be able to assess that the SANG creation has been implemented successfully and that the biodiversity value of the site has been enhanced.

Without survey information to establish the sites current biodiversity value it will be difficult to establish a baseline to compare with future monitoring results but it will be a useful set of data to inform the proposed future LEMP reviews.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*. Section 40(3) also states that, *“conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”*.

Badgers.

As a disused sett was found on proposed SANG site, this indicates that badgers could return to the sett at a future date and to help conserve biodiversity value and the local badger population, we would advise that this sett site is protected from SANG usage by protective planting and by siting pathways away from the sett location.

Notes the contents of a letter from Alexia Tamblyn,

	<p>Managing Director of The Ecology Partnership dated 4<sup>th</sup> August, addressing the concerns raised by The West Surrey Badger Group and SWT concerning the possible lack of foraging habitat for the badger social group on the development site.</p> <p>Advises that provided the recommended mitigation detailed in Ms Tamblyn's letter and in The Ecology Partnership's Protected Species Survey Report, are undertaken in full, the badgers should have access to foraging habitat during the course of the development and while new habitat is developing post development.</p> <p>Advises that the badger population is monitored by ecologists during the development process to ensure that the badgers are maintaining their status on site and if necessary identify and undertake any further actions which may be required to maintain their status.</p>
Thames Water	<p>Waste Comments – no objection subject to conditions.</p> <p>Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like a 'Grampian Style' condition imposed requiring submission of a drainage strategy detailing any on and/or off site drainage works to be approved in writing.</p> <p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community

Involvement – August 2014” the application was advertised in the newspaper on 18/03/2016 site notices were displayed around the site on the 15/03/2016 and neighbour notification letters were sent on 02/03/2016.

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

- Car park should be closed at night
- Walls or electric gates to protect west farm should be provided
- Controls over vehicle speeds along Tongham road are required
- Improvements to A31 slip road crossing are required
- Current increases in housing in Tongham, Badshot lea and surrounding area are more than enough to satisfy local needs and these proposals cannot be justified by any market assessment for new housing
- No proper assessment of local traffic growth from both new housing in Farnham but also major developments at Aldershot, Bordon and Church Crockham has been undertaken
- Site is on edge of the settlement and encroaching on open countryside this proposal would add to urban sprawl by endless string of inappropriate housing applications
- Residential housing is unsustainable as will attract high car ownership
- Plenty of parking should be provided for residents and visitors and off road parking for the street
- Ecology report omits assessment of loss of foraging area suitable for badgers, particularly during the development period. Almost all local foraging will be unavailable during construction period.

1 letter has been received expressing support for the following reasons:

- Good access to A3 and train services
- Superb planning which Farnham can accommodate

1 letter has been received making the following observations:

- Traffic flow will slow due to increase in parked cars
- Traffic volume estimates do not account for traffic flow in Tongham Road from Guildford Road as doesn't reflect the increased traffic to the Packhouse antique centre between the hours of 9-5:50
- Car park for the SANG should be lockable to deter anti social behaviour

### Determining Issues

Principle of development

Loss of agricultural land

Impact on Countryside and visual impact

Impact on Strategic Gap

Impact on residential amenity  
Highway safety and car parking  
Effect on SPA and acceptability of proposed SANG  
Biodiversity and compliance with Habitat Regulations 2010  
Heritage considerations  
Planning Infrastructure Contributions  
Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights  
Implications  
Environmental Impact Regulations 2011 (as amended)  
Pre Commencement Conditions  
Working in a positive/proactive manner

### Planning Considerations

#### Principle of development

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

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

Policy SP1 of the Draft Local Plan Part 1 states that the Council will apply a presumption in favour of sustainable development.

Paragraph 16.32 of the emerging plan highlights that as a result of the housing requirement identified within the local plan, there would be a 'net' SANG requirement of 20.2ha and 24.5ha of new SANG in addition to the existing SANG at Farnham Park. Paragraph 16.34 indicates that 6.3ha of new SANG is needed by the end of the plan period.

#### Loss of agricultural land

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

The SANG element of the proposal is made up of 14 ha of good quality Grade 3a agricultural land and 2.8ha of moderate quality Grade 3b agricultural land.

The proposal would amount to the Change of Use of the land and would result in the loss of Grade 2 and 3 agricultural land. The application is accompanied by an Agricultural Appraisal. The report concludes that the agricultural land is limited by droughtiness and slopes which restrict the type of agricultural machinery that could be safely operated.

In addition to this information, since the August committee meeting, the agent has provided the following additional information on the background of the use of the agricultural land:

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

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

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

It is noted that there is a shortage of SANG land available to mitigate against development in Guildford. At the time of the August committee, it was reported that it was not anticipated that the SANG land will be needed to mitigate against the impact of residential development in Waverley, as there is existing

capacity at Farnham Park (an existing site). The Local Plan sets out that there is likely to be sufficient capacity at Farnham Park to accommodate the Borough's SANG requirements throughout the plan period, however paragraph 16.34 indicates that 6.3ha of new SANG (in addition to Farnham Park) is needed by the end of the plan period. Whilst there is some uncertainty, as the final requirement will depend on occupancy figures, this will not be known until towards the end of the Plan period. As such, at this time, there is no urgent need for SANG to deliver Waverley's Housing requirement.

There is a duty to co-operate with adjacent Councils. It is in the interests of Waverley to provide the SANG which will allow housing development within Guildford to be brought forward. Should Guildford be unable to meet their housing demand within its own Borough, there could be future pressure to accommodate the unmet need within surrounding Boroughs which could include Waverley, particularly given the joint housing market area of the purposes of the Local Plan.

Notwithstanding the above, in the absence of an appropriate signed and executed legal agreement to secure the provision and maintenance of the SANG, there would be no certainty of the SANG being made available to mitigate development in Waverley or Guildford. Furthermore, in light of the Guildford decision, which found the proposed residential development to be unacceptable, there would be no likely need for SANG of this size to mitigate for the proposed housing.

Policy RD9 states that the loss of agricultural land will not be permitted "unless it can be demonstrated that there is a strong case for development on a particular site which overrides the need to protect such land".

As such, notwithstanding the additional information provided by the applicant, officers consider that there is no justification in this case to outweigh the case for protecting the agricultural land particularly as most of the land is considered to be the best and most versatile agricultural land. The proposal would therefore fail to comply with Policy RD9 of the Waverley Borough Local Plan 2002. This position differs from that taken by officers when the application was reported in August of this year. This is because given the changed position in the need for SANG land, the case against the loss of high quality agricultural land is strengthened and the harm is now considered to outweigh any benefits.

#### Impact on Countryside and visual impact

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle

the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled. The Government's White Paper "The Natural Choice: securing the value of nature" published June 2011 states that as a core objective, the planning system should take a strategic approach to guide development to the best location, to protect and improve the natural environment including our landscapes.

Policy RE1 of the Draft Local Plan Part 1 echoes the safeguarding of the intrinsic character and beauty of the countryside in accordance with the NPPF.

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

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

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

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

The associated infrastructure, in particular the laying of hard standing including the proposed car parking would result in a minor adverse visual impact. However, the scale of this infrastructure would be very limited, and having regard to this, the proposed development is considered not to be materially harmful.

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

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. Given the small scale nature of the associated

infrastructure to be provided to facilitate the SANG, no objection is raised in terms of the visual impact of the development, and the proposal is considered to accord with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002. However, the limited harm identified is material to the assessment of harm to be weighed against the benefits of the proposal.

However, any benefit to be attached to promoting access to and recreation within the countryside, is significantly reduced by the absence of a completed legal agreement to secure the long term of the management of the SANG.

#### Impact on Strategic Gap

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

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

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

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

The proposal would include new public footpaths through the site, and the existing Christmas Pie Cycle route would be improved using funds to be secured by way of a legal agreement. In the absence of an appropriate signed and executed legal agreement to secure the off site improvements to the cycle route, not all of these could be secured. Nonetheless, the proposal would still provide some increased opportunities for informal recreation. The proposal would comply with criterion c).

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

#### Impact on AONB



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

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

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

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

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

The use of the land as SANG would not harm the scenic beauty of the nearby AONB.

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

#### Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan, Policy TD1 of the Draft Local Plan Part 1 and guidance contained within the Council's SPD for Residential Extensions.

The key neighbouring dwellings to the proposed SANG are West Farm which are located off Tongham Road some 190m to the west of the application site.

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

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

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

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

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

In the absence of an appropriate legal agreement to secure the provision and implementation of a SANG management plan, some of the aforementioned off site measures (such as off site signage) could not be secured. However, alternative measures could be secured by way of condition if planning permission is approved, and as such no objection is raised in this regard.

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

Highway safety and car parking

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

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

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

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

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

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

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

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

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

The priority for vehicles and cyclists within the SANG is recommended by the County Highway Authority to be secured by condition.

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

movement every two minutes. Taking this into account with the existing peak hour two-way flows of 32, this would result in 68 two way movements or circa one every minute.

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

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

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

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

Natural England has confirmed that unless SANG is to be provided for the sole use of a local population living within a 400 metre catchment around the site, then the availability of adequate car parking at sites larger than 10 ha is essential. Given the scale of the SANG exceeding the minimum requirement for the proposed housing development, and its location, it would not be solely used by the local population. As such, the SANG car park would have 18

parking spaces which would be accessed from Tongham Road. The County Highway Authority and Natural England are satisfied with number of car parking spaces provided. Secure cycle parking would also be provided at the SANG site.

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

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

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

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

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

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

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

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

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

The Council’s Parking Guidelines stipulate that individual justification should be provided for the proposed use. Having regard to the comments of Natural England and the County Highway Authority, officers are satisfied that the proposed level of car parking for the SANG would be acceptable.

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

In the absence of an appropriate legal agreement to secure contributions for off site highway works, it has not been demonstrated that the proposal would effectively limit the significant impacts of the development. The application therefore fails to meet the transport requirements of Policies M2 and M14 of

the Waverley Borough Local Plan 2002 and paragraph 32 National Planning Policy Framework 2002.

#### Effect on SPA and effectiveness of proposed SANG

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

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

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

It is noted that there could be potential for the site to be used to provide mitigation for Waverley developments within the Badshot Lea sites/Hurlands/Hale Road area. Whilst Phase 1 of the SANG would be delivered prior to the first occupation of the residential dwellings, Phase 2 would come forward at a later date. This is considered to be acceptable as Phase 1 would be sufficient to mitigate the impact of the residential development currently proposed. A legal agreement to secure the entire provision is required, to ensure the full delivery of both phases of the SANG. The Council would be subject to this agreement, which would allow the use of the SANG to mitigate against impacts on the SPA from additional development projects, should it be required. The applicant has agreed that this would be an acceptable Heads of Terms.

The amended landscape and Environmental Management Plan (LEMP) outlines the ecological management proposals for the SANG. Natural England has advised that the individual 'bespoke' proposals for an onsite SANG offered with this development are appropriate, and therefore removed its original objection to the scheme. As such, the SANG offered with this



development would be appropriate, subject to the management being secured through an appropriate legal agreement.

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

However, in the absence of a signed and completed legal agreement to secure the provision and long term management of the SANG, the proposal would fail to avoid and mitigate the likely significant effect of the proposed residential development upon the Thames Basin Heaths Special Protection Area. Furthermore, in the absence of an appropriate legal agreement, there would be no means of ensuring the long term availability of the SANG to be used as mitigation for future developments within Waverley. As such, no weight can be attached to this as a possible benefit.

The applicant is also seeking an alternative SANG that could be provided in the future rather than providing their own SANG. This financial contribution would be secured through a legal agreement. While it is generally preferable for larger developments to deliver their own SANG, a contribution to an off-site solution could meet the requirements of the Avoidance Strategy and there is no objection in principle to this approach. However, to satisfy the Habitat Regulations and give certainty to the acceptability of the approach, officers consider that the SANG would need specific identification before this approach could be agreed. Furthermore, Natural England has raised no objection. In any event, no legal agreement has been submitted to support either approach, and therefore it would remain the case that the applicant has failed to avoid and mitigate the likely significant effect upon the Thames Basin Heaths SPA.

#### Biodiversity and compliance with Habitat Regulations 2010

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

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

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

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

The proposed SANG includes two large arable fields, bordered by hedgerows and fences. Semi-natural broadleaved woodland occurred in the centre of the site and plantation broadleaved woodland and tall ruderal vegetation occurred in the centre of the eastern field. A small area of scrub surrounded a brick pill box in the south-eastern corner of the site; this had low potential for roosting bats and would be retained. The proposed SANG is likely to support populations of common reptiles and amphibians, although they are highly likely to be restricted to the field boundaries, scrub and woodland; these habitats would not be adversely impacted by the SANG proposals. The hedgerow, scrub and woodland provided potential nesting and foraging habitat for birds, and navigating and foraging habitat for bats; these habitats would not be adversely impacted by the SANG proposals. Disused (inactive) badger holes were present within the semi-natural woodland.

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

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

Since the last meeting, where concerns were raised regarding a potential conflict between dogs off leads and the presence of badgers on the site, additional information has been provided. Whilst there are badger setts on site, these are disused outlier setts. Whilst they could at some point be reopened the overall use of the site is likely to remain low. Notwithstanding this, the LEMP does indicate that thicket planting around the woodland within the vicinity of the setts, to screen and serve as an effective barrier to dogs

entering the area. Officers are satisfied that these mitigation measures would be sufficient.

Natural England and Surrey Wildlife Trust have raised no objection to the proposal in respect of the development's impact on biodiversity, or on protected species. Officers are satisfied that appropriate mitigation could be secured by condition and/or legal agreement.

### Heritage considerations

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

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

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

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

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

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

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

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

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

Policy HA1 of the Draft Local Plan states that the Council will ensure that the significant of heritage assets within the Borough are preserved and enhanced.

Policy FNP1 of the Farnham Neighbourhood Plan states that development should protect and enhance Heritage Asset's and their setting.

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

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

The significance of a Heritage Asset includes its setting. Statutory listed buildings are designated Heritage Assets.

To the west of the Waverley portion of the application site are two listed buildings. Hewitts Farmhouse is Grade II\* listed, and its significance lies in the survival of a 16th century or early timber framed building, and its architectural detail.

West Farm, contains Grade II Listed Buildings (Farmhouse and barn). Their significance lies in the survival of seventeenth century fabric illustrating the importance of agriculture before the twentieth century.

The impact on the setting of West Farm and Hewitts Farm will be negligible and not result in harm. The impact on the setting of the two heritage features is insignificant and the special interest of the buildings would be preserved.

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

#### Planning infrastructure contributions

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

Policy ICS1 of the Draft Local Plan states that infrastructure considered necessary to support new development must be provided either on or off site by the payment of financial contributions.

Policy FNP32 of the Farnham Neighbourhood Plan states that any development permitted will be expected to ensure that the provision of the necessary social, physical and green infrastructure.

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

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and

- Fairly and reasonably related in scale and kind to the development.

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

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

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

- Early Years £170,955 – projects to deliver over 30 additional places at Tongham Day care and at Challengers, Farnham
- Primary education £836,996 – Ash Farm Primary School
- Secondary education £898,143 – projects at Farnham Heath End school to expand and provide sufficient school places

The applicant has submitted Heads of Terms confirming agreement to enter into a legal agreement to secure education infrastructure contributions.

However, an appropriate signed, unilateral undertaking to secure the identified contributions has not been either completed or received. As such, the proposal would fail to mitigate the impact of the development on existing infrastructure, which would likely include services within Waverley.

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

There are no implications for this application.

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

A screening direction from the Secretary of State dated 12<sup>th</sup> October 2015 has been issued in support of the application.

This confirms that the proposal would fall within the description at paragraph 10B Urban Development Projects of Schedule 2 to the 2011 Regulations.

Therefore, the Secretary of State considers the proposal to be Schedule 2 development within the meaning of the 2011 Regulations.

However, the Secretary of State advised that taking into account the selection criterion in Schedule 3 to the 2011 Regulations, the Secretary of State does not consider that the proposal is likely to have significant effects on the environment.

Having regard to the above submission, officers are satisfied that the proposal does not amount to EIA development.

#### 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 negotiated additional information 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

As has been noted above, there is no provision in planning law for situations where an application site lies partly within the area of one local planning authority, and partly within another. Officers have considered in detail the proposals, however, a detailed assessment of the proposed housing element in terms of its principle has not been carried out as this falls within the Borough of Guildford. However, an assessment of the impact of the residential element upon Waverley Borough is included. It is a material consideration that the associated Guildford application has been refused permission on 17/10/2016.

Members will note that the officers recommendation in comparison with that when the item was considered by the committee in August 2016 has changed from one of grant to refuse. This is because in weighing the balance of considerations, the absence of a clear supportable benefit of housing development means that the harm caused by the proposal would demonstrably and significantly outweigh the benefits.

Notwithstanding the additional information provided by the applicant, or the identified need for SANG to mitigate development in Waverley, officers consider that there is no justification in this case to outweigh the case for protecting the high quality agricultural land. The proposal would therefore fail to comply with Policy RD9 of the Waverley Borough Local Plan 2002.

The use of the land for SANG would involve landscaping and enhancement of the visual qualities of site, as well as promoting access to, and recreation within, the countryside. This is considered to be wholly consistent with the aim of preserving the natural beauty of the Countryside. Given the small scale nature of the associated infrastructure to be provided to facilitate the SANG, no objection is raised in terms of the visual impact of the development. However, any benefit to be attached to promoting access to and recreation within the countryside, is significantly reduced by the absence of a completed legal agreement to secure the long term of the management of the SANG.

Existing biodiversity and ecological interests on site would be satisfactorily preserved and the proposal would be acceptable in relation to the nearby AONB.



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

The proposed Tongham Road SANG access would be sufficient to accommodate the proposed vehicle movements, and the proposed car parking would be sufficient to accord with Natural England guidance. However, in the absence of an appropriate legal agreement to secure contributions for off site highway works, it has not been demonstrated that the proposal would effectively limit the significant impacts of the development.

The proposal would fail to mitigate the impact of the development on existing infrastructure, which would likely include services within Waverley.

The proposal would not secure the provision and long term management of the SANG, and as such the proposal would fail to mitigate the likely significant effect of the proposed residential development upon the Thames Basin Heaths Special Protection Area. Furthermore, in the absence of an appropriate legal agreement, there would be no means of ensuring the long term availability of the SANG to be used as mitigation for future developments within Waverley. As such, no weight can be attached to this as a possible benefit.

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

### Recommendation

That permission be Refused for the following reasons:

1. Reason

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

2. Reason

The applicant has failed to enter into an appropriate legal agreement to secure contributions towards education infrastructure to mitigate the impacts of the development and therefore the proposal conflicts with Policies D13 and D14 of the Waverley Borough Local Plan 2002, Policy ICS1 of the Draft Local Plan and Policy FNP32 of the Farnham Neighbourhood Plan.

3. Reason

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

4. Reason

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

Informatives:

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

SANG Land: Landscape Proposals, Tf 997/TRR/200 Rev A Tree Survey Retention and Removal Plan Sheet 1 of 3, Tf 997/TRR/201 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, Tf 997/TRR/202 Rev A Tree Survey Retention and Removal Plan Sheet 2 of 3, 14-074-01 Surface Water Drainage Strategy and PlanApp - Topographical Survey 6R6A Rev 2 Model - Manor Farm - 04 2015.

2. 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.