

B1 WA/2016/0847  
J Fowler  
Devine Homes PLC  
22/04/2016

Approval of reserved matters (layout, scale, and appearance) following the outline approval for the erection of 71 dwellings including access and associated car parking (WA/2014/2113) at Land to the west of St Georges Road, Badshot Lea (as amended by plans received 02/02/2017)

Committee: Joint Planning Committee  
Meeting Date: 10/04/2017

Public Notice: Was Public Notice required and posted: Yes  
Grid Reference: E: 486700 N: 148500

Town: Farnham  
Ward: Farnham Weybourne and Badshot Lea  
Case Officer: Rachel Kellas  
Expiry Date: 22/07/2016  
Time Extended Date: 14/04/2017

Neighbour Notification Expiry Date: 10/06/2016

Neighbour Notification Expiry Date  
in respect of the amended plans: 06/03/2017

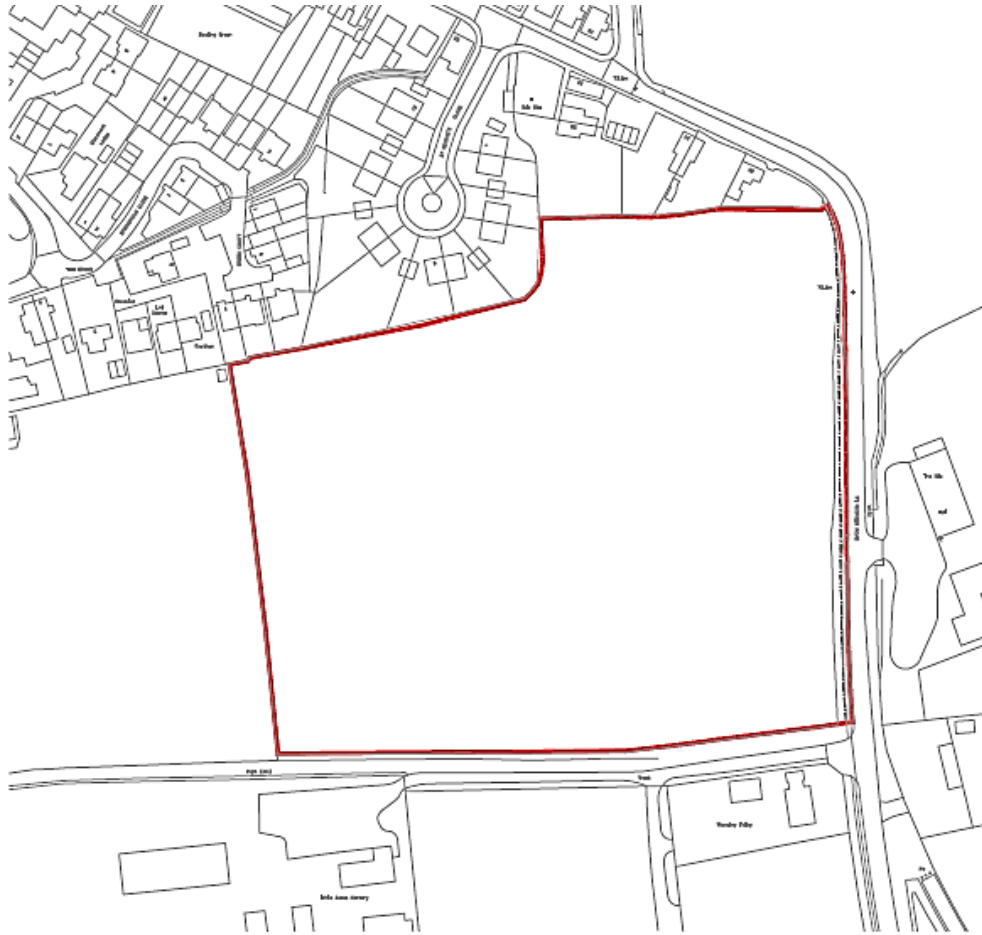
#### RECOMMENDATION

That, the Reserved Matters of Layout, Scale and Appearance be APPROVED subject to conditions and a S106 agreement to secure a deed of variation to the original legal agreement to amend the education and SPA figures.

#### Introduction

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

## Location Plan



## Site Description

The application site measures 2.93 hectares and is located to the west of St George's Road, to the south of Badshot Lea. The site is approximately 185m to the south east of Badshot Lea crossroads and the village centre. St George's Road meets the main A31 Trunk Road, approximately 540m to the south.

To the east of the site is the village hall, and there is a recreation ground to the west. To the north are residential properties, and to the south, open fields and the 'Little Acres' plant nursery site. A Public Footpath (No.112) runs along the southern boundary of the site.

The site currently comprises informal grazing land, and is enclosed by post and rail fencing and hedging. The site is relatively flat.

## Background

Outline permission was granted on the 23/12/2015 for the erection of 71

dwellings including access and associated car parking. The means of access was considered and approved as part of that application. The outline application WA/2014/2113 Officer Report and Decision Notice are attached at Appendix I (printed on coloured paper).

- **“Means of access”** means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted, or, as the case may be, in respect of which an application for such a permission has been made.

This matter is not, therefore, before the Committee for consideration under the current application. In addition to this, this decision established the principle of up to 71 dwellings on the site.

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

There is a concurrent application for consideration (*item B2 on this agenda*) which is a reserved matters application on the same site for landscaping only.

**“Landscaping”** can be defined as:

in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- (a) screening by fences, walls or other means;
- (b) the planting of trees, hedges, shrubs or grass;
- (c) the formation of banks, terraces or other earthworks;
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and

(e) the provision of other amenity features;

This matter is not therefore, for consideration under the current application.

### Proposal

Reserved matters approval is sought in respect of the layout, scale, and appearance following the outline approval for the erection of 71 dwellings including access and associated car parking (WA/2014/2113).

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

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

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

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

The submitted details submitted relate to a reduced number of dwellings, 69 in comparison with 71 at the outline stage.

### **Layout:**

- The proposed layout is based on a perimeter block approach incorporating 69 dwellings
- A cluster of dwellings would sit in the centre of the perimeter block layout
- Affordable housing would be distributed in 4 clusters across the site
- Open space is proposed in the north east corner of the site, no dwellings are proposed in this area
- Car parking would be provided primarily on curtilage within driveways/garages, with parking courts to serve the proposed flats and some bay parking to serve the affordable units
- Car park to serve the recreation ground would be positioned in the north west corner of the site

## Proposed layout plan:



## Scale:

- 69 dwellings are proposed (this is a reduction of 2 from the outline permission)
- Proposed density of 33 dwellings per hectare (excludes open space in north east corner)
- The dwellings would include 2, 3 & 4 bedroom dwellings, and 1 and 2 bedroom flats
- 160 parking spaces are proposed to serve the dwellings including visitor spaces (this comprises both garage spaces, driveway parking and bay/court parking)
- 15 parking spaces are proposed to serve the recreation ground
- The proposed dwellings would be 2 storeys in height, in some cases this includes accommodation in the roof
- The proposal includes 3 x blocks of flats, 2 of these would be 2.5 storeys in height, the third would be 2 storey
- The proposed garages (which includes both attached and detached) would be single storey in height

The revised housing mix is:

Market housing (61%)		Affordable housing (39%)	
1 – bed	0	1 – bed	12
2 – bed	14	2 – bed	9
3 – bed	20	3 – bed	6
4 – bed	8	4 – bed	0
Total	42	Total	27

Building heights plan:



#### Appearance:

- Vernacular style is applied with the majority of dwellings fronting directly onto the perimeter road
- 5 dwellings (plots 1, 2, 3, 67, 68 and 69) would face onto St Georges Road
- Dwellings feature pitched roofs with either tile or slate
- The majority of dwellings would feature facing brick, some feature white render
- Vertical tile hanging and render are used on some dwellings
- Features on dwellings include dormer windows (including on flats and dwellings), canopy porches, bay windows, vertical effect cladding, chimneys and spire elements

Proposed street scene fronting St Georges Road:



Site section north east boundary of development:



Site section within centre of site looking north (plots 45 – 52):



Site section along western side of the site looking east (plots 16-19, 52 – 58 and 30-34):



### Heads of terms

The applicant has agreed to enter into a deed of variation agreement to secure:

1. An amended affordable housing number & mix (set out in table 1)
2. Reduced education contribution of £197,542 reflecting the reduction in the number of dwellings
3. SPA Contribution of £198,784.00 (£153,028 towards SANG and £45,766 towards SAMM)

Table 1:

Unit type	No. of Affordable Rented Units	No. of Shared Ownership Units	Total
1 bed flat	12	0	12
2 bed flat	2	0	2

2 bed house	0	7	7
3 bed house	0	6	6
<b>Total</b>	14	13	27

Although a section 106 agreement was completed pursuant to the outline application, due to the reduction in the number of dwellings which affects the amount of some infrastructure contributions, as well as the level of contribution towards the Thames Basin Heaths SPA, a deed of variation is required.

This does not, however, alter the other contributions or terms of the previous Section 106 agreement (such as the highways improvements).

#### Relevant Planning History

WA/2014/2113	Outline application for the erection of 71 residential dwellings including access and associated car parking	23/12/2015
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#### Planning Policy Constraints

Countryside beyond the Green Belt – outside settlement  
 Farnham/Aldershot Strategic Gap  
 Thames Basin Heath 5km SPA Buffer Zone  
 Flood Zone 2 (north eastern part of site only)

#### Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002:

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



C12	Canals and River Corridors
HE14	Sites and Areas of High Archaeological Potential
HE15	Unidentified Archaeological Sites
H4	Density and Size of Dwellings
H10	Amenity and Play Space
RD9	Agricultural Land
M1	The Location of Development
M2	The Movement Implications of Development
M4	Provision for Pedestrians
M5	Provision for Cyclists
M14	Car parking Standards

Draft Local Plan Part 1 Policies:

SP1	Presumption in Favour of Sustainable Development
SP2	Spatial Strategy
ALH1	The Amount and Location of Housing
ST1	Sustainable Transport
ICS1	Infrastructure and Community Facilities
AHN1	Affordable Housing on Development Sites
AHN3	Housing Types and Size
LRC1	Leisure, Recreation and Cultural Facilities
RE1	Countryside beyond the Green Belt
TD1	Townscape and Design
NE1	Biodiversity and Geological Conservation
NE2	Green and Blue Infrastructure
CC1	Climate Change
CC2	Sustainable Construction
CC3	Renewable Energy Development
CC4	Flood Risk Management

Farnham Neighbourhood Plan 2016 Policies (as modified):

FNP1	Design of New Development and Conservation
FNP12	Thames Basin Heaths Special Protection Area (SPA)
FNP13	Protect and Enhance Biodiversity
FNP30	Transport Impact of Development
FNP32	Securing Infrastructure

Saved Policy NRM6 of the South East Plan 2009.

The South East Plan 2009 was the Regional Spatial Strategy (RSS) for the South East region, the Plan was revoked on March 2013 except for Policy

NRM6: Thames Basin Heaths Special Protection Area. This Policy remains in force.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002) 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. 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 on 19 July 2016. The consultation period commenced in August 2016 and closed on 3 October 2016. On the 21st December 2016 the Council submitted the draft Local Plan Part 1 for Examination. 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 Draft Plan following its 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.

The Farnham Neighbourhood Plan 2013-2031 was submitted to Waverley in July 2016. The Examiner's report has now been received. The examiner has concluded that subject to a number of recommended modifications, the Neighbourhood Plan meets the Basic Conditions and can proceed to referendum. The Plan therefore represents a material consideration to which considerable weight can be given in considering the planning balance when determining applications or appeals.

Other guidance:

- National Planning Policy Framework (2012)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Statement of Community Involvement (2014 Revision)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Farnham Design Statement (2010)

Consultations and Town/Parish Council Comments

County Archaeologist	No objection - confirm that no further archaeological work is required.
County Highway Authority	It is important to note that matters relating to access have been considered by the Highway Authority as part of the Outline Planning Application. The Highway Authority is satisfied that the current reserved matters application is compatible with the access arrangements agreed by the Highway Authority in the outline planning application.  Further detail is required in order to discharge the conditions on the outline application.
Council's Environmental Health Officer (noise and nuisance)	No comments received
Council's Waste and Recycling Officer	No objection – size specification for the bin stores is satisfactory and capable of accommodating the specified bins
County Rights of Way Officer	No comments received
Environment Agency	No comments to make on the application
Farnham Town Council	It is imperative for the developers to keep talking to Badshot Lea Association to reflect the needs and wishes of the local residents and for them to keep working together.

Lead Local Flood Authority	Note condition 16 of WA/2014/2114 requires a drainage strategy to be submitted. No drainage information has been provided.
Historic England	The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.
Natural England	No objection
Rushmoor Borough Council	No objection
Surrey Wildlife Trust	No comments received
Thames Water	No comments received

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 20/05/2016 site notices were displayed around the site on 20/05/2016 and neighbour notification letters were sent on 10/05/2016.

3 letters have been received raising objection (in respect of the original submission) on the following grounds:

- Original application approved despite overwhelming objection from residents, decision should be reviewed
- Additional dwellings will add to existing heavy congestion and pose safety risk to road users including school children
- Inadequate roads
- Lack of bus services will limit opportunities to access public transport
- Infilling could ruin the village character of the area and set dangerous precedent
- Style, type and density of housing out of character with this part of Badshot Lea
- Would support a scheme for a small terrace of houses (no more than 30)
- Infrastructure is not in place to cope with the additional homes
- Should stop building on Farnham’s green areas

2 letters have been received (from the Badshot Lea Community Association and from the Farnham Society) making the following general observations:

- Confirm applicant has engaged in meaningful consultation with the local community which has resulted in changes to the layout and some of the external detailing of the proposed dwellings
- Understood commercial pressures of the applicant, however, happy that they have moved sufficiently for us to offer no objection
- Disappointed Waverley Borough Council lack of support in request for enlarged recreation ground or the need for additional parking as agreed with the applicant
- Suggest that funds arising from the Section 106 Contributions are targeted at projects in Badshot Lea
- Applaud the specification and planting of native species of trees where proposed
- Suggest additional trees on the north and west boundaries adjacent to the car parking area in the northwest corner of the site
- Conditions should include site management and construction transport management plans for be provided for the whole development period
- Application should continue to liaise with the Badshot Lea Community Association on a monthly basis

Following re-notification in respect of the amended plans, 1 letter has been received raising objection on the following grounds:

- Concerned at position of recreation ground parking in north west corner adjacent to Green Croft
- Expect to experience existing noise and anti-social behaviour that appears from time to time around the recreation ground
- Better solution would be in the south east corner
- Transformation of a green field into a concrete slab with associated flood risk does not appear to be answered

### Determining Issues

Principle of development

Design/Impact on visual amenity

Impact on residential amenity

Standard of accommodation

Provision of amenity space and play space

Waste, recycling and cycle stores

Car Parking

Flood risk

Infrastructure contributions

Impact on Thames Basin Heaths SPA

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

Implications

Environmental Impact Regulations 2011 (as amended)  
Pre Commencement Conditions  
Third party representations and Town Council comments  
Development Management Procedure Order 2015 - Working in a positive/proactive manner

### Planning Considerations

#### Principle of development

Outline permission was granted for the erection of 71 residential dwellings including access and associated car parking. Therefore, the principle of development has already been established and only the reserved matters are to be considered in the assessment of this application.

The matters which have been reserved for consideration are:

- Layout
- Scale
- Appearance

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

The site is located in Countryside beyond the Green Belt. There is a conflict with the current Local Plan and the Farnham Neighbourhood Plan in this respect, as the Farnham Neighbourhood Plan defines this area as being within the settlement area of Farnham. Notwithstanding this conflict, the principle of development on this site has been established.

#### Design/Impact on visual amenity

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness.

Policy TD1 of the Draft Local Plan, Part 1, and Policy FNP1 of the Farnham Neighbourhood Plan echo that of Policies D1 and D4. New development is required to be of a high quality and inclusive in design to respond to the distinctive local character of the area. Development should be designed so it creates safe and attractive environments, whilst maximising opportunities to improve the quality of life, health and well-being of current and future residents.

The Farnham Design Statement guidelines for Weybourne and Badshot Lea state that “the essential rural character of Badshot Lea should be preserved, by respecting the pattern of development in the village”.

- Layout

The proposed perimeter block layout would provide good permeability across the site. The proposed dwellings would be well spaced, with the larger apartment blocks distributed across the site.

The affordable units are relatively spread out, with a mixture of apartment buildings, semi detached and terraced dwellings which would minimise the perception of large affordable housing clusters. The use of clusters of affordable housing set out within the site in smaller clusters is welcomed.

A number of the proposed dwellings would front onto, and provide an active frontage onto St Georges Road on the eastern side of the site.

The retention of open space in the north east part of the site would provide a meaningful green visual buffer between proposed and existing development.

The Council’s Tree & Landscape Officer has commented that the layout appropriately respects the constraints posed by existing boundary trees to be retained. Where car parking construction is proposed close to trees, specialist above ground engineering with a permeable specification and finish has been specified. The proposed layout does show relatively minor incursions of the cycle path within the root protection areas of existing trees to be retained on the northern boundary. However, due to the available extent of soft ground rooting it is not considered specialist engineering in this respect would be necessary. The proposed layout is therefore considered acceptable in this respect.

A number of larger parking areas are proposed within the development, this includes both parking courts to serve the blocks of flats as well as parking for the recreation ground. These areas are broken up with landscaping features, and are positioned towards the centre and rear of the site. This is considered appropriate.

- Scale

The number of proposed dwellings has been reduced from the outline application from 71 to 69. The height of the proposed dwellings would be 2 storeys, with some of the apartment blocks 2.5 storeys. The height of

individual dwellings varies, with a variety of roof forms/pitch types used. The focus upon 2 storey dwellings is considered to be reflective of the character of the area where dwellings are predominantly 2 storeys, with some buildings having extended into the roof space.

The varied roof types do include some dwellings with higher and more bulky roofs. However, the larger dwellings are dispersed around the site, and as such the scale of these would not appear out of character with the development as a whole. The variety in the size and scale of the dwellings is considered to be a positive aspect of the proposal, and reflects the wider Badshot Lea area which features a lot of variety in terms of size and scale.

There are 3 blocks of flats on the site. These each contain relatively low numbers of flats and are two storeys in height. Although blocks of flats are not characteristic of Badshot Lea, these are considered to be of an appropriate size and scale which reflect the predominantly two storey height of buildings in the area.

The proposed garage buildings would appear proportionate in scale to the dwellings they serve.

- Appearance

A variety of dwelling types are proposed, with varied architectural detailing. A varied appearance of dwellings is considered to add interest to the scheme as a whole. Furthermore, it is reflective of the variety and features that can be seen in Badshot Lea.

The dominant materials and features across the site include tile hanging and areas of white render. These materials are common place in Badshot Lea, as well as within the wider Surrey vernacular.

The proposed roof materials include roof tiles and artificial slate. In the case of all materials, a condition is recommended to require samples of materials. This condition will enable control over the quality and detail of the proposed materials. In respect of the artificial slate proposed, officers would need to be satisfied that the material is of a high quality that successfully achieves the appearance of slate in order for this to be acceptable.

The incorporation of planting around the site softens the visual appearance of the scheme and is reflective of the semi rural characteristics of the area. Whilst there are some larger areas of hardstanding, such areas are minimised and sensitively positioned. The hard surfacing materials are varied, and the plans indicate the recreation ground parking would feature a form of



reinforced grass. Visually, this would reduce the urban appearance of the car parking area.

- Conclusion

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

#### 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 future occupants of land and buildings.

The principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions. Policy D4 of the Local Plan outlines the Council's overarching guidance regarding the design and layout of development, and states that development should not significantly harm the amenities of occupiers of neighbouring properties by way of overlooking, loss of daylight or sunlight, overbearing appearance or other adverse environmental impacts.

The nearest existing residential dwellings to the proposed development are dwellings such as Waverley Folly which front onto St Georges Road, and in the cul-de-sac developments of Green Croft and St Georges Close to the north.

- Layout

A buffer of landscaping and open space is proposed along the northern boundary, which results in large separation distances of at least 28m between dwellings. This distance exceeds the guideline 21m between proposed and existing dwellings. As such, the proposal would not impact on these properties unacceptably in relation to loss of light, outlook or visual intrusion.

A car park to serve the recreation ground is proposed in the North West corner of the site. This would be adjacent to properties in Green Croft. It is noted that concern has been received regarding possible noise and disturbance from this area on that property.

It is considered that new fencing and hedging along the northern boundary would be sufficient to mitigate against any materially adverse noise disturbance/light pollution. Boundary treatments would be considered pursuant to the landscape reserved matters application (WA/2016/1072).

The applicants have suggested that the car park could be locked and restricted to use by the recreation ground. Details of such arrangements are required to be submitted and agreed prior to commencement of development in accordance with the Section 106 agreement relating to the outline application. Subject to appropriate management of the car park, officers are satisfied there would be no materially adverse impacts resulting from its use on the neighbouring dwelling.

- Scale

The scale of the buildings, whilst also having regard to the proposed layout would not result in significant adverse impacts by way of overbearing form or loss of light to neighbouring dwellings.

- Appearance

Whilst some windows on the proposed development would face directly towards existing neighbouring dwellings, these would be at a sufficient distance that there would not be an adverse loss of privacy.

- Conclusion

The development would provide sufficient separation to neighbouring dwellings to avoid any materially adverse impacts by way of overbearing form, loss of light or loss of privacy. Subject to appropriate controls over the management of the recreation ground car park, the use of this would not result in any material adverse impacts.

#### Standard of accommodation

Policy TD1 of the Draft Local Plan Part 1 refers to maximising opportunities to improve the quality of life and health and well being of current and future residents. Such opportunities include, inter alia, appropriate internal space standards for new dwellings.

- Layout

The proposed layout is considered to provide sufficient distances between the proposed dwellings such that a good level of light and outlook would be achieved for each dwelling. This includes achieving a 21m separation between facing elevations.

- Scale

The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25th March 2015. This statement should be taken into account in applying the NPPF and in particular, the policies on local standards or requirements at paragraphs 95, 174 and 177. New homes need to be high quality, accessible and sustainable. The Building Regulations cover new additional optional standards on water and access. A new national space standard has been introduced to be assessed through the planning system; these take effect from 1st October 2015. The optional new national standards should only be required through any new Local Plan policies, if they address a clearly evidenced need and where their impact on viability has been considered. The Council does not have a current Local Plan Policy that allows it to require compliance with these standards. Nevertheless, the standards provide useful guidance which assists in the assessment of new development.

	Size of units (sqm)	Technical standard (sqm)
1-bed flat	50.5 – 56.6	50
2-bed flat	70.2	61
2-bed houses	74.5 - 79	70
3-bed houses	90.1 – 97.5	84sqm
4-bed houses	129.7	97

The above table demonstrates that the proposed floor areas would meet the minimum gross internal floor areas set out in the Government's Technical Housing Standards – Nationally Described Space Standard (2015).

- Conclusion

Officers are satisfied that the proposed dwellings would provide a good standard of accommodation for future residents.

## Provision of amenity space and play space

On promoting healthy communities, the NPPF sets out that planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public areas. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities.

Policy H10 of the Local Plan addresses amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

- Layout

Each of the proposed houses would be served by their own private gardens. The proposed flats would also be served by communal amenity space that could be made defensible through boundary enclosures.

Children's play would be provided for in a Local Equipped Area of Play and a Local Area of Play.

The play area would be provided in the north east portion of the site. The play area is of a sufficient size to accommodate a LAP and a LEAP. The proposed layout of the dwellings would provide direct overlooking and natural surveillance of the play space.

The detail of the amenity space would be considered further as part of the landscape reserved matters application (WA/2016/1072).

## Waste, recycling and cycle stores

- Layout

Waste and recycling, together with space for cycle storage is proposed for each house either within garages or within separate garden sheds.

For the blocks of flats communal stores are proposed to provide for both cycle storage and waste and recycling. These stores are considered to be easily accessible from the respective flat entrances.

A refuse tracking plan has been submitted which demonstrates that the proposed layout could accommodate a refuse vehicle.

- Appearance/scale

The proposed stores are considered to be of an appropriate scale such to accommodate both cycle storage and waste and recycling. The appearance of the stores is typical of residential outbuildings. A condition is recommended to secure full details of the proposed materials such to ensure a high quality finish to the scheme.

- Conclusion

The proposal makes appropriate provision for waste, recycling and cycle storage.

### Car Parking

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

Dwelling size	No. of spaces
1-bedroom	1
2-bedroom	2
3-bedroom +	2.5

A total of 160 spaces including a combination of garage parking spaces (30), driveway parking spaces and bay parking spaces are proposed. The total amount of car parking proposed (160) exceeds the parking requirement for the site (143). Where garages are provided in addition to 2 tandem spaces the garages have not been calculated towards the overall parking requirement. Separate to this, 15 spaces are proposed for the recreation ground.

The proposed level of car parking is considered to be acceptable.

## Flood risk

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

Paragraphs 100 to 104 set out flood risk considerations and incorporate the Sequential and Exception Tests previously contained in PPS25: Development and Flood Risk. In particular, paragraph 100 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The site is predominantly within Flood Zone 1; however, a small part of the site, to the north eastern corner is identified as being within Flood Zone 2.

It has been determined pursuant to the outline application that the site would be sequentially preferable to other sites in the locality to deliver the number of houses proposed, in order to deliver the identified housing need. Furthermore it was determined that safe access and egress could be achieved. The means of access was determined at the outline stage. These are not therefore matters for consideration as part of the current application.

There is no requirement to pass the exception Test as this is only required to be passed by development in Flood Zone 3.

- Layout

The proposed layout follows a similar pattern of development to the indicative details provided at the outline stage. Importantly, in respect of flood risk, it avoids residential development in the north east portion of the site which falls within Flood Zone 2. Therefore the proposal satisfies the requirement of the NPPF of ensuring that land uses most sensitive to flood damage are placed in areas within the site at least risk of flooding.

- Conclusion

The matter of flood risk was assessed at the outline application stage and the development was found acceptable in this respect. The submitted layout conforms to the details submitted with the outline application and the proposed dwellings would be placed in the areas of the site at least risk of flooding (in flood zone 1).

## 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.

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.

Pursuant to the outline application, a section 106 agreement was completed securing infrastructure contributions towards a number of infrastructure contributions, these were towards:

- Secondary education
- Highways improvements
- Environmental Improvements

In assessing the outline application the above contributions were found to be justified and to meet the tests of the CIL Regulations.

However, as this application proposes a lower number of dwellings (69 instead of 71) this would generate a reduced secondary education contribution. This is because this contribution was based on the number and size of dwellings.

The applicant is therefore preparing a Deed of variation, such to amend the original legal agreement and secure the reduced amount of £197,542. At the

time of writing this report, the legal agreement has not been completed. However, subject to its completion the proposal would satisfactorily mitigate its impact in respect of Planning Infrastructure.

The remaining infrastructure contributions would be unaltered and have been secured by the original legal agreement.

#### Impact on Thames Basin Heaths SPA

The site is located within the 5km of the Thames Basin Heathland Special Protection Area (SPA). The proposal would result in an increase in people (permanently) on the site.

Pursuant to the outline application, a legal agreement was completed to secure a contribution towards a SANG (Farnham Park), in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy (December 2009).

That legal agreement was sufficient to avoid a significant effect upon the SPA in respect of the proposed 71 dwellings.

However, as that legal agreement related to a higher number of dwelling a reduced contribution is justified. A deed of variation is required to secure the appropriate contribution for the reduced housing numbers.

In this case a legal agreement is being prepared to secure a financial contribution of £198,784.00 (£153,028 towards a SANG and £45,766 towards SAMM), in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy (July 2016).

At the time of writing, the legal agreement has not been completed. However, notwithstanding this, given that the original section 106 agreement successfully mitigates the likely effect from 71 dwellings, and is for a higher amount, this would also be sufficient to mitigate the effect of 69 dwellings,

As such, the effect upon the SPA would be mitigated in accordance with Policy D5 of the Local Plan 2002 and the adopted Avoidance Strategy.

#### 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)

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

## Pre Commencement Conditions

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

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

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

## Third party representations and Town Council comments

The objections received from third parties in respect of the application have been carefully considered in the assessment of the application. The majority of the concerns raised relate to the principle of the development, the number of dwellings proposed and associated visual impact, and highway safety matters. These matters have been considered and determined to be acceptable pursuant to the outline application. As such, these are not for consideration as part of this application.

Concerns have also been addressed regarding the impact on visual amenity and also on residential amenity with specific reference to the position of the recreation ground car park. These matters have been considered and addressed in the visual amenity and residential amenity sections of this report. The proposal is considered to be acceptable in respect of these matters, and the concerns regarding the car park position could be addressed through appropriate management.

It is noted that letters from both the Badshot Lea Community Association and the Farnham Society make a number of positive comments in relation to the scheme, particularly in terms of the visual appearance of the scheme and consultation with the community. Whilst officers have since negotiated

changes to the plans, the proposed layout, scale and appearance are considered to be positive aspects to the scheme.

As such, it is considered that the third party and Town Council comments have been appropriately addressed within the report including through recommended conditions.

#### 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:-

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

#### Conclusion/ planning judgement

The principle of development has already been established through the granting of outline permission for the erection of 71 residential dwellings including access and associated car parking.

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

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

Officers are satisfied that the proposed dwellings would provide a good standard of accommodation for future residents having regard to proposed separation distances, light, outlook, privacy and the size of accommodation.

The proposed level of car parking is considered to be acceptable, would exceed the Council's Guidelines and would also include parking for the adjacent recreation ground.

The proposal satisfies the requirement of the NPPF of ensuring that land uses most sensitive to flood damage are placed in areas within the site at least risk of flooding.

It is therefore concluded that the proposed development would be in accordance with the aims and objectives of the Local Plan and the NPPF and would be suitable to the site and surrounding area. Officers consider that there would be no adverse impacts that would outweigh the benefits of the scheme, when assessed against the NPPF taken as a whole. Therefore in accordance with Paragraph 14 of the NPPF (the presumption in favour of sustainable development), the application should be granted.

### **Recommendation**

That, the Reserved Matters of Layout, Scale and Appearance be APPROVED subject to a S106 agreement to secure a deed of variation to the original legal agreement to amend the education and SPA figures and the following conditions:

1. Condition

The plan numbers to which this permission relates are 2431.1-A-1001-A Site Location, 2431.1-A-1006-A Dwelling Distribution, 2431.1-A-1007 Storey Heights, 2431.1-A-1008-A Parking Allocation, 2431.1-A-1009-A Refuse Strategy, 2431.1-A-1010-A Facing Materials, 2431.1-A-1012-A Affordable Housing Plan, 2431.1-A-3010-B\_3BH-AFF\_Plots 4-7 Plans & Elevations, 2431.1-a-3010-b\_3bh-aff\_plots 4-7\_plans & elevations, 2431.1-a-3015-b\_3bh-aff\_plots 8-9\_plans & elevations, 2431.1-a-3020-b\_2bh-aff\_plots 10-11,35-36,57-58\_plans & elevations, 2431.1-a-3030-b\_3bh2\_plots 51\_plans & elevations, 2431.1-a-3031-b\_3bh2\_plots 12,15\_plans & elevations, 2431.1-a-3035-b\_3bh2\_plots 13-14\_plans & elevations, 2431.1-a-3040-b\_affordable blocks\_plots 16-19\_plans & elevations, 2431.1-a-3045-b\_2bh1 & 2bh2\_plots 20-22\_plans & elevations, 2431.1-a-3050-b\_affordable blocks\_plots 23-27\_plans & elevations, 2431.1-a-3060-b\_affordable blocks\_plots 30-34\_plans & elevations, 2431.1-a-3065-b\_2bh-aff\_plots 37\_plans & elevations, 2431.1-a-3070-b\_4bh4\_plots 38,61,62,65,66\_plans & elevations,

2431.1-a-3071-b\_4bh4\_plots 39-40\_plans & elevations, 2431.1-a-3075-b\_3bh5\_plots 41\_plans & elevations, 2431.1-a-3080-b\_3bh2 & 2bh2\_plots 42-44\_plans & elevations, 2431.1-a-3085-b\_3bh2\_plots 45-46\_plans & elevations, 2431.1-a-3090-b\_2bh2\_plots 47-48,49-50,59-60\_plans & elevations, 2431.1-a-3095-b\_2bh2 & 3bh3\_plots 52-53\_plans & elevations, 2431.1-a-3100-b\_2bh2 & 3bh3\_plots 54-55, 68-69\_plans & elevations, 2431.1-a-3105-b\_3bh1\_plots 63-64\_plans & elevations, 2431.1-a-3110-b\_4bh3\_plots 67\_plans & elevations, 2431.1-a-3200-a garages, refuse, cycle stores, 2431.1-c-1030-g site layout, 2431.1-c-1200-b - street elevations aa & bb, 2431.1-c-1201-b - street elevations cc & dd, 170850-102-a Refuse swept path, 170850-103-A Fire appliance swept path and 170850-107-A Finished floor levels. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

#### Reason

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

#### 2. Condition

No development above ground floor slab level of any part of the development hereby permitted shall take place until samples and a schedule (of named types of materials and finishes and colours) of the materials to be used in the construction of the external surfaces of the development (including all buildings such as bin stores/dwellings/garages) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Draft Local Plan Part 1 (2016).

#### 3. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any other Order revoking or re-enacting that Order with or without modification), no extensions to the roof as defined within Part 1 of Schedule 2, Class B, shall be carried out on any of the following

dwellings (as labelled on the submitted plans) without the written permission of the Local Planning Authority: Plot Numbers 1-12, 15, 20, 22, 29, 35 & 36, 38-40, 42, 44-46, 52-58 and 61-69.

Reason

In the interest of the character and visual appearance of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Draft Local Plan Part 1 2016.

4. Condition

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows/dormer windows or other openings other than those expressly authorised by this permission shall be constructed at first floor level or above, in the specified elevations of the following plots without the written permission of the Local Planning Authority: Plot 3 Southern elevation, 53 northern elevation and 54 southern elevation.

Reason

To safeguard the privacy of neighbouring occupiers and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002 and TD1 of the Draft Local Plan Part 1 (2016).

5. Condition

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

Reason

In order to maintain sufficient parking for the development and to protect the character and residential amenities of the area in accordance with Policies D1, D4 and M14 of the Waverley Borough Local Plan 2002 and Policy TD1 of the Draft Local Plan Part 1 (2016).

Informatives

1. "IMPORTANT" This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with

these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the time allowed to implement the permission then the development will remain unauthorised.

2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £97.00 or a reduced rate of £28.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site.

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

3. In respect of Condition 2 above (submission of materials), the applicant is required, at the time of submission, to specify in respect of the materials the manufacturer, product name and product number. The materials samples will not be accepted by the Council without this information and without the appropriate fee for the discharge of the condition.
4. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

**APPENDIX I – Outline application WA/2014/2113 Officer Report and Decision Notice**