

B1 NMA/2019/0059 Crest Nicholson Regeneration Limited 05/04/2019 Amendment to WA/2016/0268 for amendments to building named 'D15' (as amended by plans received 10/04/2019) at Land At East Street Farnham

Committee: Joint Planning Committee
Meeting Date: 23/04/2019

Public Notice: Was Public Notice required and posted: N/A
Grid Reference: E: 484270 N: 146934

Town: Farnham
Ward: Farnham Moor Park
Case Officer: Ruth Dovey
Expiry Date: 02/05/2019

RECOMMENDATION That, the Non-Material Amendment Application be APPROVED.

Introduction

The submission has been brought before the Joint Planning Committee at the request of the Head of Planning and Economic Development, for reasons of transparency given the Council's interest in the site as owner and development partner.

This submission is for a Non-Material Amendment (NMA) to the East St redevelopment scheme. Planning permission for this development has been granted and implemented under application ref. no. WA/2012/0912 and a subsequent permission for minor material amendments under permission ref. no. WA/2016/0268.

The applicant has advised that they are seeking this NMA as it will result in a more efficient layout to building D15 (a building in the northern portion of the site) and a more comfortable relationship between this building and the adjacent northern boundary wall.

As set out in the Government guidance, there is no statutory definition of non-material. This is because it will be dependent on the context of the overall scheme. The Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application under Section 96A of the Town and Country Planning Act.

Section 96A of the Act sets out that “in deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission originally granted”.

The power conferred includes the “power to remove or alter existing conditions”.

Under condition permission WA/2016/0268, condition 2 states the following:

2. Condition

The development shall be carried out in accordance with the approved plans 13512 – TPN-D6-051 01, 13512 – TPN-D6-052 01, 13512 - TPN-D6-053 01, 13512 – TPN-D8-001 01, 13512 – TPN-D8-002 01, 13512 – TPN-D8-003 01, 13512 – TPN-D8-004 01, 13512 – TPN-D8-005 01, 13512 – TPN-D8-006 01, 13512 – TPN-D8-007 01, 13512 – TPN-D8-050 01, 13512 – TPN-D8-051 01, 13512 – TPN-D8-052 01, 13512 – TPN-D8-053 01, 13512 – TPN-D12-001 01, 13512 – TPN-D12-004 01, 13512 – TPN-D12-050 01, 13512 – TPN-D12-052 01, 13512 – TPN-D12-053 01, 13512 – TPN-D15-001 01, 13512 – TPN-D15-002 01, 13512 – TPN-15-050 01, 13512 – TPN-D20-001 01, 13512 – TPN-D20-002 01, 13512 – TPN-D20-003 01, 13512 – TPN-D20-004 01, 13512 – TPN-D20-005 01, 13512 – TPN-D20-006 01, 13512 – TPN-D20-050 01, 13512 – TPN-D20-051 01, 13512 – TPN-D20-052 01, 13512 – TPN-D20-053 01, 13512 – TPN-D21-001 01, 13512 – TPN-D21-002 01, 13512 – TPN-D21-050 01, 13512 – TPN-D4A-050 01, 13512 – TPN-MP-007 01, 13512 – TPN-MP-008 01, 13512 – TPN-MP-009 01, 13512 – TPN-MP-010 01, 13512 – TPN-MP-011 01, 13512 – TPN-MP-014 01, 13512 – TPN-D12-052 01. 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 Policy D1 and D4 of the Waverley Borough Local Plan 2002.

This application seeks to amend some of the plans referred to in condition 2 to enable changes to be made to approved building D15, a residential building in the north western corner of the development site. The 15 units all comprise affordable housing in the form of shared ownership.

For the reasons set out below, Officers are of the view that the revised plans are acceptable and comprise a non-material amendment within the context of this large redevelopment scheme. Officers are also satisfied that, having

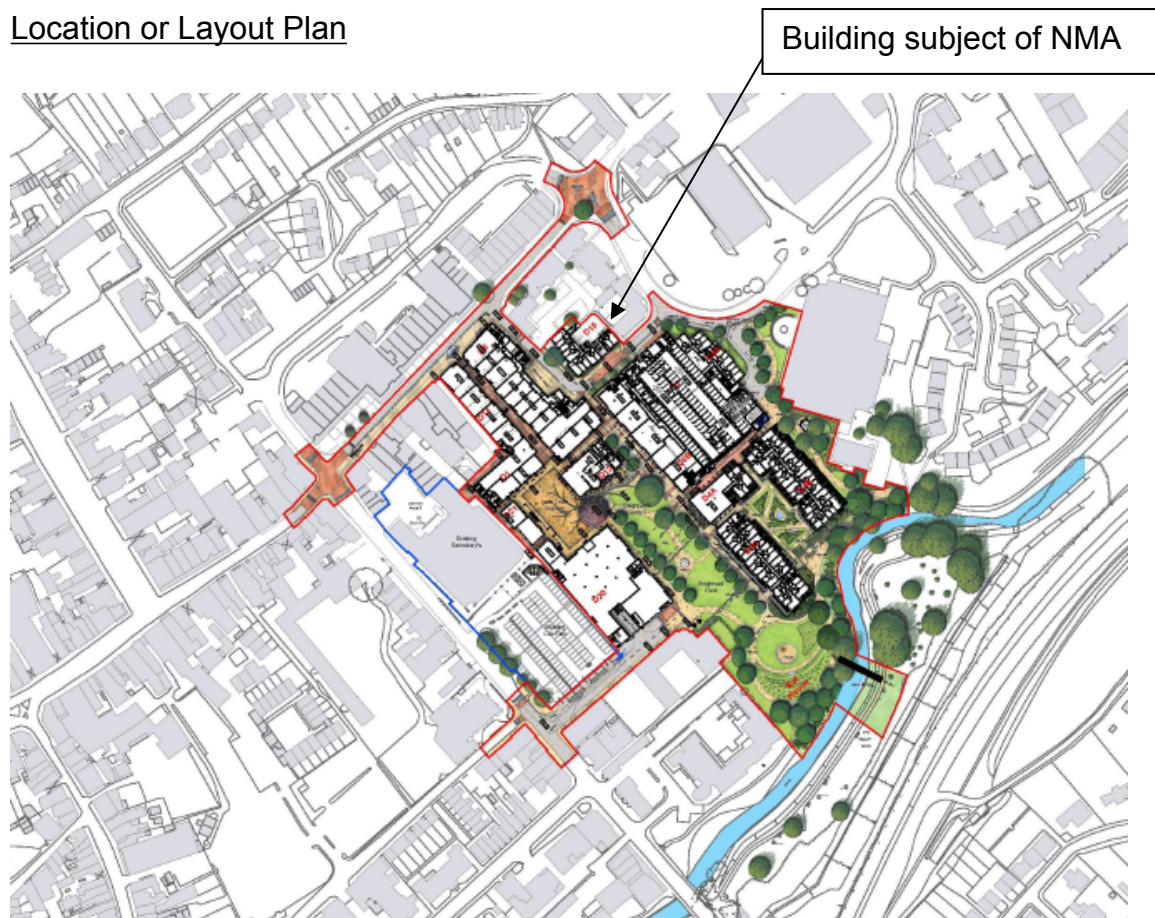
regard to S96A of the Act, the legislation allows for the alteration of conditions as a non-material change to a planning permission.

As the plans comprise a non-material amendment, under Section 96A there is no duty to consult. As such, an update Environmental Statement is not required to accompany this NMA application and the NMA is not considered to be EIA development.

Application WA/2012/0912 was accompanied by an Environmental Statement. This Environmental Statement was updated for planning permission WA/2016/0268. This NMA seeks only very minor changes to the approved development. Having regard to the nature of the changes and their implications, Officers are satisfied that the proposal would not have any additional significant environmental effect over the approved scheme.

This report is concerned solely with the acceptability of the proposed revisions and no other matters. Matters relating to the redevelopment of the site as a whole do not fall to be considered under this application as these have already been agreed under planning permission ref. nos. WA/2012/0912 and WA/2016/0268.

Location or Layout Plan



Site Description

The application relates to part of a major development in Farnham Town Centre, which was granted planning permission in August 2012 under application reference no. WA/2012/0912 and later under application ref. no. WA/2016/0268 which saw the approval of some minor material amendments.

The application site for this permission extends to 3.95ha and is located between South St, The Woolmead (East St) and Dogflud Way. The River Wey and the A31 are beyond to the South. To the east of the site lies Farnham Leisure Centre. Various buildings have recently been demolished on site and associated utility works have commenced.

Proposal

Application ref. no. WA/2016/0268 granted approval of the following development:

Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site. This application is accompanied by a supplementary Environmental Statement.

Condition 2 of this permission reads as follows:

2. Condition

The development shall be carried out in accordance with the approved plans 13512 – TPN-D6-051 01, 13512 – TPN-D6-052 01, 13512 - TPN-D6-053 01, 13512 – TPN-D8-001 01, 13512 – TPN-D8-002 01, 13512 – TPN-D8-003 01, 13512 – TPN-D8-004 01, 13512 – TPN-D8-005 01, 13512 – TPN-D8-006 01, 13512 – TPN-D8-007 01, 13512 – TPN-D8-050 01, 13512 – TPN-D8-051 01, 13512 – TPN-D8-052 01, 13512 – TPN-D8-053 01, 13512 – TPN-D12-001 01, 13512 – TPN-D12-004 01, 13512 – TPN-D12-050 01, 13512 – TPN-D12-052 01, 13512 – TPN-D12-053 01, 13512 – TPN-D15-001 01, 13512 – TPN-D15-002 01, 13512 – TPN-15-050 01, 13512 – TPN-D20-001 01, 13512 – TPN-D20-002 01, 13512 – TPN-D20-003 01, 13512 – TPN-D20-004 01, 13512 – TPN-D20-005 01, 13512 – TPN-D20-006 01, 13512 – TPN-D20-050 01, 13512 – TPN-D20-051 01, 13512 – TPN-D20-052 01, 13512 – TPN-D20-053 01, 13512 – TPN-D21-001 01, 13512 – TPN-D21-002 01, 13512 – TPN-D21-050 01, 13512 – TPN-D4A-050 01, 13512 – TPN-MP-007 01, 13512 – TPN-MP-008 01, 13512 – TPN-MP-009 01, 13512 – TPN-MP-010 01, 13512 – TPN-MP-011 01, 13512 – TPN-MP-014 01, 13512 – TPN-D12-052 01. 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 Policy D1 and D4 of the Waverley Borough Local Plan 2002.

The approved scheme includes a wholly residential block in the northern corner of the site that comprises 15 residential units for affordable housing with associated parking, cycle and refuse store.

The application seeks to make amendments to this part of the development as follows:

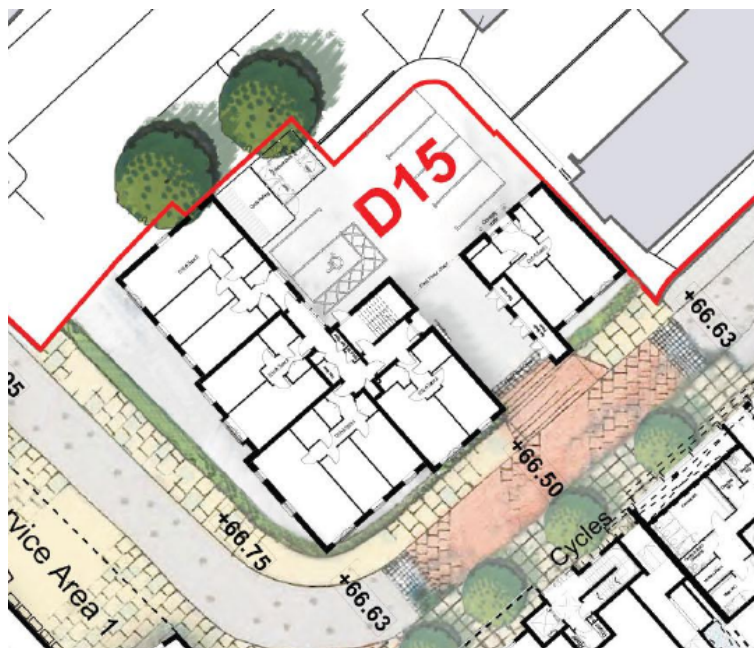
- Stepping the building back approximately 857mm from the north western boundary of the site;
- Stepping the south western wall of the building (fronting Brightwells Road where it runs north to south) forward by between 557 and 622 mm in places;
- Stepping the south eastern wall of the building (fronting onto Brightwells Road where it runs east to west) forward by between 948 and 987mm;
- Internal reconfiguration to the building
- Amendments to cycle and bin storage area
- Provision of Juliet balconies to ground floor windows
- Amendments to windows on north eastern and north western elevation

It should be noted that the number of residential units proposed and the mix within D15 would not change and the dwellings would remain as affordable shared ownership units. It is not proposed to remove any trees as a result of the change (tree shown on the pavement in front of the south western elevation of the building on the approved plans was removed some time ago).

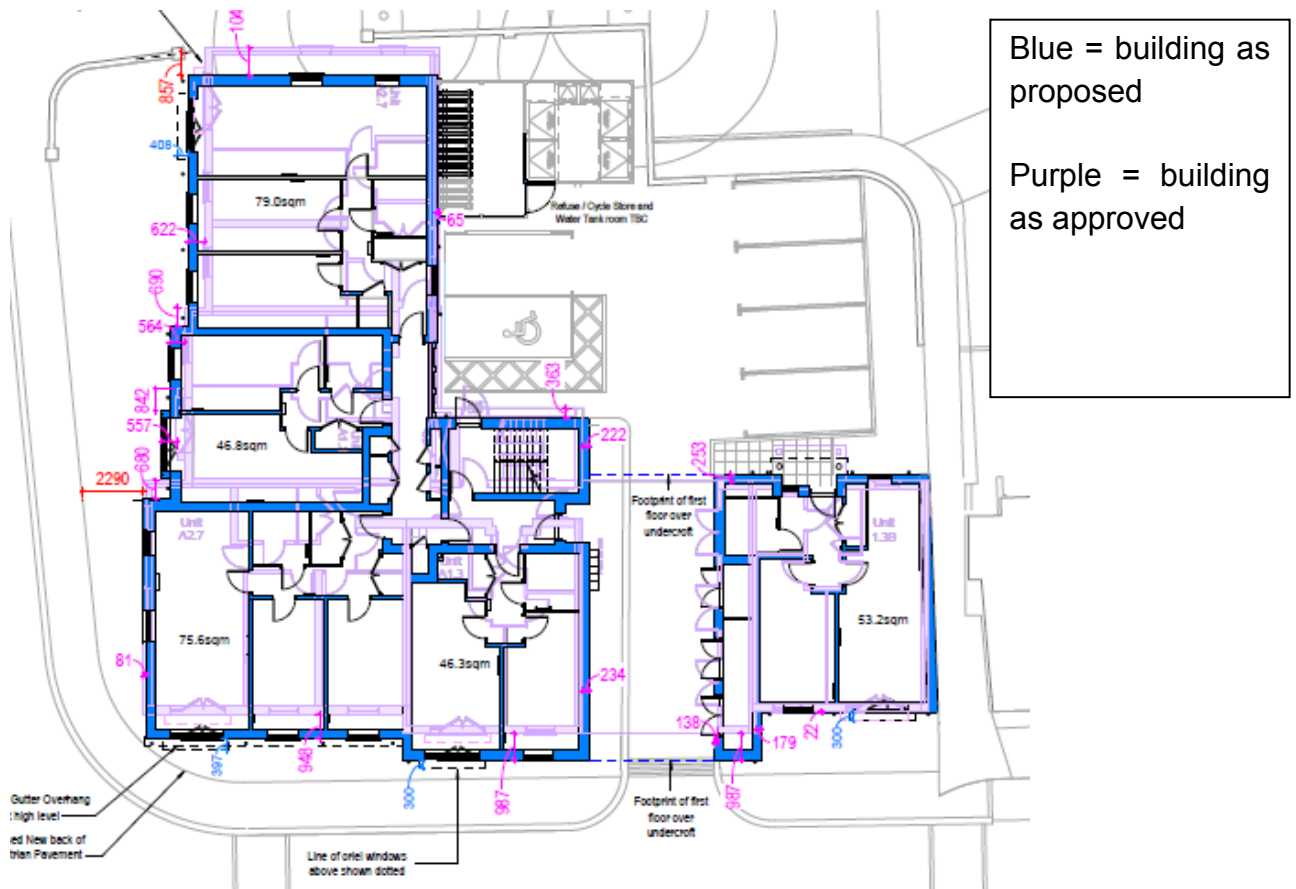
Extract from ground floor masterplan as approved



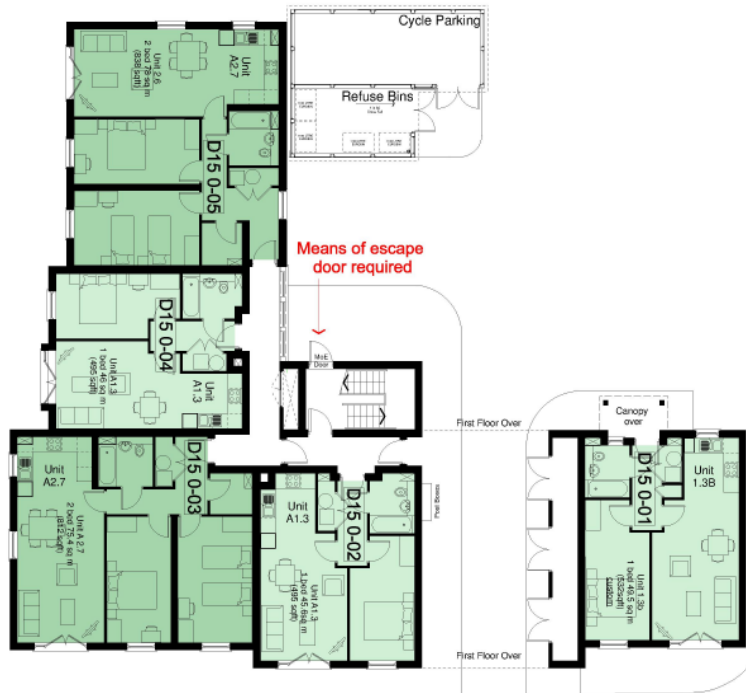
Extract from ground floor masterplan as proposed



Overlay plan showing footprint of building



Approved ground floor plan



Proposed ground



Approved first floor plan



Proposed first floor



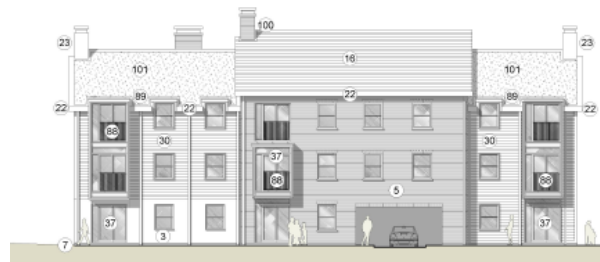
Approved second floor plan



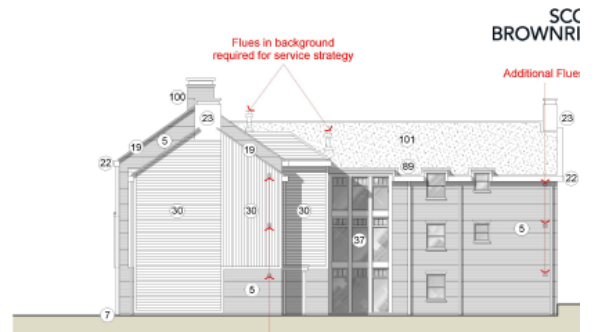
Proposed second floor plan



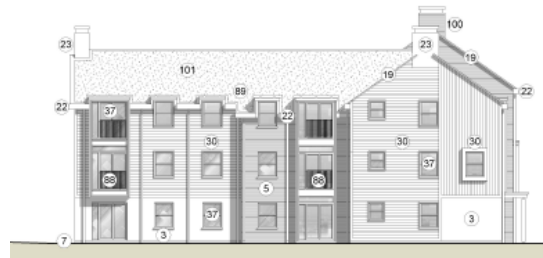
Approved elevations



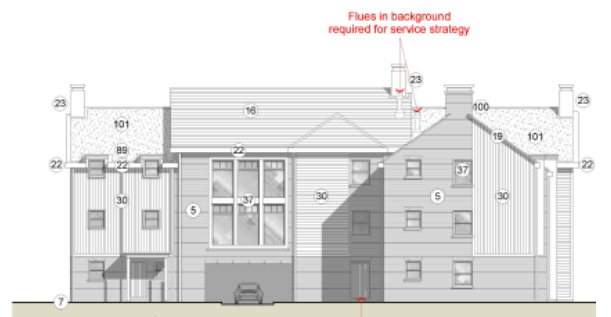
South Elevation
(Scale 1: 100 @ A1)



East Elevation
(Scale 1: 100 @ A1)



West Elevation
(Scale 1: 100 @ A1)

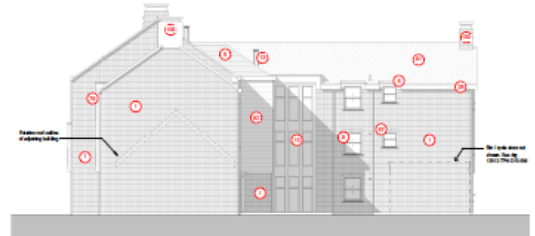


North Elevation
(Scale 1: 100 @ A1)

Proposed elevations



South East Elevation
(Scale 1: 100 @ A1)



North East Elevation
(Scale 1: 100 @ A1)



South West Elevation
(Scale 1: 100 @ A1)



North West Elevation
(Scale 1: 100 @ A1)

The applicant is proposing the following amended wording to condition 2 of WA/2016/0268 to reflect the revised plans:

The development shall be carried out in accordance with the approved plans 13512-TPN-D6-051-01, 13512-TPN-D6-052-01, 13512-TPN-53-01, 13512-TPN-D8-001 01, 13512-TPN-D8-002 01, 13512-TPN-D8-003 01, 13512-TPN-D8-004 01, 13512-TPN-D8-005 01, 13512-TPN-D8-006 01, 13512-TPN-D8-007 01, 13512-TPN-D8-050 01, 13512-TPN-D8-051 01, 13512-TPN-D8-052 01, 13512-TPN-D8-053 01, 13512-TPN-D12-001 01, 13512-TPN-D12-004 01, 13512-TPN-D12-050 01, 13512-TPN-D12-052 01, 13512-TPN-D12-053 01, 13512-TPN-D15-001 05, 13512-TPN-D15-002 04, 13512-TPN-D15-050-03, 13512-TPN-D15-056 03, 13512-TPN-D20-001 01, 13512-TPN-D20-002 01, 13512-TPN-D20-003 01, 13512-TPN-D20-004 01, 13512-TPN-D20-005 01, 13512-TPN-D20-006 01, 13512-TPN-D20-050 01, 13512-TPN-D20-051 01, 13512-TPN-D20-052 01, 13512-TPN-D20-052 01, 13512-TPN-D21-001 01, 13512-TPN-D21-002 01, 13512-TPN-D21-050 01, 13512-TPN-D4A-050 01, 13512-TPN-MP-007-004, 13512-TPN-MP-008-03, 13512-TPN-MP-009-03, 13512-TPN-MP-010-03, 13512-TPN-MP-011-03, 13512-TPN-MP-014-03, 13512-TPN-D12-052-01.

No material variation from these plans shall take place unless otherwise first agreed in writing by the Local Planning Authority.

Relevant Planning History Relating To This NMA

There is lengthy planning history to this site, the most relevant of which is set out below (NMAs highlighted in bold):

Reference	Proposal	Decision
WA/2008/0279	Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site. (as amended by	Full Permission 06/08/2009

	plans and documents received 20/8/08).	
WA/2012/0912	Mixed-use redevelopment comprising: 9,814 sq m of retail, restaurant and cafe-bar accommodation (Use Classes A1, A3 & A4, including the change of use of Brightwell House and Marlborough Head); 239 residential units (Class C3); a multi-screen cinema (Class D2); multi-storey, surface and basement car parks providing a total of 426 spaces; associated highway and access works; provision of infrastructure and landscaping; replacement facility for the existing 'Gostrey Centre'; demolition and clearance of the site. (as amended by plans and documents received 20/8/08).	Full permission – subject to Section 106 Agreement - 07/08/2012 (Implemented - extant)
WA/2016/0268	Application under S73 for the variation of Condition 3 (Plans) and removal of Condition 61 (Sustainability Statement) and Condition 60 (Combined Heat and Power Scheme) of WA/2012/0912 (East St Redevelopment) to allow 106 sq m increase in size of extension to Brightwell House, realignment of rear of Building D21, removal of Gostrey Centre community use from Building D20 resulting in space to be occupied by Use Classes A1/A3 Retail/Food and Drink, internal alterations and amendment to landscaping scheme; revision to heating strategy, omitting energy centre and changes to comply with current Building Regulations and other regulation requirements with subsequent revisions to Sustainability Statement; amendment to affordable housing provision to provide 100% shared ownership flats. This application is accompanied by an Addendum to the Environmental Statement (as amplified by emails and plans received 21/03/2016 and 01/06/2016 in relation to flood risk and as amended by email and viability	Full permission 09/09/2017 (Implemented – extant)

	information received 06/05/2016 in relation to the proposed affordable housing mix).	
NMA/2017/0177	Amendment to WA/2016/0268 to change the market and affordable housing mix and re-distribute various shared ownership and market housing units.	Allowed 01.02.2018
NMA/2018/0022	Amendment to WA/2016/0268 to amend the wording of conditions 22, 23, and 24 to remove the restriction on felling.	Allowed 20/02/2018
NMA/2018/0039	Amendment to WA/2016/0268 to amend condition 35 (bat mitigation measures) to include 'bat report addendum' dated 5 th January 2018.	Allowed 16/07/2018
NMA/2018/0049	Amendment to WA/2016/0268 to provide alterations to approved phasing plan.	Allowed 06/06/2018
NMA/2018/0090	Amendment to WA/2016/0268 for amendments to the design of the temporary construction bridge and the permanent footbridge.	Allowed 24/08/2019
NMA/2018/0091	Amendment to condition 29 of WA/2016/0268 for amended foundation design.	Allowed 23/08/2019
NMA/2018/0138	Amendment to WA/2016/0268 to amend the wording of condition 15 to enable the approval of a revised working method statement.	Allowed 09/01/2019
NMA/2018/0152	Amendment to WA/2016/0268 to remove condition 19 referencing 'method of works' and amend condition 30 to provide alterations to method of construction statement.	Allowed 06/02/2019

In connection with the delivery of this redevelopment scheme, planning permission has also been granted for the provision of a temporary construction access bridge and subsequent permanent footbridge as follows:

Reference	Proposal	Decision
WA/2018/0544	Provision of dual lane temporary construction access bridge across River Wey, pedestrian underpass, temporary	Full permission 09/07/2018 – implemented.

	vehicular access from South St and other associated temporary works to enable the bridge.	
WA/2018/1678	Application under S73a to vary condition 5 and remove condition 11 of WA/2018/0544 to allow for the demolition of Brightwell Cottage and the tennis pavillion and the provision and collection of welfare facilities prior to the completion of the temporary construction bridge and to allow for the temporary 24 hour closure of a lane of the A31, to enable the construction of the bridge.	Full permission 15/11/2019 – implemented.

The temporary construction access bridge has been completed.

Planning Policy Constraints

Developed/Built-up Area of Farnham - north of River Wey only
Town Centre Area – area north of River Wey only
Countryside Beyond the Green Belt – area south of River Wey only
Area Strategic Visual Importance (ASVI) – River Wey and its south bank only
Green Infrastructure: Amenity Greenspace, Green Corridor Land, Biodiversity, Opportunity Area
Thames Basin Heath 5km Buffer Zone
Wealden Heaths I SPA 5km Buffer Zone
Ancient Woodland 500m Buffer Zone
Within 8m of Riverbank
Shared Pedestrian and Cycle Routes (Borelli Walk)
Air Quality Management Area (AQMA) Buffer Zone
Site of Nature Conservation Importance (SNCI) – River Wey and north bank
Flood Zones 2 and 3 (southern part of site)
Special Area of Advertisement Control (SPAD) – south of River Wey
Grade II Listed Building (Brightwell House) and Building of Local Merit (Brightwell Cottage) to the northwest of the site, outside the application site red line
Conservation Area (adjacent)
Area of High Archaeological Potential (adjacent)
Listed Building Grade II (Brightwell House)
Listed Building curtilage buildings, walls and structure
Building of Local Merit (Brightwell Cottage)
Central Shopping Area (East Street frontage to a depth of approx 50m)
Pedestrian Improvement Area in East Street
Potentially contaminated land

Gas pipeline (non-hazardous)

Development Plan Policies and Guidance

The development plan includes:

- Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018): SP1, SP2, ALH1, ST1, AHN1, AHN3, TCS1, LRC1, RE1, TD1, HA1, NE1, NE2, NE3, CC1, CC2, and CC4.
- Farnham Neighbourhood Plan (made May 2017): FNP1, FNP2, FNP10, FNP11, FNP12, FNP13, FNP15, FNP21, FNP23, FNP25, FNP27, FNP29, FNP30, FNP31 and FNP32.
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D2, D4, D6, D7, D8, D9 C5, BE1, HE1, HE2, HE3, HE4, HE5, HE8, HE10, HE14, CF2, S6, S7, TC2, TC3, TC8, TC9, TC12, TC13, TC15, TC16, LT2, LT6 LT11, M5, M6, M7, M9, M10, M15 and M17.
- South East Plan: Policy NRM6)

Other guidance:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2014)

Consultations and Town Council Comments

Farnham Town Council	Any comments received to be reported at committee.
County Highway Authority	No objection.
Housing Delivery and Communities Officer	No objection, subject to confirmation from the Metropolitan Thames Valley Housing Association that it has no concerns.
Waste and Recycling Officer	No objection.

Representations

No letters of representation have been received.

Submissions in support

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

- The proposal would result in a more efficient layout and a more comfortable relationship with the adjacent boundary wall to the north of the site.
- The proposal would result in a marginal floor area increase to 14 of the 15 units and so would provide an improved quality of accommodation.
- The proposal would provide better outlook for the ground floor living room and an area of defensible space.
- The number of units, mix and tenure, remain the same from what has been consented and the carriageway and footway will be unaffected by the change.
- The proposal would enable easier maintenance of the retained garden wall and area around it and will better preserve the character of the adjacent courtyard by setting back the building from this boundary.

Planning Considerations

As set out above, Section 96A allows a non-material amendment to be made to an existing planning permission via a simple application procedure with a quick decision time.

In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted. This includes power to remove or alter conditions.

The NPPG provides guidance on non-material amendments. The NPPG makes it clear that a non-material amendment application is not an application for planning permission. Therefore, the planning merits of the proposed amendments are not before the Council and the focus is whether the proposed amendments are non-material or not.

The only consideration in the assessment of this application is whether the proposed changes to the plans approved under condition 2 of planning permission WA/2016/0268 are deemed material.

In consideration of the application, the Council must have regard to the effect of the change or changes, together with any previous changes made under Section 96A. They must also take into account any representations made by anyone notified.

Would the condition, with the revised wording, continue to satisfy the purposes for which it was originally required?

Condition 2 confirms the plan numbers that have been approved as part of the planning application in order to ensure that the development is carried out in accordance with those plan numbers. Any deviation from the plans could have a potential impact on the acceptability of the scheme.

The question is, therefore, whether the proposed re-wording of the condition to replace the originally approved drawing numbers with revised drawing numbers has an impact on the acceptability of the scheme. The Head of Planning and Economic Development is satisfied that the proposed changes are acceptable and that, provided the revised plan numbers are referenced in the amended Condition 2, that the revised wording of the condition would continue to satisfy its original purpose.

Impact on visual amenity

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2018.

Policy FNP1 of the Farnham Neighbourhood plan relates to the design of new development. In particular, it states that, amongst other things, new development will be permitted where it is designed to a high quality which responds to the heritage and distinctive character of the area of Farnham in which it is located and sets out.

Policy FNP21 of the Farnham Neighbourhood Plan relates specifically to the East St, South St and Dogflud Way. Most relevant to the consideration of this application is that development will be permitted where it is designed to a high quality which responds to the heritage and distinctive character of the Town Centre Conservation Area and that the scheme is visually and well related, and physically well connected, to adjoining development including the Woolmead Development Site.

The design of the proposed building largely remains the same when viewed in elevational form albeit there are some minor changes to the building line in various places. The modest change to the position of the building is not considered to be significant or harmful within the context of the overall development scheme. Whilst the development may result in the loss of a small strip of landscaping between the south eastern frontage of the building

and the back of pavement, this is not considered significant within the context of the overall development and would not result in visual harm.

A modest change to the fenestration is proposed on the north eastern and north western elevations. As the windows retain the rhythm and proportions of the windows already approved they are acceptable in this respect and are not considered to be a material change. Likewise, the introduction of railings at ground floor level in front of patio doors is not deemed material.

The Council's Design and Conservation Officer has reviewed the changes and has raised no objection to them.

The plans indicate some changes to materials on the building in comparison to what is shown on the approved drawings. However, the materials for the building, along with materials for the entire site, would be considered under condition 6 of the main permission (WA/2016/0268) which requires samples of materials to be used in the construction of the external surfaces of the building to be submitted to and approved in writing by the Council.

Overall, the revisions to building D15 are considered minor in nature within the context of the scheme as a whole and accord with Policy TD1 of the Local Plan Part 1, Policies D1 and D4 of the Local Plan 2002 and Policies FNP1 and FNP21 of the Farnham Neighbourhood Plan.

Impact on residential amenity

Policy TD1 of the Local Plan 2018 (Part1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2018.

The proposed revisions result in very limited change to the building along its eastern boundary. Where there is currently a gap of up to 366mm under the approved plans, the revised plans show the building encroaching into this gap so that it sits against the boundary line. Officers are of the view that this very modest change would not result in loss of light or increased sense of enclosure to neighbours given that there are no windows in the neighbouring building immediately adjacent to this boundary that would be affected.

The proposed building would be set away from the northern boundary by a further 1m in comparison to the approved scheme. The shift of the building away from this boundary ensures that it results in less of an impact on the neighbouring building to the north of the site than the approved scheme.

Highways, car and cycle parking impacts

Policy ST1 of the Local Plan Part 1 relates to sustainable transport and seeks to ensure that development schemes make an appropriate provision for car parking, having regard to the type of development, its location, in accordance with local standards.

ST1 also states that development schemes should include measures to encourage non-car use such as on-site cycle parking.

Although the proposals result in a slight change to the building line in places, the number of car parking spaces proposed and their arrangement would not change as result of the proposals. Officers are therefore satisfied that the proposed development is acceptable with regard to car parking provision and that the scheme does not represent a material alteration in this respect.

The proposal results in a slight change to the size and position of the cycle parking store associated with Building D15. The approved plans show space for 15 bicycles (1 per unit), as required by the Council's cycle parking standards. The revised cycle store would also have space for 15 bicycles. As the level of cycle parking provision remains unaffected by the revisions, the changes are not considered material in this respect.

Although the building is moving slightly closer to the back of pavement towards the south east and south west, it would not encroach onto the pavement and would not, therefore, have an impact on the pedestrian footway.

Surrey County Highway Authority has reviewed the proposals and confirmed it has no objection to the proposed amendments.

Quality of accommodation

Policy TD1 of the Local Plan (Part 1) 2018 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site playspace provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing standards – nationally described space standards (2015) requires dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has

been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

With regard to unit sizes, the following table provides comparison floorspace figures between the approved scheme and the revised proposal:

Unit	Size	Approved size (sq m)	Proposed Size (sq m)	Standard (sq m)
0-1	1b2p	49.5	53.3	50
0-2	1b2p	45.6	46.3	50
0-3	2b4p	75.4	75.6	79
0-4	1b2p	46	47.1	50
0-5	2b4p	78	79.4	79
1-1	2b4p	78.3	80.9	79
1-2	2b4p	69.5	70.1	79
1-3	2b4p	76.1	76.6	79
1-4	2b2p	46	47.1	No specific standard
1-5	2b4p	78.5	80.7	79
2-1	2b4p	78.3	80.9	79
2-2	2b4p	69.5	69.5	79
2-3	2b4p	76.1	76.6	79
2-4	1b2p	46	47.1	50
2-5	2b4p	78.5	80.7	79

The table shows that 9 of the 15 units would be below the space standards. However, as the development has already been implemented, the applicants could build Building D15 as approved. This fallback position is a material consideration in assessing the acceptability of this revised proposal.

The table shows that all the units see a modest increase in size as a result of the revised plans with the exception of unit 2 on the second floor which remains the same size. This floor area increase is considered to be a modest improvement on the approved quality of accommodation. The proposed development is not considered material different in this respect and is acceptable.

The quality of accommodation with regard to light and outlook would remain similar to the approved scheme and remains acceptable in this respect.

Overall, the proposal does not result in any material or harmful changes to the development with regard to quality of accommodation.

The Housing Delivery and Communities Officer has reviewed the plans and raises no objection to the proposal subject to confirmation from Metropolitan Thames Valley Housing Association that it has no concerns. At the time of writing Officers are awaiting its comments.

Refuse and recycling

The proposal would result in a slight change to the refuse and recycling store. Whilst it remains broadly in the same position as approved, the plans show a minor reconfiguration of it. The Council's Refuse and Recycling Officer has reviewed the plans and has confirmed that the refuse and recycling store provides sufficient capacity for 15 residential units.

The proposed changes are therefore considered acceptable in this respect.

Would the change be material in combination with other NMA approvals?

A number of NMA applications have been granted recently in connection with the East Street development project, as set out in the Planning History section of this report. The individual changes that have been agreed are not significant and Officers consider that the change currently proposed, with the other agreed changes (highlighted in the history section of this report) made under Section 96A of the Act, do not comprise a material amendment to planning application ref. no. WA/2016/0268.

Other Planning Issues

Officers are satisfied that the amendment to the plans as proposed and as listed under condition 2 would not alter the conclusions of the main permission on the following planning issues:

- Open space and recreation
- Retail provision
- Housing land supply
- Housing mix
- Affordable housing
- Heritage and listed building impacts
- Leisure and community uses
- Crime and disorder
- Financial considerations
- Infrastructure contributions
- Climate change and sustainability

- Biodiversity and compliance with the Habitat Regulations 2010
- Effect on the SPAs
- Archaeology
- Air quality
- Noise
- Flooding
- Contaminated land
- Accessibility and Equalities Act 2010
- Human Rights implications

Environmental Impact Regulations 2017

Application WA/2012/0912 was accompanied by an Environmental Statement. This Environmental Statement was updated for planning permission WA/2016/0268.

An updated Environmental Statement is not required to accompany this NMA application and the NMA is not considered to be EIA development.

Conclusion

The consideration with regard to this application is whether the amendments to the approved plans relating to building D15 of planning permission ref. no. WA/2016/0268 constitute a non-material amendment within the context of this overall planning permission.

As outlined above, Officers consider the changes to building D15 to be minor that do not comprise a material amendment to the approved scheme. The changes are not considered to alter the conclusions on the main permission with respect to the planning issues that were considered and agreed at the time.

Furthermore, whilst a number of other NMA applications relating to WA/2016/0268 have recently been approved, Officers are satisfied that the proposal, in conjunction with these, does not amount to a material amendment.

Recommendation

That, the Non-Material Amendment Application be APPROVED.