

JOINT AREA PLANNING COMMITTEE
UPDATE SHEET

Correspondence received and matters arising following preparation of the agenda

Item A1
WA/2014/1565
Land at Crondall Lane, Farnham

Amendments to the report

Page 6 – delete the following sentence:

‘A watercourse runs along the southern boundary of the site and also through the western part of the site’.

Page 63 – 6th paragraph – delete the following sentences:

‘The site access design incorporates a 1.5 metre wide turning bay, with 3 metre wide through lanes in both directions. The right turning bay would allow cars waiting to turn right to be passed by another car travelling north-west bound on Crondall lane’.

Reasons:

The above sentence on page 6 is in-correct and is therefore removed from the report.

The proposal originally included the provision of a 1.5 m turning bay on the left hand side of Crondall Lane. However, this was removed from the application following correspondence with the County Highway Authority as it would not be fit for purpose and is not a requirement of the County Highway Authority.

Responses from Consultees

None received.

Additional representations

1 letter has been received raising objection on the following grounds:

- Farnham does not have the capability to deal with increased traffic.

1 additional letter, including summary of survey, representing the North West Farnham Residents Association (NWFRA) raising objections on the following grounds:

- North West Farnham Residents Association (NWFRA) taken legal opinion on whether Waverley would be following its responsibilities in law were they to accept the provision of land at Church Crookham as SANGS for the proposed development.
- Reference made to the Waddenzee Ruling (The European Court of Justice Case C-127/02).

- Aware that Natural England have supported the provision of land at Church Crookham as SANGS, but point out that its Waverley's direct responsibility to assure themselves that there is no reasonable scientific doubt.
- Do not consider it possible for Waverley reasonably or any authority in a similar quasi judicial capacity, to argue that there is 'no reasonable doubt' particularly in view of:
 - The Church Crookham site is 4.7 km away from the new development, beyond the SPA itself.
 - The substantial increase of dog walkers by the proposal will inevitably involve use thereby of the SPA and inevitable environmental damage to it.
 - The displacement of dog walkers who have been using the site for some time.
 - Recent survey showed a total of over 100 dogs walked on two days in January.
 - The land may be private, but it is used extensively and its complete development without any Natural Green Space will cause additional dog walking on the SPA.

The NWFRA view is that on-site SANGS could meet the legal obligations regarding mitigation.

The Local Planning Authority's attention is drawn to Paragraph 110 of the NPPF, which states 'plans should allocate land with the least environmental and amenity value' for development. Accepting the proposal would be to ignore the considerable amenity value shown by the survey and be inconsistent with Paragraph 110.

Application submitted without a public consultation exercise. Site would be subject to rights of common were it not for section 15C Commons Act 2006.

Officer response:

Officers have carefully considered the additional representations received. The proposal would use SANG at Crookham Park in order to avoid impact of the proposed development on the Thames Basin Heaths SPA. Officers acknowledge that the location of the proposed SANG in relation to the application site would require forms of vehicle travel to get to; however, this is not unusual. Natural England has confirmed that they raise no objection to the proposed SANG under the application. Officers consider that the proposed SANG at Crookham Park is compliant with the Thames Basin Heaths SPA Delivery Framework as the application site is within the catchment of the SANG at Crookham Park (within 5km) (as confirmed by Natural England). Natural England has further outlined to officers that the purpose of SANGs is not only to provide greenspace to the residents that are allocated there, but also to attract existing SPA users that may prefer to visit that SANG as well, thereby ensuring no net increase in recreational pressure.

The application site has no established right of public access with the exception of the public footpath along the west boundary and although some dog walkers have been using the site for dog walking, the site is not a public open space. Public footpaths are present along the west boundary of the site and beyond the eastern boundary of the site. These public footpaths are not proposed to be closed or obstructed by the proposed development.

Officers have carefully considered the above representations; however, they do not alter officers recommendation for the application.

Additional conditions

The following additional conditions are recommended:

27. Condition

Prior to first occupation of any dwelling hereby permitted, the applicant shall first implement the following measures:

- SANG to be delivered and operational prior to first occupation of any of the dwellings.
- Information on the SANG to be provided to residents of the new development in the form of a leaflet and signage and information boards to be provided at the entry points.
- Payment of the appropriate contribution towards the Strategic Access Management and Monitoring (SAMM) Partnership.

Reason

In the interests of the protection of the special interest of the SPA and in order to comply with the Habitat Regulations 2010, Policy D5 of the Waverley Borough Local Plan 2002 and Policy NRM6 of the South East Plan 2009.

28. Condition

Prior to first occupation of any dwelling hereby permitted, the works outlined under Section 8 of Addendum to Ecological Assessment dated November 2014 shall be implemented and thereafter permanently retained.

Reason

In the interests of the protection of the special interest of the SPA and in order to comply with the Habitat Regulations 2010, Policy D5 of the Waverley Borough Local Plan 2002 and Policy NRM6 of the South East Plan 2009.

29. Condition

No development shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the existing and proposed ground levels of the site and proposed ground levels and finished floor levels of the development hereby permitted. The development shall be carried out in strict accordance with the approved details.

Reason

In the interest of the character and amenity of the area in accordance with Policies C2, D1 and D4 of the Waverley Borough Local Plan 2002.

Revised Recommendation

That, **subject to inclusion of the additional conditions 27-29 noted in the update sheet**, subject to consideration of the views of outstanding consultees, the applicant

entering into a S106 agreement to secure: affordable housing, community facilities, education, libraries, playing pitches, play space, open space, sports/leisure centres, recycling and other environmental improvements, to provide for appropriate SANG to avoid a likely significant effect upon the SPA including payment of appropriate contributions to SAMM or alternatively Farnham Park, a S278 agreement with the County Highway Authority to secure means of access, pedestrian accessibility/safety improvements, highway infrastructure and sustainable transport improvements, a Travel Plan, repairs and improved access to Public Footpaths, the setting up of a Management Company for the management of on site open space, and subject to conditions, permission be GRANTED.
