

SCHEDULE "A1" TO THE AGENDA FOR THE  
 JOINT PLANNING COMMITTEE  
 14 JULY 2015

Applications subject to public speaking.

Background Papers

Background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report are listed under the "Representations" heading for each planning application presented, or may be individually identified under a heading "Background Papers".

A1	WA/2014/0391 Bewley Homes PLC 06/03/2014	<u>Erection of 140 dwellings together with new vehicular access, car parking and landscaping (as amended and amplified by additional information and emails received 08/05/2014, 10/06/2014, 18/06/2014, 20/06/2014, 26/06/2014, 07/07/2014, 28/08/2014, 11/11/2014, 12/11/2014, 16/01/2015, 25/02/2015, 09/03/2015 and 21/04/2015) at Land At Lower Weybourne Lane, Badshot Lea</u>
	Committee: Meeting Date:	Joint Planning 14/07/2015
	Public Notice Grid Reference:	Was Public Notice required and posted: Yes E: 486117    N: 148695
	Town : Ward : Case Officer: 13 Week Expiry Date Neighbour Notification Expiry Date Neighbour                      Notification Amended/Additional Expiry Date Time extension agreed to : Extended expiry date :	Farnham Farnham Weybourne and Badshot Lea Kathryn Pearson 05/06/2014 15/12/2014  Yes Yes 30/08/2015
	RECOMMENDATION:	That, subject to completion of a S106 agreement to secure: 40% affordable housing, infrastructure contributions including secondary education and environmental improvements, transport improvements, off-site highways works and for

the setting up of a Management Company to manage on-site play space, open space and SUDS, and subject to consideration of any further representations or consultee responses and conditions, permission be GRANTED.

Introduction.....	5
Location Plan.....	5
Site Description .....	6
Proposal .....	6
Heads of Terms.....	9
Details of Community Involvement.....	10
Relevant Planning History .....	10
Planning Policy Constraints.....	11
Development Plan Policies and Proposals.....	11
Consultations and Town/Parish Council Comments .....	13
Representations .....	32
Submissions in support .....	33
Determining Issues.....	36
Principle of development.....	36
Prematurity .....	36
Environmental Impact Assessment.....	36
The lawful use of the land and loss of agricultural land.....	36
Location of development and sustainability.....	36
Housing land supply .....	36
Housing mix and density .....	36
Affordable housing .....	36
Highways, access and parking.....	36
Flood risk and drainage.....	36
Provision of amenity and play space.....	36
Air quality.....	36
Archaeology .....	36
Infrastructure .....	36
Effect upon the Thames Basin Heaths SPA.....	36
Crime and disorder.....	36
Financial Considerations .....	36
Climate change and sustainability.....	36
Biodiversity and compliance with Habitat Regulations 2010.....	36

Health and Wellbeing .....	36
Water Frameworks Regulations 2011 .....	36
Accessibility and Equalities Act 2010 Implications .....	36
Human Rights Implications.....	36
Third party representations .....	36
Working in a positive/proactive manner .....	36
Conclusion/ planning judgement .....	36
Planning Considerations .....	36
Principle of development .....	36
Prematurity .....	38
Environmental Impact Assessment.....	39
The lawful use of the land and loss of agricultural land.....	40
Location of development and sustainability.....	41
Housing land supply .....	42
Housing mix and density .....	43
Affordable housing .....	45
Highways, access and parking.....	47
Flood risk and drainage.....	51
Visual impact, layout and design.....	57
Residential amenity .....	58
Provision of amenity and play space.....	60
Air quality.....	61
Archaeology .....	62
Infrastructure .....	63
Effect upon the Thames Basin Heaths SPA.....	64
Crime and disorder.....	66
Financial Considerations .....	67
Climate change and sustainability.....	67
Biodiversity and compliance with Habitat Regulations 2010 .....	67
Health and Wellbeing .....	69
Water Frameworks Regulations 2011 .....	70
Accessibility and Equalities Act 2010 Implications .....	71
Human Rights Implications.....	71
Cumulative/in combination effects.....	71
Third party representations .....	72
Working in a positive/proactive manner .....	72
Conclusion/ planning judgement .....	72

Recommendation.....	74
Informatives.....	86

## Introduction

The application has been brought before the Joint Planning Committee because the proposal does not fall within the Council's scheme of delegation.

## Location Plan



## Aerial photograph of site



## Site Description

The site measures 4.73 ha and comprises a parcel of agricultural land located to the south of Lower Weybourne Lane. The site is approximately 575m west of the crossroads in the centre of Badshot Lea. To the east of the site is an access track serving the site, onto which the properties in Glorney Mead back on to. The rear boundaries of these properties are primarily enclosed by hedging and fencing.

To the west of the application site is the mainline railway line, running between Alton and London Waterloo, which intersects Lower Weybourne Road via a bridge to the north west of the application site. Directly opposite the site to the north is a cadet centre, with further residential properties either side to the east and west.

The site slopes gently up from the road and is visible from Lower Weybourne Lane.

## Proposal

The application seeks full planning permission for the erection of 140 dwellings on the site, together with associated hard and soft landscaping, access onto Lower Weybourne Lane, public open space and play space.

Vehicular access would be provided from a single point onto Lower Weybourne Lane, to the north east of the site. An emergency access and pedestrian link into the Glorney Mead estate would be provided at the south eastern corner of the site.

The housing would be arranged predominantly in perimeter blocks, with linear development to the east of the main access road, and in blocks to the west. Open space, a locally equipped area of play (LEAP) and drainage swales would be included to the west, adjacent to the railway line. A further open space and local area of play (LAP) would be provided to the south east of the site, opposite the perimeter development along the eastern boundary of the site.

## Proposed site layout plan



The site proposed density for the site would 29.6 dpha and would comprise the following mix of dwellings:

No. of bedrooms	Affordable	Market	Total
1 bedroom (apartments)	12	0	12
2 bedroom (houses)	32	16	48
3 bedroom (houses)	12	41	53
4 bedroom (houses)	0	18	18
5 bedroom (houses)	0	9	9
Total	56	84	140
Total (%)	40%	60%	100%

The dwellings would be traditional in design, constructed from bricks with clay tiles on pitched roofs. The houses would have eaves height around 5m and ridge heights of between 8 - 9.5m, with the apartments on Plots 117-122 and 135-140 having maximum height of 10.8m. They would be mainly two storeys in height, with the small apartment blocks having dormer accommodation within the roof space.

316 parking spaces would be provided across the site, in the form of off-street and on-street parking spaces, with some cluster parking to serve the apartment blocks to the south west of the site.

## Street scene elevation – Lower Weybourne Lane (Plots 1-7)



## Plots 23 - 116, facing west



## Plots 117 - 122 and 135 - 140, facing west



## Plots 84 – 90, facing north



The proposal would involve the following off-site highway works:

- Construction of a pedestrian crossing improvement scheme at Badshot Lea Road/St Georges Road/Lower Weybourne Lane Signalled Junction.

It is proposed that such works, together with any other improvements/works deemed necessary by the County Highway Authority would be secured through a S278 Highways Works Agreement and through planning conditions.

The planning application is accompanied by the following documents:

- Planning Statement



- Design and Access Statement
- Transport Assessment
- Flood Risk Assessment
- Ecological Appraisal
- Landscape and Visual Impact Assessment
- Heritage Statement
- Archaeological Appraisal
- Arboricultural Information

### Heads of Terms

The following matters are offered to be subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

- Off-site highway improvements to construct a pedestrian crossing improvement scheme at Badshot Lea Road/St Georges Road/Lower Weybourne Lane Signalised Junction;
- Financial contribution of £6,150 to the County Council for the monitoring of a Travel Plan;
- Financial contribution of £50,000 towards the following sustainable transport improvement schemes:
  - i. Improvements to bus stops on Badshot Lea Road and Weybourne Road, including upgraded bus shelters, accessibility enhancements, new bus stop poles/timetables/marketing, and Real Time Passenger Information (RTPI). The contribution will also be used towards equipping the buses on these routes with RTPI, and with marketing the bus network in the area.
  - ii. Blackwater Valley cycle scheme between Aldershot and Farnham Town Centres and Rail Stations
  - iii. Upgrading Footpath Numbers 102 and 112 to bring them up to a standard to be used as a cycle track.
- Provision of affordable housing on site (40%);
- Financial contribution towards the Thames Basin Heaths Avoidance Strategy (£349,553);
- Creation of a management company for maintenance of open spaces on site;
- Provision of an on-site LEAP, LAP and open space;
- Financial contribution towards infrastructure including:
  - Secondary education
  - Other environmental improvements

## Details of Community Involvement

The applicant has provided a Statement of Community Involvement as part of the submitted Design and Access Statement, which details the public and stakeholder consultation which took place, prior to the submission of the application.

The following key meetings took place:

- 20/09/2013 – pre-application meeting with WBC officers;
- 03/10/2013 – presentation to Farnham Town Council Members of emerging proposals;
- 04-05/10/2013 – public exhibition at All Hallows Catholic School, attended by approximately 200 residents. 172 written responses received as a result (86% of those attending);
- 24/10/2013 – second pre-application meeting with WBC officers following public consultation exercises.

As a result of the public consultation, the following design changes were made to the scheme:

- Three storey elements at entrance to site removed;
- Dwellings along boundary with Badshot Park moved away from boundary and space to allow views through site to be maintained;
- Northern link to Badshot Park removed and southern link made into an emergency vehicular and pedestrian/cycle link only;
- Space along railway embankment reconfigured for ecology purposes.

## Relevant Planning History

WA/2013/0639	Use of land for storage of touring caravans and siting of shipping containers, together with the provision of hardstanding and parking	Refused 11/06/2013
WA1995/1290	Outline application for residential development including a proportion of social housing and sheltered housing on 4.8 hectares of land	Refused 02/01/1996
WA/1986/0911	Outline application for residential development of approximately 8 dwellings to the acre	Refused 02/09/1986
WA/1985/0143	Outline application for erection of a bungalow and garage	Refused 15/05/1985

## Planning Policy Constraints

Countryside beyond the Green Belt – outside settlement  
Farnham/Aldershot Strategic Gap  
Thames Basin Heaths 5km Buffer Zone  
Flood Zone 2 (area to the east of the site)  
Electricity Supply Line  
Potentially contaminated land

## 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  
C4 Farnham/Aldershot Strategic Gap  
C7 Trees, Woodlands and Hedgerows  
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  
M6 Farnham Cycle Network  
M9 Provision for people with Disabilities and Mobility Problems  
M14 Car Parking Standards

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. Paragraph 215 states that where a local authority does not have a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The Council is in the process of replacing the 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Development Management and Site Allocations) will follow the adoption of Part 1. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy/ approach is not likely to change significantly. Public consultation on potential housing scenarios and other issues took place in September/October 2014. The timetable for the preparation of the Local Plan (Part 1) is currently under review.

Other guidance:

- National Planning Policy Framework (2012 )
- National Planning Policy Guidance (2014)
- Strategic Housing Land Availability Assessment (2014 update)
- Draft West Surrey Strategic Housing Market Assessment (2014)
- Infrastructure Delivery Plan (2012)
- Settlement Hierarchy (Draft 2010 and factual update 2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2010)
- Affordable Housing Viability Assessment (Addendum 2010 and update 2012)
- Planning Infrastructure Contributions SPD (2008)

- Cycling Plan SPD (April 2005)
- Waverley Parking Guidelines (2013)
- Density and Size of Dwellings SPG (2003)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Transport Assessment (Surrey County Council, September 2014)
- Surrey Design Guide (2002)
- Farnham Design Statement 2010
- Farnham Neighbourhood Plan
- Thames Basin Heaths SPA Avoidance Strategy 2009

Consultations and Town/Parish Council Comments

<p>Farnham Town Council</p>	<p>Farnham Town Council strongly objects to this application. It is completely at odds with the Farnham Design Statement, which seeks to ensure that all new development reflects and enhances the local character of individual areas. Badshot Lea is a strong community and residents work hard to protect its distinctive characteristics.</p> <p>Several similar applications have been refused. This is part of the important Strategic Gap, which local residents wish to preserve and which is highlighted for protection in the emerging Neighbourhood Plan for Farnham.</p> <p>Granting permission for such a development on this site would be contrary to the guidance in saved policy NRM6 of the South East Plan. The Habitats Regulations state that development should be guided away from the 5km Buffer Zone, if sites are available elsewhere in the Borough.</p> <p>This is a greenfield site, which would require provision of SANGS, if permitted. The current SANGS provision at Farnham Park would be seriously diminished were this to be granted using the existing SANGS and no further brownfield development would be allowed in the town as a result. This would be catastrophic for the town's economic development.</p> <p>The Badshot Lea Community Group has carried out a thorough survey of residents' wishes as part of the Neighbourhood Planning process. There is a site, which</p>
-----------------------------	--

	<p>residents are prepared to see developed but it is not in this location and successfully links to several amenities in the village. The Localism Act seeks to give greater powers to the local community and local opinion must be taken into account. This site does not lead to the further cohesiveness of the village and should be resisted. It is not socially or environmentally sustainable.</p> <p>There is a history of flooding in the area and the road system struggles to cope with the existing amount of traffic. This application will exacerbate the current situation and the cumulative effects of similar applications must be taken into account.</p> <p>It is clear that Badshot Lea is under great threat from unfettered development and it is essential that each application is seen in conjunction with others and that the residents of Badshot Lea get a fair hearing every time.</p> <p>It is also essential that, before any development can take place in the village, priority is given to the provision of a controlled crossing at the Badshot Lea crossroads. This provision is long over due and any increase in traffic will add to the current danger for pedestrians, especially the elderly and the very young.</p>
<p>Guildford Borough Council</p>	<p>Taking into consideration the scale of the development, its distance from the Guildford Borough boundary and the comments received from the County Highway Authority raising no objection to the proposed development on safety, capacity or policy grounds, it is considered that the development would not have any material impact on the strategic interests of Guildford Borough Council.</p>
<p>County Highway Authority</p>	<p>The proposed development has been considered by the County Highway Authority who recommends an appropriate agreement should be secured before the grant of permission to provide:</p> <ol style="list-style-type: none"> <li>1. Prior to commencement of the development to enter into a Section 278 agreement with Surrey County Council to provide the Badshot Lea Road/St Georges Road/Lower Weybourne Lane Signalised Junction Pedestrian Crossing Improvement Scheme, in general accordance with Odyssey Markides Drawing No. 13-160/005 Rev A.</li> </ol>

2. Prior to first occupation of the development to construct the Badshot Lea Road/St Georges Road/Lower Weybourne Lane Signalised Junction Improvement Scheme, in accordance with the requirements of the Highway Authority.

3. Prior to commencement of the development to pay to Surrey County Council the £6,150 Travel Plan monitoring fee.

4. Prior to first occupation of the development to pay to Surrey County Council £50,000 towards the following sustainable transport improvement schemes:

-Improvements to bus stops on Badshot Lea Road and Weybourne Road, including upgraded bus shelters, accessibility enhancements, new bus stop poles/timetables/marketing, and Real Time Passenger Information (RTPI). The contribution will also be used towards equipping the buses on these routes with RTPI, and with marketing the bus network in the area.

-Blackwater Valley cycle scheme between Aldershot and Farnham Town Centres and Rail Stations

-Upgrading Footpath Numbers 102 and 112 to bring them up to a standard to be used as a cycle track.

The Highway Authority also recommends the following highway conditions and informatives are imposed on any permission granted:

Conditions:

1. The development hereby approved shall not be commenced unless and until the proposed vehicular / pedestrian access to Lower Weybourne Lane (C121) has been constructed and provided with visibility splays in accordance with the approved plans (Drawing No. 4110.001) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 1.05m high.

	<p>2. The development hereby approved shall not be first occupied unless and until the proposed emergency vehicle/pedestrian/cycle access to Badshot Park (D5341) has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.</p> <p>3. The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. A-01-005 Revision PL1) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.</p> <p>4. No development shall commence until a Construction Transport Management Plan, to include details of:</p> <ul style="list-style-type: none"> <li>(a) parking for vehicles of site personnel, operatives and visitors</li> <li>(b) loading and unloading of plant and materials</li> <li>(c) storage of plant and materials</li> <li>(d) programme of works (including measures for traffic management)</li> <li>(e) provision of boundary hoarding behind any visibility zones</li> <li>(f) HGV deliveries and hours of operation</li> <li>(g) vehicle routing</li> <li>(h) measures to prevent the deposit of materials on the highway</li> <li>(i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused</li> <li>(j) measures to prevent deliveries at the beginning and end of the school day</li> <li>(k) on-site turning for construction vehicles</li> </ul> <p>has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.</p> <p>5. No operations involving the bulk movement of materials to or from the development site shall commence unless</p>
--	--



	<p>and until facilities have be provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable to prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.</p> <p>6. The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for:</p> <p>(a) The secure parking of bicycles within the development site,</p> <p>and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.</p> <p>7. Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council’s “Travel Plans Good Practice Guide”, and in general accordance with Odyssey Markides Residential Travel Plan document dated May 2014.</p> <p>And then the approved Travel Plan shall be implemented prior to first occupation of the development and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.</p>
Environment Agency	<p>Response received 03/04/2014</p> <p>The site is primarily located in Flood Zone 1 defined in the National Planning Policy Guidance (NPPG) as having a low probability of flooding from rivers. Our records indicate that a small section of the site (towards the north east) is located in Flood Zone 2.</p>

	<p>For the purposes of this application, as the site is primarily located in Flood Zone 1 with the exception of approximately 4 dwellings within Flood Zone 2, refer to floor risk standing advice (FRSA). In the first instance, Waverley BC should assess the application against the requirements of the appropriate FRSA. The recommendation may include flood mitigation measures.</p> <p>Flood risk assessment should include the following:</p> <p>Surface water run-off should not increase flood risk to the development or third parties. This should be done by using a SuDS to attenuate to at least pre-development run-off rates and volumes or where possible achieving betterment in the surface water run-off regime.</p> <p>An allowance for climate changes needs to be incorporated, which means adding an extra amount to peak rainfall (20% for commercial development, 30% for residential).</p> <p>Response on additional information – not yet received – to be reported orally</p>
Network Rail	<p>Network Rail is concerned by the close proximity of the proposed drainage swales to Network Rail’s operational railway infrastructure. The current location of the drainage swales is adjacent to Network Rail’s boundary and railway embankment. Developer will need to submit further information relating to the design and location of the swales for Network Rail’s approval. This should include proof of embankment stability.</p> <p>The potential for any noise/vibration impacts caused by the proximity between the proposed development any existing railway must be assessed in the context of the NPPF. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.</p> <p>This development will create a trespass and vandalism risk onto the railway. In the interests of promoting public safety, before any part of the development is occupied, a 1.8m</p>

	<p>high trespass fence should be erected. The new fencing provided must be independent of existing Network Rail fencing and a sufficient distance should be allowed for between fences to allow for future maintenance and renewal.</p> <p>Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing.</p>
<p>Council's Agricultural Consultant (Chesterton Humberts)</p>	<p>The site appears not to have been used for agricultural purposes for many years, aside from the occasional grazing by horses and sheep.</p> <p>The land appears to have been held solely for the purposes of obtaining planning consent for residential units to be erected on this site and has therefore been managed accordingly.</p> <p>It is understood that this site does not form part of a wider agricultural holding. No wider holding will therefore be fragmented or reduced in size as part of this application.</p> <p>The land is classified as Grade 3 and does not form the most valuable land for agriculture. Grade 3 land lies below the very best land grades of Grade 1 and Grade 2 soils.</p> <p>The land is covered in poor quality pasture with low fertility which offers little scope for efficient agricultural production. In order to improve the land, the soil would need to be worked and re-seeded and treated through applications of chemical and fertiliser, subject to any relevant consents. The economics of undertaking such works are not justified when assessing any potential returns which is why the landowner has continued to retain the land as it is, undertaking minimal maintenance and site clearance works only until such time as consent can be secured to release the land from its current status to residential use</p> <p>.</p> <p>The site is not of a size for the efficient use of agricultural machinery. The internal field gates are of a size which</p>

suggest that large modern machinery is not being used to manage the land. The site offers a reasonable area for a small quantity of sheep to graze but they would need to be rotated to allow the land to be rested for part of the year and the use of this land for this purpose only will not be sufficient to support or sustain a viable agricultural business and there is no infrastructure on this site for this purpose.

This land is marginal in all respects and in my opinion offers no use in an agricultural context. The land comprises low quality permanent pasture which offers little scope for intensive grazing without significant input to reinvigorate the sward (which would not be cost effective on this site) and provides little scope to make hay. The fields at the front of the site appeared to have been grazed / managed less intensively than the fields occupied by the horses which were grazed far tighter, providing little value nutritionally and only an area of pasture for turnout purposes. Parts of the horse area were poached with mud where the animals were fed supplementary feed ( hay) and a trailer was noted in the middle of the field for this purpose.

The land is bounded by houses already and the site is able to be accessed off Lower Weybourne Lane. A large area of housing lies to the east of the site towards Badshot Lea and further existing residential and commercial areas lie off Lower Weybourne Lane, on either side. The site appears to be situated within an area of mixed use lying adjacent to large commercial buildings and commercial and residential areas. The site is constrained by the existing railway line to the west. This site has all the hallmarks of lying in a state of inactivity from an agricultural perspective and offers no real prospect in continuing as a realistic agricultural concern.

This site no longer fulfils any agricultural purpose of any significance and in my opinion the loss of this land permanently is of little consequence in an agricultural context due to its relatively small size, its position geographically, partially surrounded by existing roads, commercial and residential areas and the railway line and the existing status of the poor quality sward which is of minimal use in an agricultural context either for grazing or

	for the conservation of hay.
Scottish and Southern Energy	<p>The land concerned is crossed by one 33,000 volt overhead line and has one underground 33,000 volt cable which form an essential and integral part of the Southern Electric Power Distribution's wider network and as such must be retained.</p> <p>Development beneath the overhead lines or diversion/undergrounding of the overhead lines may not be possible, in which case the development as planned would be unable to proceed. The proposal includes a 6m service strip which will be adequate for the underground cable but there is no mention regarding the overhead line to the south.</p> <p>No contractual arrangements have been agreed with the developer for modification of the above circuits. Therefore any conditions imposed, should permission be granted, must be on the developer and not on the Distribution Network Operator.</p> <p>To ensure that the proposal is deliverable, you may consider it best to impose a requirement on the developer to agree contractual arrangements with the Southern Electric Power Distribution for any modifications prior to permission being granted.</p> <p>Condition recommended in respect of overhead lines being re-routed and placed underground.</p>
County Archaeologist	<p>The applicants have submitted an Archaeological Desk Based Assessment with the application produced by the applicants archaeological consultants, West Sussex Archaeology. The Assessment aims to identify and assess the significance of any Heritage Assets with archaeological significance that may be affected, and the potential impact of the proposal on any such assets, so enabling decisions to be made on what further archaeological work is necessary.</p> <p>The Assessment has consulted all currently available sources including the Surrey Historic Environment Record in order to characterize the archaeological potential of the site and concludes that there is a low to moderate potential for prehistoric and Roman settlement remains, with a low</p>

	<p>potential for remains of other periods.</p> <p>The Assessment therefore suggests that as the site has the potential to contain archaeological assets from the prehistoric and Roman periods and that the proposed development has the potential to destroy any such assets that may be present.</p> <p>Agrees with the conclusion and considers that further archaeological investigation will be required to clarify the identified potential in line with the National Planning Policy Framework and Local Plan policy. In the first instance this should comprise an archaeological evaluation trial trenching exercise, which will aim to establish rapidly what archaeological assets are and may be present. The results of the evaluation will enable suitable mitigation measures to be developed.</p> <p>Given that the assessment has demonstrated that the site is unlikely to contain any archaeological assets significant enough to warrant preservation in situ, does not consider that it is necessary for the archaeological work to be undertaken in advance of any planning permission; but securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. To ensure the required archaeological work is secured satisfactorily, the following condition is appropriate. Recommends following condition:</p> <p>“No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority.”</p>
Natural England	<p>Waverley Borough Council has adopted an Avoidance &amp; Mitigation Strategy to help protect the SPA from the impacts of additional residential development. If the applicant is complying with this Strategy, then Natural England does not object to this application.</p> <p>The applicant is willing to make the appropriate financial contributions towards the avoidance and mitigation</p>

	<p>measures set out in your Strategy. It is entirely the decision of your authority as to whether you allocate this development capacity at Farnham Park which currently acts as your only strategic Suitable Alternative Natural Greenspace (SANG). Natural England has already advised that this development is unlikely to provide an acceptable bespoke mitigation solution due to its size. However, if such a solution were to be put forward, we would be happy to provide comments on it. However, this does not seem to be the intention of the applicant at this time.</p>
<p>Surrey Wildlife Trust</p>	<p><u>Original response 11/06/2014</u></p> <p>The Trust advises that Capita’s Ecological Appraisal report dated May 2013 appears to provide a satisfactory general assessment of the ecology of the site, although notes this was carried out prior to the scheme design being finalised.</p> <p>Notes the contents of Capita’s Ecological Impact Assessment report dated October 2013 relating specifically to further survey work on bat and nesting bird use of the site. Additional survey work might have provided a more “representative sample” of bat activity on site (Bat Conservation Trust 2012) but, whilst no roost sites were identified, the two surveys carried out showed that at least four species of bats are using the whole site for foraging and/or commuting.</p> <p>The development is likely to disrupt this activity and/or represent at least a partial loss of suitable habitat for these legally protected animals. It will therefore be important to restrict external lighting post-development which may prejudice the site’s continued use, as recommended in the Ecological Impact Assessment report (7.18). Recommends that all external lighting on site is designed to be bat-friendly, with boundaries remaining unlit.</p> <p>The proposed retention/enhancement of boundary vegetation, including provision of a western ‘green corridor’, is likely to benefit bats using the site, as well as helping to retain some of its current ecological value for birds and other fauna. It is unclear, however, how the recommended avoidance of light spill into this area is to be achieved,</p>

given the presence of two sections of dwelling/parking access immediately adjacent to the narrowest portions (only 1.5m?). It is reasonable to assume that these features will require illumination and, coupled with the narrowness of the corridor at these points, this is likely to adversely impact its use by bats.

Notes that no survey work appears to have been carried out to ascertain whether badgers are using the site, as recommended in the Ecological Appraisal report (5.5). It is therefore important to establish whether this is the case prior to determination, since mitigation is likely to be required and the Local Authority needs to be assured that the development, as proposed, can accommodate any necessary measures.

Irrespective of the results of such a survey, the Trust would recommend that best practice is followed during the construction phase to protect any badgers or other animals, ie:

- providing ladders or shallow escape routes from any earthworks
- fencing areas on site used to store potentially poisonous/hazardous substances.

As this legally-protected species is active and will construct new setts over time, if there is a significant time lapse between the survey and the start of development, a further check is likely to be necessary to establish their current status on site.

It should be noted that the ecological value of the stated 10% of the site allocated to 'green space' depends to a considerable extent on the design and ongoing management employed. The inclusion of native species, together with non-natives which have value for wildlife, in the planting plan should help retain and enhance the biodiversity value of the site post-development. Native trees and shrubs used should be suitable for site conditions, complimentary to surrounding natural habitat and preferably be plants of local provenance. Any native tree saplings should be UK-grown to help avoid the import and spread of exotic pathogens.



	<p>Where open green spaces are sown with a wildlife-friendly seed mix, these should ideally be managed with a conservation mowing regime to maximise the benefits for invertebrates in particular.</p> <p>Native species hedgerows should ideally be lightly managed in order to maximise their value for wildlife and biodiversity, with a cutting regime which allows plants to produce fruits and nuts. A buffer zone of uncut vegetation left at the hedge base further enhances this habitat. If close-boarded fencing is used, some gaps should be left at the base to ensure this potential barrier remains permeable for small animals such as hedgehogs. Plantings of foreign species should be avoided adjacent to natural habitat, particularly those which are potentially invasive. The use of peat-based composts, mulches and soil conditioners should be avoided due to the loss of important natural habitat.</p> <p>Green spaces designated for play use i.e. the LEAP and LAP areas on site, can also make a positive contribution to site biodiversity if they are sensitively planted and managed with wildlife in mind.</p> <p>Of the 'higher value' semi-natural habitat features on site identified in the Ecological Appraisal, some are being retained post-development as recommended in the Ecological Appraisal report (5.2), i.e. existing boundary vegetation, whilst the remaining interior features, i.e. the scrub, wooded and orchard habitats, will be lost. The Trust would encourage the applicant to consider incorporating replacement fruit trees into the development planting, perhaps in the western green corridor/LEAP area.</p> <p>The applicant should be required to undertake the mitigation/compensation measures detailed in the reports, specifically:</p> <ul style="list-style-type: none"><li>• protection of retained vegetation during construction</li><li>• clearance works undertaken outside bird nesting season</li><li>• precautionary approach to clearance of orchard area</li><li>• provision of compensatory habitat, using native</li></ul>
--	--

	<p>species and incorporating re-use of cleared vegetative matter</p> <ul style="list-style-type: none"> <li>• provision of compensatory bird nesting opportunities, both on suitable trees on site and within new buildings as specified; consideration should particularly be given to including provision for swifts as a conservation priority species; boxes should be of good quality and appropriate design, with the specified number (15) as a minimum</li> <li>• limiting of external lighting post-development.</li> </ul> <p><u>Response received 22/06/2015</u></p> <p>The Trust notes that in Capita Symonds Ecological Appraisal Report dated May 2013, page 11 Table 4.1 they state that;</p> <p>“Dense scrub has the potential to support badgers/badger setts although no direct evidence of badgers was observed during the survey”</p> <p>In their Summary and Recommendations section of the Report (page 12) they state under 5.5; “the following works may be required:</p> <ul style="list-style-type: none"> <li>• A survey for the presence of badger setts. Although no setts were found during the survey, it is possible that new setts could be dug.”</li> </ul> <p>Agree with precautionary approach, that as suitable badger sett habitat is available and this species is very active and can construct new setts at any time that a ‘precautionary’ survey for badgers undertaken just prior to ground works commencing, would be advisable to help avoid adverse effect to this legally protected species resulting from development works.</p>
<p>Council’s Environmental Health Officer (contaminated land)</p>	<p>Has reviewed the submitted report “Report on a desk top study, land at Lower Weybourne Lane, Farnham, January 2014, Report No. S. 4353/D, GIS Southern Ltd”. The report recommends a ground investigation of areas in the stable area of the site. Would also suggest asbestos testing of the hard core spread on the site. Recommends that model contaminated land conditions are attached to any permission granted at the site.</p>

Council's Environmental Health Officer (noise and nuisance)	The Noise Assessment submitted with the application takes into account the noise from the railway. The measures specified appear to be sufficient to prevent any noise issues arising from the railway. These measures must be put in place to achieve these levels. Conditions recommended.
Police Architectural Liaison Officer	<p>Surrey Police request that consideration be given to gaining Secured by Design certification for this development. This will ensure that the properties are constructed with a good level of basic security.</p> <p>It is accepted that the LAP and LEAP are needed in a development of this size, however they can become a focal point for antisocial behaviour. The key to preventing this is a good natural surveillance and lighting. There are no lighting plans within the online documents, Surrey Policy request that careful consideration is given to the type of equipment installed in these facilities, the level of planting, lighting and on-going site maintenance.</p> <p>The LAP abuts an acute bend in the road with limited visibility, fencing will be required to reduce the likelihood of children coming into conflict with moving vehicles. In its proposed location, it is not overlooked by any properties and would be better located away from vehicular movements and in a situation where it has better natural surveillance.</p>
Council's Refuse and Recycling Officer	<p>The various types of houses will require provision for a standard compliment of containers for waste and recycling.</p> <p>The 1 and 2 bedroom apartment blocks will require communal waste and recycling storage facilities.</p>
Council's Sustainability Manager	Happy with the fact that they are pro-actively proposing Code 4 and to comply with 10% renewables.
Council's Housing Strategy and Enabling Officer	There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to help meet need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

Although Local Plan Policy H5 requires at least 30% affordable housing on qualifying sites, this policy only applies to sites within settlements of which this site is not. However, in the context of a high level of local housing need, this application is proposing 40% of all new homes to be in the form of affordable housing, which is a community benefit that should be taken into account when considering whether a departure to our planning policy should be made.

With 1,686 households on the Council's Housing Needs Register, this is a huge local housing need for affordable housing. Additionally, the 2013 SHMA indicates a continued need for affordable housing, with an additional 350 additional affordable homes required per annum. As of 24.07.14, there are 1,759 households registered on the Council's Housing Needs Register, who are unable to access housing to meet their needs in the market.

When considering the Housing Need, it is vital to consider the number of affordable homes and the frequency with which these affordable homes becomes available to re-let to applicants from the Council's Housing Needs Register. The supply of council owned affordable housing is very limited, with only 3,637 general needs properties owned in Waverley at 01.04.14.

Of course, these 3,637 homes are occupied by tenants and it is only when a vacancy arises that we can offer it to one of the 1,759 applicants on the Housing Needs Register.

As can be seen, demand for affordable housing far outstrips supply as the level of vacancies that arise are minimal. For example, in 2013-14, only 13% of Council stock became available for re-letting. Most vacancies have been in one bedroom accommodation. Therefore, the opportunity this application presents in terms of providing a range of new affordable homes is a rare and valuable chance to contribute towards meeting local housing need.

The 2013 SHMA makes recommendations about the need for different sizes of affordable homes. The SHMA also recommends 25% of new affordable homes to be intermediate tenures and 75 % rent, with the rent

composition slightly skewed towards social rent. This tenure split has been adhered to in the proposed mix and so is one the Enabling Team are supportive of.

Expect the affordable housing to be managed by a Registered Provider and will work with the partner selected by the HCA through their procurement process. The developer is working in partnership with A2 Dominion. A2 Dominion are one of the Council's preferred partners and have a successful track record of development in the Borough have developed an understanding of local planning policy and the raft of designations covering the area. They are able to provide tenants with a local landlord who have an existing management presence and stock in the Borough. They will own and manage all affordable homes on this scheme. Would expect all affordable homes to be available for occupation in line with the arrangements set out in a Nomination Agreement. A nomination agreement will be required to secure 100% nomination rights for the Council on all initial lettings and sales, and 75% thereafter. A template of the Council's standard agreement can be supplied on request.

Waverley Borough Council is keen to ensure that the affordable housing provision on new sites has the same appearance as the market housing in terms of details, build quality, materials etc. so that the tenures are indistinguishable. However, we would prefer the houses to be semi-detached or terraced, rather than detached, and not to include garages or en-suite bathrooms.

Special consideration should also be give to space standards within the property. Registered Social Landlords operating in Waverley work to the following minimum floor areas

- 1 bed/ 2 person unit      50m<sup>2</sup>
- 2 bed/ 4 person unit      75m<sup>2</sup>
- 3 bed/ 5 person unit      85m<sup>2</sup>
- 4 bed/ 6 person unit      102m<sup>2</sup>

Expect new affordable housing to be built to current Homes and Communities Agency (HCA) design standards and the minimum of Code for Sustainable Homes Level 3.

	<p>Support the principle of the same parking provision being made available for affordable and market housing of the same size and to meet the Council's Residential Parking Guidelines.</p> <p>Expect the affordable housing to be integrated within the market housing, distributed in small clusters across the site, which the design allows for within this development.</p> <p>This application provides a mix of types, sizes and tenures to meet our policy requirements and contribute towards meeting local housing need. We support the provision of affordable housing on the site and recommend that the application should be approved.</p>
Thames Water Utilities	<p>Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is</p>

	<p>recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p> <p>Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing <a href="mailto:wwriskmanagement@thameswater.co.uk">wwriskmanagement@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk/wastewaterquality">www.thameswater.co.uk/wastewaterquality</a>. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.</p>
Surrey County Council (Lead Local Flood Authority)	None received.
Public Health Surrey	None received.
NHS England	None received.
Guildford and Waverley Clinical Commissioning Group	None received.
Health Watch	None 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 21/03/2014 and neighbour notification letters were sent on 11/03/2014.

227 letters of representation have been received, raising objection for the following reasons:

- Local infrastructure will not be able to cope with number of dwellings proposed and will be detrimental to existing residents;
- Extra traffic will cause danger and congestion, especially at cross-roads in Badshot Lea;
- Site is part of Strategic Gap meant to separate Farnham and Aldershot and Badshot Lea and Weybourne – will result in loss of rural character of Badshot Lea;
- Rat-run will be created if new development adjoined to Badshot Park as vehicles seek to avoid congestion in Badshot Lea;
- Site is subject to frequent flooding and development will increase risk;
- Local schools already at full capacity and cannot cope;
- Restrictions should be placed on size of vehicles used during construction and Lower Weybourne Road should be resurfaced by developer afterwards;
- Type of properties not in keeping with surrounding houses – more storeys than elsewhere in village;
- Health/hospital facilities will be further strained;
- No consultation in Badshot Lea, only Weybourne;
- Site provides wildlife corridor and important habitat for bats;
- Application should not be considered in isolation – needs to take into account possible impacts of other sites in locality;
- Limited shopping and services mean more car journeys will be needed to larger centres;
- Density too great and site will be overdeveloped;
- Public transport is limited and too far away for those with mobility issues;
- Application is contrary to Farnham Design Statement 2010;
- Small pockets of land in area important for residents and wildlife;
- 25% increase in size of village planned – Badshot Lea is bearing brunt of lack of co-ordination and residents would prefer a development to the south east of the village;
- Parking insufficient;
- Concern regarding increased noise and crime;



- Concern regarding flood risk and flooding on Lower Weybourne Lane and on the site – area is low lying with a high water table an area was flooded in 2013 and the road impassable;
- Concern regarding location to existing housing.

#### Submissions in support

The applicant has made the following submissions in support of the application:

i. Noise Assessment by Stuart Michael Associates

This document includes that majority of properties would experience noise levels below 50dB during daytime and below 45dB during the night – these are the levels at which noise becomes and annoyance. However, there is a strip of land adjacent to the railway line that would experience noise in excess of these levels. It is therefore proposed that mitigation, including double glazing with sound reducing qualities and attenuated ventilation extraction points, to eliminate the need to open windows, thus reducing noise attenuation. It is also suggested that in order to reduce noise levels in the outside amenity spaces of those buildings, brick walls or high density closed board fences will help to reduce the noise by up to 10dB.

ii. Transport Assessment (including Residential Travel Plan, bus and rail time tables and car sharing document) by Odyssey Markides

Outlines that improvements to the St Georges Road/Guildford Road priority junction mitigation works and that Badshot Lea crossroads could support a pedestrian phase without a significant impact upon queuing occurring. The submitted Travel Plan sets out to inform residents of sustainable travel choices; influence how journeys are made by making sustainable travel easier; include residents in the monitoring and feedback of travel data, and improve the transport network and facilities further in response to that feedback.

iii. Design and Access Statement by Broadway Malyan

Provides as assessment of the local character of Badshot Lea, noting the 'barn architecture' of the area, i.e. brick buildings with timber cladding and hipped roofs, and how this has informed the design of the development. Other key architectural styles found locally and reflected in the proposals include Victorian styles, utilising brick and render; rendered and/or brick terraces; red brick buildings with terracotta roof tiles, and black timber cladding in more rural areas.

The document outlines the constraints of the site, including:

- Noise/acoustic implications of the adjacent railway line;
- Overhead power lines, which will be buried in the site;
- Need to establish the main vehicular access on site;
- Need to protect silver birch trees to the perimeter of the site, which are proposed to be retained;
- The loss of existing bat and bird foraging sites; and
- The location of the development in relation to the existing dwellings at Glorney Mead and Badshot Park.

The document then identifies the opportunities for the site, including;

- Creating an unbroken green corridor to compensate for loss of bat/bird foraging;
- Creation of local play areas, including equipped areas;
- Creation of pedestrian links to Badshot Park and mown grass pedestrian route along western boundary of site;
- Retention of boundary trees and those in south western corner; and
- Maximise views to the west.

The document also provides an outline of the design briefs which have been used to inform the proposals and an outline of the community consultation which has been undertaken prior to submission, including a public exhibition in October 2013, attended by 200 residents, and a presentation to Farnham Town Council. This is supported by a Statement of Pre-application Consultation.

#### iv. Planning Statement by Neame Sutton

Outlines the planning context of the site, including its promotion through the Core Strategy Site Allocations process and pre-application discussions which were held with Waverley and the County Council. It outlines the planning policies relevant to the application and concludes that the applicant considers that Waverley Borough Council's housing land supply falls short of its requirement by 880 dwellings and that as a result, Policies C2 and C4, which seek to restrict housing as a matter of principle in the countryside, should no longer be applied. The Statement also provides an overview of the affordable housing offered, and of the impact of the development upon residential amenity, biodiversity and the Thames Basin Heaths SPA.

#### v. Ecological Impact Assessment by Capita

Concludes that the site consists of typically disturbed and/or common and widespread habitat resources with some nature conservation value owing to the presence of habitats that support bats, birds and invertebrates. Recommendation that the measures outlined in the avoidance, mitigation, compensation and enhancement section are undertaken in full, in order to comply with the law and meet local and national planning policy requirements.

vi. Heritage Assessment by West Sussex Archaeology

Outlines that the site lies within a wider area of archaeological potential, with significant evidence for multi-period settlement and land use, although no archaeological records exist for the site at present. High potential for the remains of pre-historic and/or Romano-British field boundaries and high potential of finding later (Medieval to present) field boundaries.

vii. Arboricultural report by Ian Keen Limited

Provides an identification of all trees on site and their condition, and recommends that tree protection measures are established on site and that building lines and services should be outside root protection areas.

viii. Landscape Appraisal by Aspect Landscape Planning

Concludes that the application site and local environment have capacity to accommodate the proposals and that they will not result in significant harm to the landscape character. The proposals are commensurate with the urban fringe character and is visually contained, thus acceptable in the Strategic Gap.

ix. Contamination assessment by Ground Investigation Services

Outlines a desk top study which identified the likely sources and receptors of ground contamination. Concludes that site presents a very low and low geotechnical risk to the receptors. Mitigation proposed owing to proposed residential use.

## Determining Issues

Principle of development  
Prematurity  
Environmental Impact Assessment  
The lawful use of the land and loss of agricultural land  
Location of development and sustainability  
Housing land supply  
Housing mix and density  
Affordable housing  
Highways, access and parking  
Flood risk and drainage  
Impact on character of Countryside and Strategic Gap  
Visual impact, layout and design  
Residential amenity  
Provision of amenity and play space  
Air quality  
Archaeology  
Infrastructure  
Effect upon the Thames Basin Heaths SPA  
Crime and disorder  
Financial Considerations  
Climate change and sustainability  
Biodiversity and compliance with Habitat Regulations 2010  
Health and Wellbeing  
Water Frameworks Regulations 2011  
Accessibility and Equalities Act 2010 Implications  
Human Rights Implications  
Cumulative/in combination effects  
Third party representations  
Working in a positive/proactive manner  
Conclusion/ planning judgement

## Planning Considerations

### Principle of development

On the 27 March 2012, the Government adopted its National Planning Policy Framework (NPPF). This document superseded the majority of previous national planning policy guidance/statements (with the exception of PPS10: Planning for Sustainable Waste Management) and condensed their contents into a single planning document. Section 38(6) of the Planning and Compulsory Purchase Act 2004, still requires all applications for planning

permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Waverley Borough Local Plan 2002 and the South East Plan 2009 therefore remain the starting point for the assessment of this proposal.

The NPPF is a material consideration in the determination of this case. Paragraph 215 of the NPPF makes clear that where a local authority does not possess a development plan adopted since 2004, due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. In this instance, the relevant Local Plan policies possess a good degree of conformity with the requirements of the NPPF. As such, considerable weight may still be given to the requirements of the Local Plan.

The planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The planning application seeks outline permission for the development proposal with all matters reserved for future consideration. As such, the applicant is seeking a determination from the Council on the principle of the residential development of the site.

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF at paragraph 197 provides the framework within which the local planning authority should determine planning applications, it states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 of the NPPF defines the presumption in favour of sustainable development as approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: inter alia any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this framework indicate development should be restricted.

The NPPF states that, as a core planning principle, the intrinsic character and beauty of the countryside shall be recognised.

The site is within the Thames Basin Heaths SPA Buffer Zone. Development should not result in a significant effect upon the integrity of the SPA. The Council has produced an Avoidance Strategy for the Thames Basin Heaths SPA with the aim of continued protection of bird species and is concerned with the net increase of population in the buffer zone from new housing development.

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

### Prematurity

Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of

new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

The Farnham Neighbourhood Plan is also at a relatively early stage in its development. The NPPG states that an emerging neighbourhood plan may be a material consideration in decisions on planning applications. It adds, however, that refusal of planning permission on grounds of prematurity will seldom be justified, in the case of a neighbourhood plan, before the end of the local planning authority publicity period. A draft of the Farnham Neighbourhood Plan was published for consultation between 31 October and 15 December 2014 and is not due to be submitted to Waverley Borough Council until July 2015.

Officers conclude that the emerging Local Plan is not at an advanced stage and that the Farnham Neighbourhood Plan is at an early stage in its development. Having regard to the advice of the NPPG, Officers conclude that a reason for refusal based on prematurity could not be substantiated.

### Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment'.

An ES is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before the development is allowed to go ahead. An EIA must describe the likely significant effects and mitigating measures envisaged.

On 6<sup>th</sup> December 2013 the Council issued, pursuant to regulation 5 (7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, a screening opinion (SO/2013/0010) which concluded that the proposed

development of 140 dwellings at the site would not constitute EIA development within the meaning of the Regulations.

There have been no subsequent permissions or changes in circumstances granted since May 2013 such as to change the outcome of that Screening Opinion.

#### The lawful use of the land and loss of agricultural land

The application site consists of an open grassland field. Policy RD9 of the Local Plan outlines that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect such land. The lawful use of the land is considered to be un-cultivated shrub land.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The Council's records indicate that the site is classified as Grade 3, which indicates that it is likely to be of some agricultural value. There is then a clear conflict with the intentions of Policy RD9 of the Local Plan.

The site is not previously developed and comprises a parcel of primarily agricultural land. There are currently horses and a small number of sheep grazing on the northern most parts of the site, and there are a number of small, informal stables in the centre of the site. There is also an area of hard standing to the east, which contains a number of metal shipping containers. Nonetheless, there is no planning history for the site and officers are of the opinion that the lawful use of the land is agricultural.

The Council's Agricultural Consultant has commented that the site does not form part of a wider agricultural holding, and as such the proposed development would not result in the fragmentation of a wider holding. The site is considered to be Grade 3 agricultural land and as such does not represent the most valuable land for agriculture. In order for it to become viable agricultural land, significant improvements would need to be made to the soil quality, which would not likely be viable. The site is not large enough to accommodate farming machinery, and whilst it could continue to accommodate low level grazing for sheep, such grazing would not likely be sustainable in the long term given the need to rotate the use and rest parts of



the site. The site provides little agricultural potential and as such, its loss for agricultural purposes would not conflict with Policy RD9 and the NPPF 2012.

#### Location of development and sustainability

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements, will be strictly controlled.

The Key Note Policy of the Waverley Borough Local Plan aims, amongst other matters, to make provision for development, infrastructure and services which meet the needs of the local community in a way which minimises impacts on the environment. The text states that opportunities for development will be focused on the four main settlements (Farnham, Godalming, Haslemere and Cranleigh), mainly through the re-use or redevelopment of existing sites.

Paragraph 55 of the NPPF states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

Paragraph 69 of the NPPF states, inter alia, that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. It continues, that local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

The Keynote Policy and Policy C2 of the Waverley Borough Local Plan 2002 are regarded as housing land supply policies, following the conclusion of the recent High Court Judgement: *Mark Wenman v (1) The Secretary of State for Communities and Local Government (2) Waverley Borough Council*. The Council can still apply the policy with regard to its environmental protection, with the understanding that the policy itself carries a significantly reduced amount of weight.

Whilst it is recognised that the application site falls outside of the Developed Area boundary, within the Countryside beyond the Green Belt, Officers acknowledge that the application site abuts the settlement boundary of Farnham to both the east and west. The site location is in reasonably close proximity to public transport and to the facilities in Badshot Lea, which includes a primary school within 375m.

The site was submitted for the 2014 'call for sites' and is identified in the 2014 SHLAA under ID 25. It was noted in the detailed analysis for the site that it has good accessibility to a primary school and a bus stop, moderate access to a secondary school and poor accessibility to a town centre, a local centre, a GP/health centre and a train station. The site was given a 'green' RAG score in that initial assessment. The RAG score for each site was generated (either red, amber or green) for each site outside of settlements based on an assessment against a wide range of factual sustainability related criteria.

As such, Officers consider that the proposal would provide reasonably sustainable access to the facilities required for promoting healthy communities and would enhance the vitality of the community of Badshot Lea. Therefore, whilst acknowledging that the site is outside of a defined settlement or developed area, it is considered that the proposal would not result in isolated dwellings in terms of its visual relationship to the existing settlement and in terms of access to the facilities required to sustain inclusive, mixed communities. As such, the application is not required to demonstrate any special circumstances as set out in paragraph 55 of the NPPF 2012.

#### Housing land supply

Paragraph 159 of the NPPF states that Local Planning Authorities should have a clear understanding of housing needs in their area, they should, inter alia, prepare a Strategic Housing Market Assessment to assess their full housing needs; and prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.

Paragraph 47 of the NPPF states that local planning authorities should use their evidence bases to ensure their Local Plan meets the full needs for market and affordable housing in the Borough, and should identify and update annually a five-year supply of specific and deliverable sites against their housing requirements. Furthermore, a supply of specific, developable sites or broad locations for growth should be identified for years 6-11 and, where possible, 11-15. LPAs should also set their own approach to housing density to reflect local circumstances and to boost significantly the supply of housing.

Paragraph 49 of the NPPF continues that housing applications should be considered in the context of the presumption in favour of sustainable development.

Following the withdrawal of the Core Strategy from examination in October 2013, the Council agreed an interim housing target of 250 dwellings a year for the purposes of establishing five year housing supply in December 2013.

That was the target in the revoked South East Plan and is the most recent housing target for Waverley that has been tested and adopted. However, as a result of recent court judgements, it is accepted that the Council should not use the South East Plan figure as its starting point for its five year housing supply and that the Council does not currently have an up-to-date housing supply policy from which to derive a five year housing land requirement.

It is acknowledged that both the latest household projections published by the Department for Communities and Local Government and the evidence in the emerging draft Strategic Housing Market Assessment point to a higher level of housing need in Waverley than that outlined within the South East Plan.

Specifically, the Draft West Surrey SHMA December 2014 indicates an unvarnished figure of at least 512 dwellings per annum.

Notwithstanding that this is a higher figure than the South East Plan Figure, latest estimates suggest a housing land supply of 3.96 years based on the unvarnished housing supply figure of 512 dwellings per annum. This falls short of the 5 year housing land supply as required by the NPPF.

The provision of new market and affordable housing would assist in addressing the Council's housing land supply requirements. This is a material consideration to be weighed against other considerations for this application.

#### Housing mix and density

The NPPF states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends; identify the size, type, tenure and range of housing that are required in particular locations, reflecting local demand; and where it is identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution can be robustly justified.

Policy H4 of the Local Plan 2002, in respect of housing mix, is considered to be broadly consistent with the approach in the NPPF. It outlines the Council's requirements for mix as follows:

- a) at least 50% of all the dwelling units within the proposal shall be 2 bedroomed or less; and,

- b) not less than 80% of all the dwelling units within the proposal shall be 3 bedroomed or less; and,
- c) no more than 20% of all the dwelling units in any proposal shall exceed 165 square metres in total gross floor area measured externally, excluding garaging.

The Council's Draft West Surrey Strategic Housing Market Assessment (2014, SHMA) provides an updated likely profile of household types within Waverley. The evidence in the Draft West Surrey SHMA (2014) is more up to date than the Local Plan. However, the profile of households requiring market housing demonstrated in the SHMA at Borough level is broadly in line with the specific requirements of Policy H4.

The Draft West Surrey SHMA (2014) provides the follow information with regards to the indicative requirements for different dwelling sizes:

Unit Type	1 bed	2 bed	3 bed	4+ bed
Market homes needed for West Surrey Housing Market Assessment area	10%	30%	40%	20%
Affordable homes needed for West Surrey Housing Market Assessment area	40%	30%	25%	5%

The applicant has proposed the following mix of housing:

Bedrooms	Number of units	Percentage of total
1-bedroom	4	2.9%
2-bedrooms	56	40%
3-bedrooms	53	37.9%
4-bedrooms	18	12.9%
5-bedrooms	9	6.4%
Total	140	100%

The total number of properties which would have 2-bedrooms or less would be 60 units, which equates to 42.9% of the overall number of units. This would be less than the requirements of criterion (a) of Policy H4.

Of the 140 units proposed, 113 would have 3-bedrooms or less, which equates to 80.7% of the overall number of units. 10 of the units would have a floor space of 165sqm or over, which equates to approximately 7%. The proposals would therefore comply with criteria (b) and (c) of Policy H4 of the Local Plan 2002 and the SHMAA.

The density element of Policy H4 has been superseded by guidance in the NPPF which states that to boost significantly the supply of housing, local planning authorities should set their own approach to housing density to reflect local circumstances.

Rather than prescribing a minimum or maximum density, the NPPF sets out, at paragraph 47, that Local Planning Authorities should set out their own approach to housing density to reflect local circumstances. Density is a rather crude numeric indicator. What is more important is the actual visual impact of the layout and extent of development upon the character and amenities of the area.

The site adjoins, on its eastern side, the Glorney Mead development and Badshot Park beyond. Glorney Mead has a density of 25 dpha, with Badshot Park having a density of 21 dpha. Both of those estates have densities commensurate with a suburban location such as Badshot Lea. It is considered that the density of 29.6 dpha would not be significantly different to that of surrounding development to the east and as such would be appropriate to the character and density of the surrounding area. The scheme involves open space and internal road networks which serve to disperse this density by providing natural spacing around the development within the site. Most importantly, the higher density would make more efficient use of land. The acceptability of the proposal in relation to the surrounding density is a matter of judgement to be put into the planning balance. Officers consider that that proposed density and housing mix would result in an acceptable form of development for the site area.

The proposed housing mix and density are considered to be appropriate having regard to the evidence in the SHMA and the requirements of Policy H4 of the Local Plan.

#### Affordable housing

The Local Plan is silent with regards to the delivery of affordable dwellings in locations such as this. Specifically, there is no threshold or percentage requirement in the Local Plan for affordable housing on sites outside of settlements. This is because, within an area of restraint, housing development under the current Local Plan, is unacceptable in principle, including affordable housing.

If, however, Members decide to support the principle of housing on this site, then the provision of affordable housing could be regarded as a benefit of considerable weight to justify releasing the site from the countryside.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority.

As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to help meet need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, and should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

As of 21.01.15, there are 1,649 households with applications on the Council's Housing Needs Register, who are unable to access housing to meet their needs in the market. This has been broken down as follows:

As of 8th June 2015, there are 1,519 households with applications on the Council's Housing Needs Register, who are unable to access housing to meet their needs in the market. Additionally, the Draft West Surrey SHMA (2014) indicates a continued need for affordable housing, with an additional 337 additional affordable homes required per annum.

The Draft West Surrey SHMA (2014) provides the following information with regards to the indicative requirements for different dwelling size affordable units.

Unit type	1 Bed	2 Bed	3 Bed	4+ Bed
Affordable	40%	30%	25%	5%

The Draft West Surrey SHMA (2014) also recommends 30% of new affordable homes to be intermediate tenures and 70% rent. Of the 56 affordable homes proposed, 42 would be for affordable rent (75%) and 14 would be for shared ownership (25%). This would broadly accord with the SHMA recommendations and is considered to be acceptable.

The proposal includes 40% affordable housing on site, with a mix of:

Unit size	Affordable	% split
1 Bed	12	21.5 %
2 Bed	32	57 %

3 Bed	12	21.5 %
Total	56	100%

The proposed mix for affordable housing would not be strictly in line with the mix set out in the SHMA. However, the Council's Housing Strategy and Enabling Officer has commented that demand for affordable housing far outstrips supply as the level of vacancies that arise are minimal. For example, in 2013-14, only 13% of Council stock in became available for re-letting. Most vacancies have been in one bedroom accommodation. Therefore, the opportunity this application presents in terms of providing a range of new affordable homes would make a valuable chance to contribute towards meeting local housing need.

Affordable housing is a key priority for the Council and officers consider significant weight can be attached to the level of affordable housing provision with the current scheme. Officers conclude that, overall, the proposed affordable housing mix would contribute to meeting local needs in line with guidance contained within the NPPF. However, in the absence of any viability assessment, Officers cannot confirm that the proposed provision of affordable dwellings is the maximum amount achievable on the site, whilst still seeking to achieve mixed and balanced communities.

#### Highways, access and parking

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. In considering developments that generate significant amounts of movements local authorities should seek to ensure they are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. Plans and decisions should take account of whether improvements can be taken within the transport network that cost-effectively limit the significant impact of the development.

Paragraph 32 states: "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and

- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

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

The application is accompanied by a Transport Assessment (TA) prepared by Odyssey Markides. The TA sets out the existing conditions of the local highway network and accessibility by various transport nodes. The TA notes that the site is well located, being located approximately 2km from Aldershot and close to the towns of Farnham, Guildford, Farnborough and Winchester. It also notes that the site is served by footpaths linking it to the centre of Badshot Lea and surrounding areas, and that access to the Blackwater Path, which provides links for pedestrians and cyclists can be accessed directly opposite the site access.

The TA also outlines that the nearest existing bus stops is c.480m from the site on Lower Farnham Road, with hourly bus services to Guildford via Farnham and Godalming. Further bus stops are approximately 620m away on Weybourne Road, providing bus routes to Aldershot and Haslemere. Longer distance bus routes to Reading can be found further along Upper Weybourne Lane, 710 metres away.

The TA also sets out the baseline traffic surveys which were undertaken, in order to assess existing traffic movements in and around the locality, in order to predict the likely impact of additional traffic associated with the development upon the capacity and flow of the local network. Trip analysis surveys were carried out during peak periods (07:00 to 09:30 and 16:00 to 18:30 hours). The surveys indicate that, based on vehicle trip rates from Glorney Mead, the likely number of two vehicular movements from the site during AM peak hours is likely to be 87, with 125 two way vehicular movements during the PM peak period.

The County Highway Authority has assessed the assumptions and methodology used by the applicant to calculate the above development generated vehicle trips and is satisfied that they are robust and fit for purpose.

In addition, junction capacity analysis was undertaken for the following junctions:

- a) B3007 Weybourne Road/Upper Weybourne Lane/Lower Weybourne Lane signalised junction;
- b) Lower Weybourne Lane/B3208 Badshot Lea Road/St George’s Road signalised junction;



- c) Lower Weybourne Lane/Site Access priority junction;
- d) A325 Farnborough Road/Upper Weybourne Lane priority junction;

The assessment of capacity at priority junctions is measured in terms of a ratio of flow to capacity (RFC), where an RFC greater than 1.0 at any arm of a junction indicates that the junction is operating at its theoretical capacity.

Junction c) would operate at an RFC of 0.11 (AM peak) and 0.08 (PM peak) and Junction d) would operate at 0.72 (AM peak) and 0.40 (PM peak).

With regard to signalised junctions, the capacity of an individual approach to a signalised junction is summarised by the Degree of Saturation (DoS) where 90% would mean the arm is at 90% of its absolute capacity.

The analysis of Junction a) indicated that this junction currently operates within capacity, and that taking account of planned development, would operate at 85% capacity.

The applicant is proposing to install a pedestrian phase at Junction b). As a result of the development, and taking into account the pedestrian phasing proposed, this junction would operate at 78.8% capacity, up from 74.8% at present in the AM, and at 91.3% at PM peak, up from 89.2% at present. The proposal would not therefore have a severe impact on capacity at that junction.

The TA also notes that this junction does not have a pedestrian phase. Pedestrian assessments indicate that outside of school drop off/pick up times, the demand for a pedestrian phase is very light. Notwithstanding, the applicant is proposing to install a pedestrian phase at this junction. Whilst this would increase some queue lengths, the proposal would significantly increase the safety of pedestrians, and in particular, school children, who regularly use this crossing during peak hours.

In addition to a Travel Plan to promote sustainable travel to future residents, the proposal would also deliver £50,000 of infrastructure contributions towards the following transport improvements in the locality:

- Improvements to bus stops on Badshot Lea Road and Weybourne Road, including upgraded bus shelters, accessibility enhancements, new bus stop poles/timetables/marketing, and Real Time Passenger Information (RTPI). The contribution will also be used towards equipping the buses on these routes with RTPI, and with marketing the bus network in the area.
- Blackwater Valley cycle scheme between Aldershot and Farnham Town Centres and Rail Stations

- Upgrading Footpath Numbers 102 and 112 to bring them up to a standard to be used as a cycle track.

On that basis, and subject to these off site highways works and contributions towards transport improvement schemes being secured through a S106 agreement, officers consider that the proposal would not result in a significant impact on highway safety or capacity in the vicinity.

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 2013. 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

The proposal would provide a total of 316 spaces across the site, distributed as follows:

Dwelling size	No. of spaces
1-bedroom	1
2-bedroom	2
3-bedroom	2
4-bedroom	2 – 2.5
5-bedroom	4

Whilst the 3-bedroom and smaller 4-bedroom units would be provided with only 2 allocated parking spaces, there would be 18 unallocated parking spaces across the site, available for visitor parking. Given that the total number of spaces provided would meet the Council's Parking Guidelines 2013, and given that the spaces would be distributed across the site, it is considered that the scheme would accord with the Council's Parking Guidelines.

## Flood risk and drainage

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.

Part of the site, at the north eastern corner, is indicated to be within Flood Zone 2 and residential development is classified as a more vulnerable use. Paragraph 101 states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 102 states that if, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- It must be demonstrated that the development provides wider sustainability to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- A site-specific flood risk assessment (FRA) must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

However, it should be noted that the Exception Test is only required to be passed by development in Flood Zone 3.

An FRA by Odyssey Markides was included with the planning application. The Environment Agency (EA) advised that part of the site lies within Flood Zone 2

and recommended Standing Advice. Officers appointed RPS Group to assist them in assessing the FRA against that advice.

RPS identified that the submitted FRA argued that the site lay wholly within Flood Zone 1, on the basis that there are parts of the site, identified as being in Flood Zone 1, which are sited at a lower land level than those parts shown to be in Flood Zone 2.

However, no technical justification was provided by the applicant to support this claim. Further, the FRA reported that there are no historic flood events recorded for the site. However, EA data indicates that the north eastern section of the site flooded in 1968, although it is accepted that EA's mapped 1968 flood extent may not be accurate. Further modelling to confirm the 1 in 1,000 year flood extent was therefore recommended by RPS, to quantify this claim.

Alternatively, RPS advised that should the applicant accept that part of the site was in Flood Zone 2, further information would be required in order to enable the Council to apply the Sequential Test, as required by paragraphs 100 and 101 of the NPPF 2012.

In addition, the FRA gave contradictory information regarding the potential for risk from groundwater flooding, and no information was provided with regards to the flood risk associated with the drainage ditch to the western side of the site. Further information was also required in respect of surface water drainage from the site, as no level information was provided to illustrate that the proposed attenuation scheme would be successful.

The applicant subsequently provided additional information to seek to address these issues. Each issue is addressed separately, below:

i. Flood zoning

With regards to flood risk zoning, the applicant appointed a new flood risk consultant, Opus International. The Opus report dated 06/03/2015 agreed with RPS' comment that the EA's 1968 flood extent could not be quantitatively relied upon to demonstrate the full extent of Flood Zone 2. This is because the extent of flooding on the EA's maps is likely to have been qualitatively drawn to encompass properties which experienced flood damage, and the extent of the main valley floor, rather than being derived from river flood modelling data.

However, Opus identified that information regarding Flood Zone 3 was available for the same flood event to the north of Badshot Big Pond, located

approximately 65 to the north east of the site. The River Blackwater, and Badshot Big Pond, are considered to be the closest sources of river flooding.

Areas in Flood Zone 3 have been modelled by the Environment Agency and assessed as having a 1%, or 1 in 100 year, chance or greater chance of flooding from a river source, or the sea, each year. Areas in Flood Zone 2 are assessed as having a 0.1%, or 1 in 1000 year, chance or greater of flooding from a river, or the sea, each year.

The probability of flooding is measured using the Annual Exceedance Probability (AEP), which measures the probability of a flood of a particular magnitude, or greater, occurring in any given year, from a particular river or sea source. The 1% AEP level of Badshot Big Pond has been modelled at 73.86m AOD. This means that, should water levels exceed 73.86m at Badshot Big Pond, surrounding areas at lower levels will likely flood. This is evidenced by the fact that in 1968, land to the north of the pond, which lies between 73.5m and 74.0m AOD, flooded.

Taking into account the extent of Flood Zone 3, which equates to approximately 200m in width, together with surrounding land levels, Opus calculated that the 1 in 1,000 year flood event scenario, or 0.1% AEP, would affect land lying up to 73.91 AOD.

The lowest point on the application site lies at 74.05m AOD. Therefore, it sits higher than the highest modelled level for Flood Zone 2 and Opus concluded that the site can be said to lie wholly within Flood Zone 1. The Council's flood risk consultant RPS has thoroughly reviewed this information, and concurs that, upon quantitative assessment, the whole of the site can be considered to lie within Flood Zone 1, which has the lowest probability of flooding.

At the time of writing the report, the final comments of the EA are awaited and an oral update will be reported to the meeting on this matter. However, on the basis of the expert advice received from RPS, officers consider that the proposal would accord with the Sequential Test requirements set out in paragraph 101 of the NPPF 2012 and the EA's Standing Advice in this respect, given that the development would be located within an area which has the lowest probability of flooding.

ii. Surface water flooding, including flooding from western drainage ditch

Additional information provided by Opus indicates that the ditch to the west of the site, adjacent to the railway line embankment, has sufficient capacity to tolerate the new surface water flows generated by the development of the land, over and above the green field run-off rate. The ditch has a length of

some 360m, and increases in both width and depth towards the northern end of the site, at its junction with Lower Weybourne Lane. Opus has calculated that the ditch would have sufficient capacity, even in the event of a 35% loss of capacity due to silt build up, to prevent surface water flooding from occurring. In the extreme event of the total loss of the ditch, the finished floor levels (FFL) of properties along western side of the site, together with the proposed second channel along this boundary, would ensure that properties on the site are not flooded, and that flooding does not increase off site.

Officers note that concerns have been raised locally regarding flooding on Lower Weybourne Lane, especially adjacent to the railway bridge and adjacent to the proposed access road. Lower Weybourne Lane is also highlighted on the EA's maps as being at risk from surface water flooding. Whilst the proposal cannot be reasonably expected to resolve existing off-site flooding, it should not exacerbate the problem.

The applicant has set out that it is unlikely that infiltration alone will be sufficient to deal with surface water drainage from the site and is proposing to use surface water attenuation tanks within the site. The tanks will collect surface water run-off within the site before discharging the water into the surface water culvert beneath Lower Weybourne Lane at a controlled flow of 21.5l/s, which would be no greater than the current greenfield run-off rate for the site. The SuDS system has been reviewed by RPS who has confirmed that this approach would be feasible for the development, and should be controlled by way of a condition, if permission is granted.

iii. Groundwater flood risk

The FRA indicates that the geology of the site is London Clay Formation and as such the likelihood of ground water flooding through water levels which arise from any bands of sand within the clay strata is considered to be low. However, the FRA acknowledges that intrusive soil investigations indicate that sand and gravel layers above the London Clay Formation are waterlogged. Concern was expressed by RPS that some of the properties were shown to have finished floor levels below surrounding ground levels.

Notwithstanding, it is considered that the risk of groundwater flooding to the properties on site could be satisfactorily mitigated by way of a condition to ensure finished floor levels are set 150mm above finished ground levels, in the event that planning permission is granted. This condition has been recommended by RPS.

iv. Foul water and sewerage capacity

Thames Water has indicated that in relation to waste water, the existing infrastructure is insufficient to meet the needs of the development. As such, the applicant would be required to complete drainage improvement works to accommodate the additional capacity required by the proposed development. provided advice in respect of proximity of new development to public sewers. This would be secured by way of 'Grampian' condition, should permission be granted.

Having regard to the views of the Environment Agency and the Council's flood risk consultants, RPS Group, the proposed development is considered to be acceptable in respect of flooding and drainage issues in accordance with the NPPF 2012.

#### Impact on character of Countryside and Strategic Gap

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

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

Policy C4 of the Local Plan outlines that the Council will seek to protect the Strategic Gap between Farnham and Aldershot by resisting inappropriate development in accordance with Countryside policy; promote the enhancement of the landscape, and conservation of wildlife sites, and promote improved public footpaths and bridleways for informal recreation.

The site is currently green, open pasture land and does not contain any built form. It therefore does not fall within the definition of 'previously developed land' and would constitute virgin, open countryside.

Officers are of the view that sites such as this reflect the intrinsic character and beauty of the countryside, and therefore, the visual impact of developing those sites must be considered.

Of particular relevance to this case is the appeal decision for a housing scheme at Little Acres Nursery (APP/R3650/A/13/2196705 dated 23/04/2014), which is also close to Badshot Lea, but to the south of the village. That

application was dismissed, with the Inspector attributing significant weight to the impact of the development upon the open character of the countryside.

The Inspector concluded that, as a result of the Little Acres development, the distinctiveness of the locality and open countryside setting of the village and wider rural landscape beyond would be unacceptably and substantially harmed by the development. It would have eroded the open nature of the countryside, causing significant harm to the character and appearance of the surrounding area. The development of that site would be viewed as ‘...an intrusive, incongruous individual development with little clear association with surrounding built development. In this way the distinctiveness of the locality and open countryside setting of the village and wider rural landscape beyond would be unacceptably and substantially harmed.’

Officers are mindful that similarities may be drawn between that scheme, and the scheme now before Members. However, officers are of the view that the details of the two schemes, and their locations, are not directly comparable in terms of the impact of the development upon the character and appearance of the Countryside and that of the Strategic Gap.

The application site is juxtaposed between the existing suburban housing estates at Glorney Mead and Badshot Park to the east, and the main Farnham railway line which bounds it to the west. Officers are of the view that the railway line forms a distinct juncture between the built-up housing estates to the east, and the development to the west. Directly to the west of the railway line are some light industrial units and electricity board land, set behind residential properties which front onto Lower Weybourne Lane. Beyond those properties, there is a short run of residential properties which back onto open fields. However, this run of properties is interrupted again further to the west by Wentworth Close, which is a residential housing estate which extends in a southerly direction beyond the rearmost gardens of those properties, and into the open countryside.

It is acknowledged that there are open fields to the south west of the site, which sit between Green Lane and the application site. However, given that these fields are to the west of the railway line, the development of the site would be viewed primarily in the context of the existing denser built form to the east of the railway line, rather than the open countryside to the south west. The site is well related to the urban areas of Weybourne and Badshot Lea.

On the basis of that assessment, it is considered that the site is not isolated from the village, but rather represents an in-fill site between existing developed parts of the village. Unlike the Little Acres Nursery site, the application site is primarily surrounded by built form, save for on its south



westerly most edge, but in any case, that part of the site is bounded by the intersecting railway line. In the view of officers, the proposed development would not appear incongruous or isolated from the existing developed area of Farnham. Rather, it would appear as a continuation of the previous estate developments to the east. Given that the site is already largely surrounded by development, it is considered that in this case, unlike Little Acres, it does not contribute significantly to the openness and character of the countryside, given the context within which it is sited.

As such, officers are of the view that in this particular case, the context of the application site is such that the development would not prejudice the openness, character and natural beauty of the open countryside in this location and would comply with Policy C2 of the Local Plan 2002 and paragraph 55 of the NPPF 2012.

#### Visual impact, layout and design

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. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development to have high quality design and to be well related in size, scale and character to its surroundings.

The Farnham Design Statement 2010 identifies areas of different architectural style and layout across Farnham. The application site falls within the Weybourne and Badshot Lea area where the guidance states that the essential rural character of Badshot Lea should be preserved, by respecting the pattern of development in the village. However, there was a significant amount of new housing development over the last few decades. This has resulted in a large mix of housing styles. The Statement indicates that traffic is a problem and that the impact of new development on existing infrastructure should be carefully considered.

The site comprises an area of land betwixt the existing suburban housing estates of Glorney Mead and Badshot Park to the east, and the railway line to the west. It is, in the view of officers, visually well contained and is not read as an isolated site in relation to the other housing development in Badshot Lea.

The proposed dwellings would be of a traditional design, commensurate with the vernacular detailing and material palette found in the wider area. The scale and form of the dwellings, with gable roofs of traditional pitches would be in keeping with the form of other buildings in the locality. The design across

the site would be unified, but with subtle variation in building lines, detailing and materials which would ensure that the overall appearance of the site is coherent and integrated.

The most visible dwellings from Lower Weybourne Lane would be Plots 1-7. These plots would comprise 4 detached dwellings of various different designs (Plots 1, 2, 3 and 7), together with a terrace of 3 dwellings to the west of the access road. These properties would be well detailed, featuring gabled elevational details, dormer windows breaking the eaves, bay windows and finger course brickwork to define the fenestrative elements. These buildings would have a height of around 8.7m, which would be commensurate with the height of surrounding buildings.

With regards to the layout of the development, whilst this would take the form of a single cul-de-sac with spurs leading from it, it would be commensurate with the layout of neighbouring housing estates. Whilst there would be a single point of access only, provided from Lower Weybourne Lane to the north of the site, the emergency and pedestrian only link through to Badshot Park to the east would ensure that there is some connectivity to surrounding areas, whilst acknowledging that a vehicular link through surrounding housing estates would unlikely be practicable. Plots 57 to 60 have also been designed to allow connectivity to Badshot Park in the future, should this be desirable.

On that basis, officers consider that the detailed design, layout and visual impact of the development would be commensurate with surrounding development and would accord with Policies D1 and D4 of the Local Plan 2002 and the Farnham Design Statement 2010.

#### Residential amenity

The application is submitted in full and as such the proposed layout must be considered at this stage in relation to neighbouring properties.

To the west of the site is an existing mainline railway line, which separates the site from properties in Lower Weybourne Lane to the west. To the south of the site are open fields, free from development, and directly opposite, to the north, is an ambulance training centre. Having regard to the location and uses of surrounding land in these directions, no concerns are raised regarding the amenities of occupiers to the north, west or south of the site.

On its eastern side, the site lies adjacent to existing residential properties in Glorney Mead. Glorney Mead is a suburban housing estate, permitted in the 1980's. It has a typical suburban layout, with clusters of development centred around estate roads.

The proposed development would comprise linear development along the eastern boundary of the site with Glorney Mead, with the dwellings on Plots 45 – 56 and 72 – 81 having east facing rear aspects. The depths of the rear gardens of these properties would vary in length but would generally be around 11.5m long. Plots 49 – 56 would have shorter garden lengths of around 10.5m.

The properties which are most likely to be affected by the proposals are No's 38 and 39 Glorney Mead, and 81 – 83 Badshot Park. There would be some overlooking across the rears garden spaces of those properties, however, the separation distances between the proposed dwellings and boundaries would not be significantly different to existing relationships. For example, No.83 Badshot Park has a garden length of around 11m, with No.38 having a similar garden length. Having regard to this, and the fact that there would be some intervening boundary treatment which would break up any direct views into these properties, it is considered that the relationship of the proposed dwellings to surrounding development would be acceptable.

Plots 57 – 60 would be sited adjacent to No. 83 Glorney Mead and would have the same east to west orientation. Given the length of the proposed dwellings, and their position next to this property, and the existing driveway and garage at that property, it is considered that there would not be a significant effect upon the amenities of the occupiers of that dwelling by way of loss of light, overbearing impact or loss of privacy, subject to conditions to preclude any further side window openings from being formed in the northern elevation of Plot 60.

Officers note that the properties to the west of the site would be located close to the existing mainline railway line. The Council's Environmental Health Officer has raised no objection to the scheme, subject to the mitigation measures outlined in the Noise Assessment being carried out.

The Government's policy on the setting of technical standards for new dwellings is set out in the Ministerial Statement of 25<sup>th</sup> March 2015. This statement should be taken into account in applying the NPPF 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. 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 proposals would meet the minimum gross internal floor areas set out in the Government's Technical Housing Standards – Nationally Described Space Standard (2015).

#### Provision of amenity 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. Given that the proposal is for 140 family homes, public play space is also required.

The proposed dwellings would each have some usable outdoor amenity space, although this would be limited to balconies for the flats above garages (FOGs) on Plots 17 and 18. The gardens provided for the dwellings would be suitable for children's play and would provide private amenity space for residents. There would be some additional public open space along the western boundary of the site, adjacent to the railway line.

The Council uses the standard recommended by Fields in Trust (FIT) for assessing the provision of public outdoor playing space. A LEAP (local equipped area of play) within 400m walking distance, 5 minutes from a child's home and is intended for children who are just beginning to play independently. It should feature a range of play equipment and should be suitably enclosed. The proposed LEAP would be positioned to the west of the site.

In addition, a LAP (Local Area for Play) would be provided to the south east of the site. A LAP comprises a small area within 1 minute walking time from home for children up to 6 years of age. These have no play equipment but provision is made for low key games such as hopscotch or play with small toys. Seating for carers should be provided.

The location and size of the proposed LEAP and LAP are considered to meet the requirements set out within the FIT guidance.

On that basis, it is considered that the proposal would provide sufficient amenity and play space to meet the needs of the proposed development. The proposal would therefore accord with Local Plan Policy H10 and the NPPF 2012.

### Air quality

Paragraph 120 of the NPPF states that planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area of the area or proposed development to adverse effects from pollution, should be taken into account.

Paragraph 124 states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

Policy D1 of the Waverley Borough Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of inter alia (c) loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance resulting from the emission of noise, light or vibration; (d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances; In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular inter alia (a) development, which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

The site is not within a designated AQMA and nor is it adjacent to one. However, the impact on air quality remains an important material consideration. The proposed development would introduce new residents into an area that has an established road network and therefore may expose future occupants to air pollution associated with road traffic. The new development would also potentially increase road usage in the area by potential future occupiers. Therefore, mitigation measures are recommended

to be secured via condition should permission be granted. These include a Site Management Plan, Low Emission Strategy (LES) and no burning of materials on site.

Subject to the imposition of the suitable mitigation measures, particularly throughout the construction stage, it is concluded that the impact on air quality would be acceptable.

### Archaeology

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The site is not within an Area of High Archaeological Potential. However, due to the size of the site and pursuant to Policy HE15 of the Local Plan, it is necessary for the application to take account of the potential impact on archaeological interests.

The applicant has submitted an Archaeological Desk Based Assessment by West Sussex Archaeology. The assessment concludes that the archaeological potential for pre-historic or Roman settlement remains is considered low to moderate, and that there is some potential for the development to reveal such remains. The report concludes that the potential for revealing remains from other periods is low.

The County Archaeologist has been consulted on the proposals and concurs with the conclusion of the report that further archaeological investigation work will be required to clarify the identified potential of the site. This would involve an archaeological evaluation trenching exercise, which will aim to establish rapidly what archaeological artefacts are, or could be, present on the site. The results of such an evaluation would enable suitable mitigation measures to be developed.

Given that the site is considered unlikely to contain any archaeological assets significant enough to warrant preservation in situ, it is considered that such further investigations could reasonably be taken prior to commencement of development. Should permission be granted, a condition to secure this further assessment would be required. Subject to such a condition, the proposal would comply with Policy HE15 of the Local Plan and paragraph 128 of the NPPF 2012.

### Infrastructure

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.

From 6th April 2015, CIL Regulation 123 has been amended to mean that the use of pooled contributions under Section 106 of the Town Country Planning Act will be restricted. No more may be collected in respect of a specific infrastructure project or a type of infrastructure through a Section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6th April 2010 and it is a type of infrastructure that is capable of being funded by CIL.

The SPD sets out the basis for calculating the formulae and standard charges relating to the amount of contribution required for each development.

The application proposes the erection of 140 dwellings (the housing mix is set out in the section of this report titled 'Proposal'), of which 84 would be private market housing. The infrastructure providers have confirmed that the following contributions would meet the tests of CIL regulations 122 and 123.

The following contributions have been sought:

Education (secondary)	£490,441
Transport Improvements	£50,000
Environmental Improvements	£31,243.50
<b>Total</b>	<b>£571,684.50</b>

The applicant has indicated a willingness to enter into a suitable legal agreement to secure relevant contributions. As of yet, a signed and completed legal agreement has not been received. However, it is anticipated that an agreement would be entered into. Subject to the receipt of a suitable, signed legal agreement to secure infrastructure contributions, it is concluded that the proposal would adequately mitigate for its impact on local infrastructure and the proposal would comply with the requirements of the Local Plan and the NPPF in respect of infrastructure provision.

#### Effect upon the Thames Basin Heaths SPA

The proposal is for 140 residential dwellings. The site is located within the 5km Buffer Zone of the Thames Basin Heaths Special Protection Area (SPA), which was classified on 9th March 2005 under the EC Birds Directive. Additional housing development, particularly within 5km of the boundary of the SPA, has the potential to adversely affect its interest features, namely Nightjar, Woodlark and Dartford Warbler, which are three internationally rare bird species for which it is classified. Planning Authorities must therefore apply the requirements of Regulation 61 of the Conservation of Habitats and Species Regulations 2012 (as amended), to housing development within 5km of the SPA boundary.

The authority must decide whether a particular proposal, alone or in combination with other plans or projects, would be likely to have a significant effect on the SPA. The South East Plan was published by the Government on 6th May 2009. South East Plan Policy NRM6 deals specifically with the Thames Basin Heaths Special Protection Area. While the South East Plan was formally revoked on 25th March 2013, Policy NRM6 was retained and



continues to form part of the Statutory Development Plan to be used when assessing development proposals. Policy NRM6 states that new residential development which is likely to have a significant effect on the ecological integrity of the Thames Basin Heaths SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects and that such measures must be agreed with Natural England. The policy states that where development is proposed within the 400m to 5km Zone, mitigation measures would be delivered prior to occupation and in perpetuity. It adds that these measures will be based on a combination of access management of the SPA and provision of Suitable Alternative Natural Greenspace (SANG).

The Policy sets out standards and arrangements for the provision of SANG and access management. The Thames Basin Heaths Delivery Framework was endorsed in February 2009 by the Thames Basin Heaths Joint Strategic Partnership Board (JSPB) on behalf of the member Local Authorities (including Waverley) and other stakeholders, in order to ensure that additional housing development avoids such effects on the SPA. In December 2009, Waverley adopted its own Avoidance Strategy for the Thames Basin Heaths Special Protection Area. This builds on the principles 54 established in the South East Plan and the Delivery Framework and identifies that there are three options open to developers for meeting avoidance requirements:

- provide new SANG themselves;
- buy into provision of new SANG assembled by the local authority; or
- buy into the upgrading of an existing SANG site owned by the local authority or a third party.

In conjunction with Policy NRM6 in the South East Plan, and through Local Plans, the Delivery Framework provides a comprehensive, consistent and effective provision of avoidance and mitigation measures to enable new housing development in accordance with the RSS and Local Plans. Development which is in accordance with Local Plans, Avoidance and Mitigation Strategies and the Delivery Framework would not be likely to have a significant effect on the SPA because it will provide, or make an appropriate contribution to, acceptable avoidance and mitigation measures. In order for the development to be acceptable in planning terms, a S106 agreement is required as part of any subsequent planning approval to secure a financial contribution (£349,553 plus £84,653 monitoring fee) towards a SANG (Farnham Park), in line with the Waverley Borough Council Thames Basin Heaths Special Protection Area (TBH SPA) Avoidance Strategy (December 2009). This Strategy was formally adopted by the Council on 13th December 2009.

Having regard to the completed unilateral undertaking, the effect upon the SPA would be mitigated in accordance with Policy D5 of the Local Plan 2002 and the adopted Avoidance Strategy.

### Crime and disorder

S17(1) of the Crime and Disorder Act 1998 places a duty to consider crime and disorder implications on local authorities. In exercising its various functions, each authority should have due regard to the likely effect of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. This requirement is reflected in the National Planning Policy Framework, which states that planning policies and decisions should promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Paragraph 69 of the National Planning Policy Framework 2012 highlights that the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. To this end, planning policies and decisions should aim to achieve places which promote inter alia safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Surrey Police request that consideration be given to gaining Secured by Design certification for this development. This will ensure that the properties are constructed with a good level of basic security.

Officers note that concern is raised regarding the LEP and LEAP becoming the focus of antisocial behaviour, and that fencing is likely to be required around the LEP, owing to its position on the bend. However, there would be some natural surveillance from surrounding properties, and it is considered that any use of these areas is likely to be self-enforcing in terms of any undesirable behaviour. Any fencing could be designed so as to reduce enclosure and discourage anti-social behaviour whilst still affording natural surveillance to take place.

In addition, whilst it may be beneficial to light such open spaces within the site, this must be in keeping with the character of the area and should not prejudice any conservation objectives. External lighting could be controlled by way of a condition, if permission is granted.

On that basis, it is considered that the proposal would not lead to crime and disorder in the local community and would accord with the requirements of the NPPF and the Crime and Disorder Act 1998.

## Financial Considerations

Section 70 subsection 2 of the Town and Country Planning Act 1990 (as amended) states that any local financial considerations are a matter to which local planning authorities must have regard to in determining planning applications; as far as they are material for the application.

The weight to be attached to these considerations is a matter for Committee/decision maker.

Local financial considerations are defined as grants from Government or sums payable to the authority under the Community Infrastructure Levy (CIL). This means that the New Homes Bonus (NHB) is capable of being a material consideration where relevant. In the current case, the approval of the application would mean that the NHB would be payable for the net increase in dwellings from this development. The Head of Finance has calculated the indicative figure of £1,450 per net additional dwelling (total of £203,000) per annum for six years. A supplement of £350 over a 6 year period is payable for the 56 affordable homes provided for in the proposal (£19,600 per annum).

## Climate change and sustainability

The Local Plan does not require this type of development to achieve a particular rating of the Code for Sustainable Homes or include renewable energy technologies. This said, the applicant has indicated as part of their Design and Access Statement that the new buildings would be built to modern standards. The lack of any policy backing in this regard, however, prevents conditions being added to require this.

## Biodiversity and compliance with Habitat Regulations 2010

The NPPF states that the Planning System should contribute to and enhance the natural and local environment by minimising impacts upon biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

When determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately

mitigated, or, as a last resort, compensated for then planning permission should be refused.

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

The National Environment and Rural Communities Act 2006 states that the Council as local planning authority has a legal duty of care to protect biodiversity.

The application property does not fall within a designated SPA, SAC, SNCI or SSSI. The site is however, undeveloped and has a natural grassland surface.

The application is accompanied by an Ecological Impact Assessment by Capita, which sets out the result of a desktop ecological appraisal of the site, Phase 1 Habitat Survey and Phase 2 Bat and Bird Surveys. The surveys revealed that bird and bat activity was recorded across the site; however, no bat roosts were identified on the site.

A further Ecological Appraisal by Capita noted that the site contains suitable habitat for badgers, although no evidence of setts was revealed at the time of the survey.

The ecological information has been reviewed by Surrey Wildlife Trust who has commented that the appraisals and surveys provide a satisfactory assessment of the ecology of the site. The Trust notes that the site may be used for bat foraging and commuting. Therefore, it will be important to restrict external lighting and ensure it is bat-friendly. The retention of the 'green corridor' to the western boundary is also likely to benefit bats, birds and fauna using the site.

The Trust agrees that as a precautionary approach, further surveys of the site just prior to commencement of development should be undertaken to ascertain whether any new badger setts have been established. This can be controlled by way of a condition, if permission is granted.

The Ecological Appraisals by Capita set out a number of mitigation/compensation measures to ensure the ecological value of the site is maintained and, where possible, enhanced, including:

- protection of retained vegetation during construction
- clearance works undertaken outside bird nesting season

- precautionary approach to clearance of orchard area
- provision of compensatory habitat, using native species and incorporating re-use of cleared vegetative matter
- provision of compensatory bird nesting opportunities, both on suitable trees on site and within new buildings as specified; consideration should particularly be given to including provision for swifts as a conservation priority species; boxes should be of good quality and appropriate design, with the specified number (15) as a minimum
- limiting of external lighting post-development

Subject to these measures being carried out, and the additional badger surveys immediately prior to commencement, officers are satisfied that the proposal would not prejudice the ecological value of the site, and would accord with Local Plan Policy D5.

### Health and Wellbeing

Local planning authorities should ensure that health and wellbeing, and health infrastructure are considered in local and neighbourhood plans and in planning decision making. Public health organisations, health service organisations, commissioners and providers, and local communities should use this guidance to help them work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

The NPPG sets out that the range of issues that could be considered through the plan-making and decision-making processes, in respect of health and healthcare infrastructure, include how:

development proposals can support strong, vibrant and healthy communities and help create healthy living environments which should, where possible, include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital;

- the local plan promotes health, social and cultural wellbeing and supports the reduction of health inequalities;
- the local plan considers the local health and wellbeing strategy and other relevant health improvement strategies in the area;
- the healthcare infrastructure implications of any relevant proposed local development have been considered;
- opportunities for healthy lifestyles have been considered (e.g. planning for an environment that supports people of all ages in making healthy choices, helps to promote active travel and physical activity, and promotes access

to healthier food, high quality open spaces and opportunities for play, sport and recreation);

- potential pollution and other environmental hazards, which might lead to an adverse impact on human health, are accounted for in the consideration of new development proposals; and
- access to the whole community by all sections of the community, whether able-bodied or disabled, has been promoted.

The provision for private outdoor amenity space for each dwelling is considered to be positive in terms of the health and well being of future residents.

The Council has sought the views of NHS England, Health Watch, Guildford and Waverley Clinical Commissioning Group and the Director of Public Health for Surrey. No comments have been expressed by these bodies.

Nonetheless, officers are satisfied that the scheme makes provision for access to the end users of the dwellings and that any environmental hazards arising from the development would be minimised or sufficiently mitigated. Further, the site is within in close proximity to other existing residential properties and local amenities in Badshot Lea and, further afield in Farnham, which provide various social and cultural facilities that contribute to healthy living.

Officers conclude that the proposed development would ensure that health and wellbeing, and health infrastructure have been suitably addressed in the application.

#### Water Frameworks Regulations 2011

The European Water Framework Directive came into force in December 2000 and became part of UK law in December 2003. It gives us an opportunity to plan and deliver a better water environment, focusing on ecology. It is designed to:

- enhance the status and prevent further deterioration of aquatic ecosystems and associated wetlands which depend on the aquatic ecosystems
- promote the sustainable use of water
- reduce pollution of water, especially by 'priority' and 'priority hazardous' substances
- ensure progressive reduction of groundwater pollution

The proposal would not conflict with these regulations.

### Accessibility and Equalities Act 2010 Implications

Policy D9 of the Waverley Borough Local Plan encourages and seeks provision for everyone, including people with disabilities, to new development involving buildings or spaces to which the public have access. Officers consider that the proposal complies with this policy. A full assessment against the relevant Building Regulations would be captured under a separate assessment should permission be granted. From the 1st October 2010, the Equality Act replaced most of the Disability Discrimination Act (DDA). The Equality Act 2010 aims to protect disabled people and prevent disability discrimination. Officers consider that the proposal would not discriminate against disability, with particular regard to access. It is considered that there would be no equalities impact arising from the proposal.

### Human Rights Implications

The proposal would have no material impact on human rights.

### Cumulative/in combination effects

It is important that the cumulative effect of the proposed development and any other committed developments (i.e. schemes with planning permission, (taking into consideration impacts at both the construction and operational phases), or those identified in local planning policy documents) in the area are considered.

Cumulative effects comprise the combined effects of reasonably foreseeable changes arising from the development and other development within a specific geographical area and over a certain period of time. The significance of cumulative impacts needs to be assessed in the context of characteristics of the existing environment. This is to ensure that all of the developments:

- Are mutually compatible; and
- Remain within the environmental capacity of the area and its environs.

There are no schemes of a significant scale, with planning permission, within the surrounding area. As such, the proposed development would not cause cumulative harm to the character and amenity of the area.

### Third party representations

The concerns and comments which have been raised by third parties, including the Town Council have been carefully considered by officers.

The majority of the concerns relate to the impact on the countryside, the landscape and visual impact, availability of infrastructure, traffic and congestion, flood risk, effects on wildlife, conflicts with Policies C2 and C4 of the Local Plan and the loss of views.

The report is considered to be comprehensive in addressing these issues.

#### Working in a positive/proactive manner

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

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have suggested/accepted/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 application is for full planning permission and as such the decision maker must be satisfied that all detailed requirements are acceptable in planning terms.

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

The site is located within the Countryside beyond the Green Belt and Strategic Gap and as such would encroach into the countryside. The Council's



preference would be for previously developed land to be developed prior to green field sites.

However, the Council cannot currently identify a deliverable supply of housing sites from the identified sites which would sufficiently meet the housing demand for the next five years. This is a material consideration of significant weight in this assessment. Linked to this, Policies C2 and C4 are housing land supply policies and given the lack of a 5 year supply of housing, Members are advised that Policies C2 and C4 can only be afforded limited weight in respect of constraints on development in principle.

The proposal would not result in the loss or alienation of the best and most versatile agricultural land, and would not result in the fragmentation of an agricultural holding so as to seriously undermine the economic viability of the remaining holding.

The scheme would result in an increase in traffic movements. However, the County Highway Authority has assessed the Transport Assessment submitted and concludes that the access and highway improvements put forward would be sufficient to accommodate this increase in traffic.

The scheme would deliver a substantial level of both market and affordable housing, which would contribute significantly towards housing in the Borough. Furthermore, the proposal would provide for onsite affordable housing, an important consideration which weighs in favour of the scheme.

Having regard to the immediate need for additional housing and the lack of alternative deliverable sites to achieve the level of housing that is required, it is considered that the benefits of the scheme, primarily the significant delivery of housing, would significantly and demonstrably outweigh the adverse impact on the character of the Countryside Beyond the Green Belt and Strategic Gap when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF.

The proposal has demonstrated that the development would not result in an increase in flood risk, either to existing or future residents, and that the highway impacts of the development would be satisfactorily accommodated or mitigated. The provision of a new pedestrian phase at Badshot Lea Crossroads would be a significant off-site benefit for the local community.

Officers therefore consider that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits of the scheme when assessed against the individual policies of the NPPF, and the Framework as a whole. It is therefore recommended that planning permission be granted.

## **Recommendation**

That, subject to completion of a S106 agreement to secure: 40% affordable housing, infrastructure contributions including secondary education and environmental improvements, transport improvements, off-site highways works and for the setting up of a Management Company to manage on-site play space, open space and SUDS, and subject to consideration of any further representations or consultee responses and conditions, permission be GRANTED.

1. Condition

The plan numbers to which this permission relates are A-03-230 PL1, 231 PL1, 221 PL1, 232 PL1, 240 PL1, 241 PL1, 203 PL1, 300 PL1, 301 PL1, 302 PL1, 310 PL1, 200 PL1, 202 PL1, 201 PL1, 210 PL2, 220 PL1, 430 PL1, 521 PL1, 470 PL1, 531 PL1, 530 PL1, 520 PL1, 511 PL1, 510 PL1, 501 PL1, 460 PL1, 500 PL1, 450 PL1, 451 PL1, 440 PL1, 421 PL1, 420 PL1, 410 PL1, 401 PL1, 400 PL1, 371 PL1, 370 PL1, 360 PL1, 355 PL1, 354 PL1, 353 PL1, 352 PL1, 351 PL1, 350 PL1, 343 PL1, 342 PL1, 341 PL2, 340 PL1, 331 PL1, 330 PL1, 320 PL1, 321 PL1, 311 PL1, 296 PL1, 295 PL1, 291 PL1, 260 PL1, 251 PL1, 250 PL1, 290 PL1, 281 PL1, 280 PL1, 271 PL1, 270 PL1, 600 PL1, A-01-003 PL1, A-01-004 PL1, A-05-101 PL1, A-05-102 PL1, 04BD001A and A-01-001 PL2. 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 shall take place until samples of the materials to be used in the construction of the external surfaces of the development 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.

3. Condition

No development shall take place until samples of the materials to be used in the construction of the hard surface areas of the development 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.

4. Condition

The development hereby approved shall not be commenced unless and until the proposed vehicular / pedestrian access to Lower Weybourne Lane (C121) has been constructed and provided with visibility splays in accordance with the approved plans (Drawing No. 4110.001) and thereafter the visibility splays shall be kept permanently clear of any obstruction over 1.05m high.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

5. Condition

The development hereby approved shall not be first occupied unless and until the proposed emergency vehicle/pedestrian/cycle access to Badshot Park (D5341) has been constructed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

6. Condition

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans (Drawing No. A-01-005 Revision PL1) for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purpose.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

7. Condition

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) measures to prevent deliveries at the beginning and end of the school day
- (k) on-site turning for construction vehicles

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

8. Condition

No operations involving the bulk movement of materials to or from the development site shall commence unless and until facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority to so far as is reasonably practicable prevent the creation of dangerous conditions for road users on the public highway. The approved scheme shall thereafter be retained and used whenever the said operations are undertaken.

Reason

The above condition is required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

9. Condition

The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for the secure parking of bicycles within the development site. Thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

To accord with Section 4 "Promoting Sustainable Transport" of the National Planning Policy Framework 2012 and Policy M1 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

10. Condition

Prior to the commencement of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with Odyssey Markides Residential Travel Plan document dated May 2014.

The approved Travel Plan shall be implemented prior to first occupation of the development and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

Reason

To accord with Section 4 "Promoting Sustainable Transport" of the National Planning Policy Framework 2012 and Policy M1 of the Waverley Borough Local Plan 2002 and the NPPF 2012.

11. Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason

In the interests of preserving archaeology, in accordance with Policy HE14 of the Waverley Borough Local Plan 2002.

12. Condition

Construction works or deliveries to and from the site shall not take place outside the hours of 08:00-18:00 on Monday to Friday, 08:00-13:00 Saturday, and no activities on Sunday and Bank/Public Holidays.

Reason

In the interest of the residential amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

13. Condition

Prior to commencement of any works on site, demolition or other development activities, a scheme of tree protection (in line with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations) shall be submitted to and agreed by the Local Planning Authority in writing. Where relevant, such scheme shall also take "off site" trees into consideration. The Local Authority Tree and Landscape Officer shall be informed of the proposed commencement date a minimum of two weeks prior to that date to allow inspection of protection measures before commencement. The agreed protection to be kept in position throughout the development period until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without written consent of the Local Planning Authority.

Reason

In the interest of the character and amenity of the area and to protect the health of existing trees on site in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002.

14. Condition

Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments to be agreed with the Local Planning Authority in writing.

Reason

In the interest of the character and amenity of the area and to protect the health of existing trees on site in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002.

15. Condition

Destruction by burning of materials obtained by site clearance, if at all necessary, shall not take place within 10 metres of the furthest extent of the canopy of any tree or tree group to be retained on the site or on land adjoining.

Reason

In the interest of the character and amenity of the area and to protect the health of existing trees on site in accordance with Policies D1, D4 and D7 of the Waverley Borough Local Plan 2002.

16. Condition

Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:

1. Parking of vehicles of site personnel, operatives and visitors.
2. Loading and unloading plant and materials.
3. Storage of plant and materials including demolition arisings.
4. Cement mixing.

The space referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the Local Planning Authority.

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.

17. Condition

No development shall take place until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out within the first planting season after commencement of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

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.

18. Condition

Before any work on site begins, cross sections/details indicating the proposed finished ground levels surrounding the dwellings and finished floor levels of the dwellings shall be approved in writing by the Local Planning Authority. The works 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 D1 and D4 of the Waverley Borough Local Plan 2002.

19. Condition

Prior to the first occupation of the dwellings hereby approved, details of the proposed noise mitigation measures recommended in Section 7.0 of the submitted Noise Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details.

Reason

In the interest of the amenities of the occupiers of the proposed dwellings, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

20. Condition

There shall be no burning of materials on site during the construction phase of development.

Reason

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

21. Condition

Prior to the commencement of development, details of any external lighting, including street lighting, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. The development shall be carried out in strict accordance with the approved details and no variation shall take place without the prior written consent of the Local Planning Authority.

Reason



In the interest of the character and amenity of the area and biodiversity interests of the site in accordance with Policies D1, D4 and D5 of the Waverley Borough Local Plan 2002.

22. Condition

Prior to the commencement of development, a scheme shall be submitted to and approved in writing by the Local Planning Authority for the suppression of dust during the demolition and construction phases of the development hereby permitted. The agreed measures shall be implemented and remain in effect for the duration of the demolition and construction phases of the development.

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.

23. Condition

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) A survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) An appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

#### 24. Condition

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

#### 25. Condition

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

#### 26. Condition

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 23, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 24, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 26.

#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

#### 27. Condition

The development shall be carried out in strict accordance with the Avoidance, Mitigation, Compensation and Enhancement measures set out in Section 7 of the Ecological Impact Assessment by Capita dated October 2013 and Section 5 of the Ecological Appraisal by Capita dated May 2013.

#### Reason

To ensure that protected species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 and their roosts/setts are not endangered by the development in accordance with Policy D5 of the Waverley Borough Local Plan 2002.

28. Condition

Prior to the commencement of development, a scheme to show the position of the overhead lines re-routed and placed underground shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Scottish and Southern Energy (SSE). No development shall take place until a contractual agreement or signed undertaking has been entered into between the applicant and SSE in respect of the re-routing of the overhead lines. The proposal works shall be carried out in strict accordance with the agreed details.

Reason

In the interest of the amenities of the area and the health and safety of future residents, in accordance with Policy D1 of the Waverley Borough Local Plan 2002.

29. 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 dwellings hereby permitted without the written permission of the Local Planning Authority.

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.

30. Condition

Prior to the first occupation of the dwellings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority for the boundary treatments between dwellings and along the boundaries of the site, including along the railway embankment to the west of the site. The approved details shall be implemented on site prior to the first occupation of the dwellings hereby permitted.

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.

31. Condition

Prior to the first occupation of the dwellings hereby permitted, details of the proposed fencing and play equipment to be provided to support the LEAP and LAP shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be implemented on site prior to the first

occupation of the dwellings hereby approved and shall thereafter be maintained in perpetuity.

Reason

In the interests of the amenities and health and well being of the local community in accordance with Policies D1 and D4 of the Local Plan 2002.

32. Condition

Prior to the first occupation of the dwellings hereby permitted, details shall be submitted and approved in writing for the storage of refuse and recycling bins. Such storage shall be made available prior to the first occupation of the dwellings hereby permitted and shall thereafter be maintained in perpetuity.

Reason

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

33. Condition

Prior to the commencement of development on site, a surface water drainage scheme for the site shall first be submitted to and agreed in writing by the Local Planning Authority. No infiltration of surface water into the ground shall be permitted. The development shall be carried out in strict accordance with the approved details and plans.

Reason

In order to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere, in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and Paragraph 103 of the NPPF 2012.

34. Condition

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works have been completed.

Reason

In order to prevent the increased risk of flooding and to improve and protect water quality both on the site and elsewhere, in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and Paragraph 103 of the NPPF 2012.

35. Condition

The finished floor levels of the dwellings hereby permitted shall not be set lower than 150mm above the surrounding finished ground levels.

Reason

In order to prevent the increased risk of flooding in accordance with Policy D1 of the Waverley Borough Local Plan 2002 and paragraph 103 of the NPPF 2012.

Informatives

1. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
2. The Highway Authority has no objection to the proposed development, subject to the above conditions but, if it is the applicant's intention to offer any of the roadworks included in the application for adoption as maintainable highways, permission under the Town and Country Planning Act should not be construed as approval to the highway engineering details necessary for inclusion in an Agreement under Section 38 of the Highways Act 1980. Further details about the post-planning adoption of roads may be obtained from the Transportation Development Planning Division of Surrey County Council.
3. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
4. All bridges, buildings or apparatus (with the exception of projecting signs) which project over or span the highway may be erected only with the formal approval of the Transportation Development Planning Division of Surrey County Council under Section 177 or 178 of the Highways Act 1980.
5. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. The applicant is also advised that Consent may be

required under Section 23 of the Land Drainage Act 1991.

6. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
7. When access is required to be 'completed' before any other operations, the Highway Authority may agree that surface course material and in some cases edge restraint may be deferred until construction of the development is complete, provided all reasonable care is taken to protect public safety.
8. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
9. The developer would be expected to instruct an independent transportation data collection company to undertake the monitoring survey. This survey should conform to a TRICS Multi-Modal Survey format consistent with the UK Standard for Measuring Travel Plan Impacts as approved by the Highway Authority. To ensure that the survey represents typical travel patterns, the organisation taking ownership of the travel plan will need to agree to being surveyed only within a specified annual quarter period but with no further notice of the precise survey dates. The Developer would be expected to fund the survey validation and data entry costs.
10. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
11. The applicant is advised that the S278 highway works will require payment of a commuted sum for future maintenance of highway infrastructure.
12. The applicant is advised that in providing each dwelling with integral cycle parking, the Highway Authority will expect dedicated integral facilities to be provided within each dwelling for easily accessible secure cycle

storage/garaging.

13. "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.
14. 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.
15. The planning permission hereby granted followed the completion of a related Planning Obligation (either a Unilateral Undertaking or a Legal Agreement) under S.106 of the Town and Country Planning Act (as amended).
16. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail [waverley.snn@waverley.gov.uk](mailto:waverley.snn@waverley.gov.uk). For further information please see the Guide to Street and Property Naming on Waverley's website.
17. The applicant is advised that connections to the public sewer are not permitted for the removal of groundwater. Where the developer proposes to discharge into the public sewer, prior approval from Thames Water Developer Services will be required (telephone 0845 850 2777).
18. 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.