

**WA/2024/00500** – Application under Regulation 3/4 for Section 73 to vary Condition 2 of WA/2023/00905 (approved plans) to allow relocation of condenser units and alterations to car parking arrangement; alterations to louvres into roof. at WEY COURT EAST UNION ROAD FARNHAM GU9 7PT

Applicant: Mr Adam Holt - Waverley Borough Council  
Case Officer: Sam Wallis  
Neighbour Notification Expiry Date: 06/04/2024  
Expiry Date/Extended Expiry Date: 08/05/2024  
Committee Meeting Date: 05/06/2024  
RECOMMENDATION That, subject to conditions, permission be **GRANTED**

### 1. Site Description

The application site is located on the corner of the junction of South Street and Union Road, Farnham. The building is a three-storey property, originally constructed to accommodate offices, that has since had permission to convert into a GP surgery and pharmacy. The site is located in the town centre where there is a mixture of commercial and residential properties.

### 2. Proposal

Planning Permission was granted under WA/2023/00905 for external alterations to the existing building to enable use as a GP Surgery & Pharmacy. Under recent changes of the Use Classes Order includes former B1(Office Use) within Class E which includes Doctors Surgery accordingly there is no change of use.

The proposal seeks to vary conditions 2 (approved plans) of WA/2023/00905 which state:

#### **Condition 2:**

The plan numbers to which this permission relates are: ADP-00-00-DR-A-0800 Rev D2P1, ADP-00-02-DR-A-0902 Rev D2P1, ADP-00-02-DR-A-1002 Rev D2P4, ADP-00-03-DR-A-0903 Rev D2P1, ADP-00-03-DR-A-1009 Rev D2P2, ADP-00-00-DR-A-0803, ADP-00-00-DR-A-0900 Rev D2P2, ADP-00-00-DR-A[1]1000 Rev D2P7, ADP-00-01-DR-A-0901 Rev D2P1, ADP-00-01-DR-A-1001 Rev D2P4, ADP-00-XX-DR-A-0905 Rev D2P1, ADP-00-XXDR- A-1010 Rev S2P2 and ADP-00-00-DR-A-0802 Rev S2P3. 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.

The proposed changes are as follows:

- Relocation of nine condenser units to the west of the car park area with louvred screen.
- Alterations to car parking arrangement.
- Alterations to louvres on three elevations on the main roof.

### 3. Relevant Planning History

Reference	Proposal	Decision
NMA/2023/02688	Amendment to WA/2023/00905 to	NON MATERIAL

	relocate air conditioning units, as the addition of decoration fencing and a new car parking space.	AMENDMENT REFUSED (05/01/2024)
WA/2023/00905	Application under Regulation 3 for external alterations to existing building for use as a GP Surgery & Pharmacy; alterations include erection of entrance canopy, alterations to elevations, installation of louvres and PV panels to roof and alterations to existing car park.	WBC REG 3/4 GRANTED (30/08/2023)

#### 4. Relevant Planning Constraints

- Developed Area of Farnham / Built Up Area Boundary
- Town Centre – Farnham
- Thames Basin Heaths SPA 5km Buffer Zone
- Wealden Heaths I SPA 5km Buffer Zone
- AQMA
- Flood Zone 2
- Ancient Woodland 500m Buffer Zone

#### 5. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018): SP1, CC1, CC2, TCS1
- Farnham Neighbourhood Plan 2013-2032: FNP1, FNP12, FNP23
- Waverley Borough Local Plan (Part 2) 2023: DM1, DM2, DM4, DM5, DM9, DM13, DM27
- South East Plan: Saved policy NRM6

Other guidance:

- The National Planning Policy Framework 2023 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Council's Parking Guidelines (2013)
- Surrey Vehicular and Cycle Parking Guidance (2018)
- Farnham Design Statement (2010)
- National Design Guide (2019)
- Climate Change and Sustainability Supplementary Planning Document (October 2022)

#### 6. Consultations and Town Council Comments

<b>Surrey Highways Authority</b>	No objection (subject to conditions) (04/04/2024)
----------------------------------	---

#### 7. Representations

None received.

Planning Considerations:

## 8. Principle of development

The principle of development was established by the granting of planning permission WA/2023/00905. Whilst the applicant is applying for a variation of Condition 2 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. In considering the current application officers have been mindful of any material changes in planning circumstances since the granting of that original permission.

Significant weight is given to the existing permission which could be implemented on site. It would be inappropriate and unreasonable to revisit the principle of the entire development.

## 9. Design and impact on visual amenity

Policy TD1 of the Local Plan (Part 1) 2018 requires development to be of high quality design and to be well related in size, scale and character to its surroundings. The policy is attributed substantial and full weight respectively due to its level of consistency with the NPPF 2023.

The existing building has nine external condenser units which are located within the undercroft car parking of the building. The proposed works to relocate these the west of the parking area, is necessitated because of overheating due to their current position, and would be a minor change largely hidden from public views from Union Road by the intervening undercroft and brick wall. The development would continue to appear ancillary to the wider use of the site as a GP surgery and pharmacy. The louvred screen proposed around the plant equipment would serve to further screen these condenser units.

On the main roof, the proposed louvres on three elevations would be amended to increase in size. These would continue to be set into the roof plane and given existing building plant on the roof, would not appear out of character.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policies TD1 of the Local Plan (Part 1) 2018 and DM4 of the Local Plan (Part 2) 2023.

## 10. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 seeks to protect future and existing amenities for occupant and neighbours and ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.

. These are existing condenser units that are in situ that will be relocated. Wey Court East comprises further office use to the west of the site and separation from residential properties (flats at the Bridge to the south) is considered acceptable. Given these separation distances and nature of proposal for minor changes to an extant permission, no harm by way of overbearing development or loss of light would occur.

The proposed development would not result in harm to the residential amenity of neighbouring properties in accordance with Policies TD1 of the Local Plan (Part 1) 2018 and DM5 of the Local Plan (Part 2) 2023.

### 11. Highways

The relocation of the condenser units would add a further parking space where the existing has been relocated. This is considered an improvement on the permission and accordingly the Highways Authority have raised no objection subject to previous conditions from planning application WA/2023/00905 being carried forward.

### 12. Climate Change & Sustainability

Policy DM2 of the Local Plan (Part 2) 2023 states that all development should seek to maximise energy efficiency and reduce carbon emissions through its design, structure, orientation and positioning, landscaping and relevant technology.

A Climate Change and Sustainability Checklist has been submitted in support of the application. The proposal to relocate the condenser units will allow them to operate more efficiently. No concern is therefore raised.

### 13. Conditions

The Planning Practice Guidance makes it clear that decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions for the original planning permission, unless they have already been discharged.

Condition 1 of the previous permission states that '*the development hereby permitted shall be begun before the expiration of three years from the date of this permission.*' This is deemed unnecessary as such condition is already provided to any permission by virtue of Section 91 of the Town and Country Planning Act 1990. Furthermore, the date of expiry for implementation of a Section 73 application would be three years from the date of the original permission so Condition 1 could not be carried over to this application.

The remaining two conditions will be attached to permission, albeit Condition 2 will be varied.

### 14. Conclusion

The proposed changes to the planning permission are considered acceptable.

### Recommendation

That permission be GRANTED subject to the following conditions:

1. The plan numbers to which this permission relates are: ADP-00-00-DR-A-0800 Rev D2P1, ADP-00-02-DR-A-0902 Rev D2P1, ADP-00-02-DR-A-1002 Rev D2P4, ADP-00-03-DR-A-0903 Rev D2P1, ADP-00-03-DR-A-1009 Rev D2P2, ADP-00-00-DR-A-0802 Rev S4C7, ADP-00-00-DR-A-0900 Rev D2P2, ADP-00-00-DR-A-1000 Rev S4C13, ADP-00-01-DR-A-0901 Rev D2P1, ADP-00-01-DR-A-1001 Rev D2P4, ADP-00-XX-DR-A-0905 Rev D2P1, ADP-00-XX-DR-A-1010 Rev S4C8, ADP-00-00-DR-A-0803 and ADP-00-00-DR-A-4550 Rev S2C2. 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 Policy TD1 of the Local Plan (Part 1) 2018 and Policies DM1 and DM4 of the Local Plan (Part 2) 2023.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building(s).

Reason:

In the interest of the character and amenity of the area in accordance with Policy TD1 of the Local Plan 2018 (Part 1) and Policy DM1 of the Local Plan (Part 2) 2023.

## Informatives

## APPENDIX 1 (PLANS)

