



## **Waverley Borough Council Local Planning Authority Farnham Neighbourhood Development Plan 2013-2031**

### **DECISION STATEMENT**

#### **1. INTRODUCTION**

- 1.1 Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This report confirms that the modifications proposed by the Examiner's report have been accepted, the draft Farnham Neighbourhood Plan has been altered as a result of it and that this Plan may now proceed to referendum.

#### **2. BACKGROUND**

- 2.1 The Draft Farnham Neighbourhood Plan relates to the area that was designated by Waverley Borough Council as a neighbourhood area on 19 February 2013. This area is coterminous with the Farnham Town Council boundary that lies within the Waverley Borough Council Local Planning Authority area.

- 2.2 Following the submission of the Draft Farnham Neighbourhood Plan to the Council, the Plan was publicised and representations were invited. This publicity period ended on 3 October 2016.
- 2.3 Mr Derek Stebbing was appointed by Waverley Borough Council with the consent of Farnham Town Council, to undertake the examination of the Farnham Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The Examiner's report was received by Waverley Borough Council on 22 February 2017. He concluded that, subject to making the modifications recommended by the Examiner, the Draft Farnham Neighbourhood Development Plan met the basic conditions set out in the legislation and should proceed to a Neighbourhood Plan referendum.
- 2.5 Paragraph 12(4) of Schedule 4B to the Town and Country Planning Act 1990 ("the 1990 Act") states that a referendum must be held on a proposal for a neighbourhood development plan or order if the LPA is satisfied that it meets the basic conditions and other legal requirements or would do so if modifications were made to the draft plan or order (whether or not recommended by the Examiner).

### **3. DECISION**

- 3.1 The Neighbourhood Planning (General) Regulations 2012 require the local planning authority to outline what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.
- 3.2 Accordingly, having considered each of the recommendations made by the Examiner's report, and the reasons for them, Waverley Borough Council, with the support of Farnham Town Council, has decided to accept all of the Examiner's recommendations to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations and the justification for them.

Table 1: Recommendations by the Examiner agreed by Waverley Borough Council with the consent of Farnham Town Council

Proposed modification number (PM)	Page no./ other reference	Modifications recommended	Justification	WBC decision
PM1	19	Map A should be redrawn to provide improved clarity and definition to the Farnham Built Up Area Boundary.	To provide clarity	Accepted
PM2	21	Map B (i) should be improved by showing the titles of each of the four Conservation Areas on the map.	Difficult to interpret	Accepted
PM3	47	3rd column - 4th paragraph to read: “The potential density of development proposed in this plan responds to the density of the surrounding development. An approximate housing capacity is included for each site. This is based on the approximate net additional dwellings to be achieved on these sites. Where available, planning permissions granted since 1 April 2016 have been used to inform site capacity”.	For clarification	Accepted
PM4	54	1 <sup>st</sup> and 2 <sup>nd</sup> columns – delete existing text, and replace with the following text: “The total additional dwellings for the Plan period (2013–31) is therefore approximately 2,201 as set out below. Allocations and anticipated windfall contributions are within the remaining capacity of Farnham Park SANG. The total supply generally meets the emerging strategic provision for the Plan period of 2,214 dwellings”.	Factual update	Accepted
PM5	54	Replace existing Housing Supply data, Monitoring Indicators and Targets with the following:  “ <u>Source of Housing Supply</u> <u>Net Dwellings</u> ”	Factual update	Accepted





Proposed modification number (PM)	Page no./ other reference	Modifications recommended	Justification	WBC decision
		<p>Badshot Lea – Approximate capacity 125 dwellings</p> <p>FNP14 d) Land between Hale Road and Guildford Road – Approximate capacity 10 dwellings</p> <p>FNP14 e) Colemans Yard, Wrecclesham Road – Approximate capacity 10 dwellings</p> <p>FNP14 f) Coal Yard, The Street, Wrecclesham Hill – Approximate capacity 9 dwellings (in accordance with Planning Permission Ref. WA/2016/1264)</p> <p>FNP14 g) West of Switchback Lane, Rowledge – Approximate capacity 10 dwellings</p> <p>FNP14 h) The Woolmead, East Street – Approximate capacity 51 dwellings (in accordance with Planning Permission WA/2015/2387)</p> <p>FNP14 i) Coxbridge Farm, West Street – Gross Area 12.36 hectares – Approximate density 30 dph - Approximate capacity 350 dwellings</p> <p>Design and layout – First sentence to be amended to read “The site abuts a cluster of listed buildings in the southern corner and the design and layout of development should preserve the special architectural and historic interest of these buildings and their setting”</p> <p>FNP14 j) Part of Farnham College (Tennis Courts)- Approximate capacity 14 dwellings (in accordance with Planning Permission Ref. WA/2014/2119)”</p>		

<b>Proposed modification number (PM)</b>	<b>Page no./ other reference</b>	<b>Modifications recommended</b>	<b>Justification</b>	<b>WBC decision</b>
PM7	88 and 88a-88j	Map I and the accompanying inset maps be redrawn to provide greater clarity to the boundaries and the extent of land covered by the proposed housing site allocations, including the revision to site FNP14i).	To provide greater clarity	Accepted
PM8	18	2 <sup>nd</sup> column - 3 <sup>rd</sup> paragraph  Amend 1 <sup>st</sup> sentence to read:  “New housing development at Farnham must take into account the Special Protection Areas (SPAs) at Thames Basin Heaths and Wealden Heaths which provide habitats for birds which are protected under the Birds and Habitats Directives”.	To meet the basic conditions	Accepted
PM9	18	3 <sup>rd</sup> column - 1 <sup>st</sup> paragraph  Amend final sentence to read:  “SANG capacity is limited at Farnham Park and without provision of further capacity this limits the housing capacity of the town”.	To meet the basic conditions	Accepted
PM10	40	2 <sup>nd</sup> column - 1 <sup>st</sup> paragraph  Delete final sentence and replace with the following text:  “ At current monitored levels of residential occupancy of 1.98 persons per dwelling, the Waverley Borough Council SANG Topic Paper, August 2016, states that the unallocated (enhanced) SANG capacity was 1,370 dwellings (at 1 April 2016). This method of re-assessment has been verified by Natural England and	To meet the basic conditions	Accepted

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		<p>represents a significant increase in the amount of SANG available at Farnham Park as an avoidance measure. The table below indicates a projected SANG capacity requirement of 1,217 dwellings resulting from the Neighbourhood Plan for housing not already taken into account at 1 April 2016.</p> <table data-bbox="674 539 1400 991"> <thead> <tr> <th data-bbox="674 539 1256 603"><u>Source of Housing</u></th> <th data-bbox="1263 539 1400 603"><u>Net Dwellings</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="674 635 1256 770">Further Reg 14 Neighbourhood Plan Housing site allocation granted consent (Garden Style, Wrecclesham)</td> <td data-bbox="1263 667 1400 699">65</td> </tr> <tr> <td data-bbox="674 815 1256 879">Windfall contribution</td> <td data-bbox="1182 815 1400 879">378 (see Footnote 1)</td> </tr> <tr> <td data-bbox="674 887 1256 951">Housing Allocations</td> <td data-bbox="1182 887 1400 951">774 (see Footnote 2)</td> </tr> <tr> <td data-bbox="674 959 1256 991">Total</td> <td data-bbox="1263 959 1400 991">1,217</td> </tr> </tbody> </table> <p data-bbox="674 1031 808 1062"><u>Footnotes</u></p> <p data-bbox="674 1094 1400 1230">1 In reality, some of the windfall sites in Farnham will be located outside the SPA 5 km buffer zone and this number represents the maximum number of dwellings from this source requiring SANG.</p> <p data-bbox="674 1254 1400 1391">2 Amended Capacity of Allocation Sites (784 dwellings) minus Policy FNP14(g) West of Switchback Lane (10 dwellings) which will not rely on the capacity of the Farnham Park SANG as it is located outside the SPA 5</p>	<u>Source of Housing</u>	<u>Net Dwellings</u>	Further Reg 14 Neighbourhood Plan Housing site allocation granted consent (Garden Style, Wrecclesham)	65	Windfall contribution	378 (see Footnote 1)	Housing Allocations	774 (see Footnote 2)	Total	1,217		
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		<p>km buffer zone.</p> <p>Policy FNP15 seeks the provision of smaller dwellings but clearly if the average occupancy of dwellings does rise in Farnham there is some tolerance in this capacity before additional SANG would be required.</p> <p>Certain site promoters have indicated that the effects of their development could be mitigated through the provision of ‘bespoke’ SANG, either on-site or off-site. Other suitable sites may seek this option during the plan period and developers may offer their own bespoke solution to mitigate against any adverse effects on the Thames Basin Heaths SPA. Such mitigation measures will need to be agreed by Natural England.”</p>		
PM11	41	1 <sup>st</sup> column – delete first and second paragraphs.	To meet the basic conditions	Accepted
PM12	41	<p>FNP12 (Thames Basin Heaths Special Protection Area (SPA))</p> <p>Amend criterion i) and add new criterion ii) as follows:</p> <p>i) “appropriate contributions towards the provision of Suitable Alternative Natural Greenspace (SANG) at Farnham Park; or</p> <p>ii) a bespoke solution to provide adequate mitigation measures to avoid any potential adverse effects; and”</p>	To meet the basic conditions	Accepted
PM13	45	1 <sup>st</sup> column - 4 <sup>th</sup> paragraph	To meet the basic conditions	Accepted

Proposed modification number (PM)	Page no./ other reference	Modifications recommended	Justification	WBC decision
		<p>Amend to read as follows:</p> <p>“Other than Farnham Park which has a capacity to accommodate residents from approximately 1,370 dwellings (1 April 2016), no suitable alternative strategic SANG site is currently available to support additional housing in the period to 2031.”</p> <p>2<sup>nd</sup> column - delete 1<sup>st</sup> paragraph</p>		
PM14	46	<p>3rd column – delete text alongside Summary table, and replace with the following text:</p> <p>“At current occupancy rates (and even if these were to increase slightly), there is sufficient SANG capacity at Farnham Park to mitigate against the adverse effects of the housing projected to come forward as a result of the Neighbourhood Plan. Waverley Borough Council is monitoring the situation closely and is actively seeking further provision whilst bespoke SANG is also allowed should this be necessary.”</p>	To meet the basic conditions	Accepted
PM15	25	<p>POLICY FNP2</p> <p>Add additional clause g) as follows:</p> <p>“g) Does not lead to substantial harm to or total loss of significance of a designated heritage asset”.</p>	To meet the basic conditions	Accepted
PM16	28	POLICY FNP4	To meet the basic conditions	Accepted

Proposed modification number (PM)	Page no./ other reference	Modifications recommended	Justification	WBC decision
		<p>Delete existing text, and replace with the following text:</p> <p><u>"POLICY FNP4 ADVERTISEMENT CONTROL</u></p> <p>Within the Plan area, proposals for an Advertisement will be permitted where:</p> <ul style="list-style-type: none"> <li>a) It would not be obtrusive in appearance, cause visual clutter or lead to a proliferation of signs, appear dominant or overbearing in the street scene, or cause significant harm to the appearance of any building on which it would be displayed because of its siting, size, design, construction or materials;</li> <li>b) The level of illumination would cause no significant harm to residential amenity; and</li> <li>c) It would not endanger highway or public safety." </li></ul>		
PM17	32	<p>POLICY FNP8</p> <p>Clause c) of the policy as currently drafted be deleted, and be replaced with the following text:</p> <p>"c) Demonstrates that the design, layout and siting of the proposal will not have any adverse effect upon the setting and amenities of adjoining residential properties and the wider residential character of the area."</p>	To strengthen policy with reference to resisting poorly designed infill development	Accepted
PM18	33	POLICY FNP9	To meet the basic conditions	Accepted

Proposed modification number (PM)	Page no./ other reference	Modifications recommended	Justification	WBC decision
		Policy to be retitled “Buildings of Local Merit (Undesignated Heritage Assets)”.		
PM19	39	<p>POLICY FNP11</p> <p>Delete current policy text, and replace with the following text:</p> <p>“Development proposals outside the Built Up Area Boundary, as defined on Map A – Farnham Built Up Area Boundary, will be assessed in terms of their potential impact upon the visual setting and landscape features of the site and its surroundings, and the potential impact upon the biodiversity of the area and other relevant planning considerations, such as the impact of traffic and noise. Proposals which either fail to demonstrate that these impacts can be satisfactorily addressed or which clearly lead to the increased coalescence of settlements within the Plan area and beyond will not be supported”.</p>	To meet the basic conditions	Accepted
PM20	39	<p>Monitoring Target</p> <p>Addition of the words “that increase coalescence” at the end of the current text.</p>	To meet the basic conditions	Accepted
PM21	42	<p>POLICY FNP13</p> <p>Clause a) be amended to read:</p> <p>“a) Protecting Special Protection Areas, Sites of Special Scientific Interest and Local Wildlife Sites (Sites of Nature Conservation Importance), protected and priority species, ancient woodland, veteran or aged trees, and species-rich hedgerows;”</p>	For accuracy	Accepted

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PM22	55	POLICY FNP15  The text of the first paragraph be amended to read “...will be encouraged...”.	Typographical error	Accepted
PM23	55	Table 2 (Farnham Housing Need)  4th column of the table be headed “3 Bedroom” and the final column of the table be headed “4+ Bedroom”.	Typographical error	Accepted
PM24	60	POLICY FNP18  Delete the word “on” before “B3208” in the final paragraph of the policy.	Typographical error	Accepted
PM25	65	POLICY FNP21  Delete the words “as defined on” before “Map M” in the first paragraph of the policy.	Typographical error	Accepted
PM26	68	POLICY FNP23  Amend first paragraph to read:  “Within the town centre, as defined on Map L, proposals including Use Classes A1-A5, B1, C1 and D1 will be permitted, where the proposal .....”  Amend clause a) to read: “a) non-A1 uses becoming the dominant ground floor uses within West Street, Downing Street and The Borough”	To meet the basic conditions	Accepted

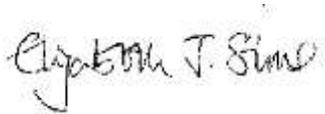
<b>Proposed modification number (PM)</b>	<b>Page no./ other reference</b>	<b>Modifications recommended</b>	<b>Justification</b>	<b>WBC decision</b>
PM27	77	<p>POLICY FNP26</p> <p>Policy to be retitled “Sites for New Outdoor Sports Facilities and Other Greenspace Uses”</p> <p>Amend text of policy to read:</p> <p>“Land at Weydon Lane (Brambleton Park), as shown on Map P, and at the Runfold South Quarry Site, as shown on Map Q, is allocated for new outdoor sports facilities and other appropriate greenspace uses, including new sports pitches, associated changing rooms and supplementary landscaping, subject to environmental and land restoration considerations”.</p>	To meet the basic conditions	Accepted
PM28	43	<p>Map H</p> <p>Delete the “Outdoor Sports notation” from Surrey County Council school playing field sites at Weydon School, Heath End School, All Hallows School, Frensham Heights School, Hale Primary School, William Cobbett Primary School and Weybourne Infant School.</p>	To provide clarify as sites are not available for the public to access at any time	Accepted
PM29	83	<p>POLICY FNP30</p> <p>Clauses a), c) and d) to be amended as follows:</p> <p>Clause a) to read “Safely located vehicular and pedestrian access where adequate visibility exists or could be created;”</p> <p>Clause c) to read “Residential development proposals ensure</p>	To improve clarity	Accepted

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		<p>that sustainable transport links, including walking and cycling links, are provided to .....” (and then as existing text).</p> <p>Clause d) to read “Employment and other non-residential development proposals located outside the town centre ensure that sustainable transport links are provided to .....” (and then as existing text).</p>		
PM30	83	<p>Policy FNP30 Targets</p> <p>Amend first target to read “No increase in the number of injury accidents reported in the Neighbourhood Plan area.”</p>	To improve clarity	Accepted
PM31	11, 17 and 42	<p>Correction of errors</p> <p>Page 11 – 2<sup>nd</sup> column – “Biological Action Plan (BAP) species” should read “Biodiversity Action Plan (BAP) priority species”.</p> <p>Page 17 – 1<sup>st</sup> column – “Wey Landscape Project” should read “Wey Landscape Partnership”.</p> <p>Page 42 – 1<sup>st</sup> column – “rare ash wetland habitat” should read “rare alder wet woodland habitat”.</p> <p>Page 42 – 1<sup>st</sup> column – delete the words “(but only just)”</p>	Correction of errors and to ensure accuracy	Accepted
N/A <sup>1</sup>	19	<p>As a factual update, I recommend that on page 45, 2nd column – 4<sup>th</sup> paragraph should read: 794 dwellings (net) and page 46, 3rd column – 2nd paragraph should read: ...for the last 7 years of the Plan period 2024/25 – 2030/31)...</p>	Factual update	Accepted

<sup>1</sup> This modification was included in the main part of the Examiner’s report but was inadvertently omitted from the Annex, and hence was not given a PM reference number.

#### 4. CONCLUSION

- 4.1 Waverley Borough Council confirms that the Farnham Neighbourhood Development Plan 2013-2031, as revised, complies with the legal requirements and basic conditions mentioned in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act and complies with the provisions of Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004, and can therefore proceed to referendum.
- 4.2 It is recommended that the Farnham Neighbourhood Development Plan 2013-2031 should proceed to a referendum based on the neighbourhood area defined by Waverley Borough Council on 19 February 2013. The Examiner has confirmed that this is an appropriate area.
- 4.3 This decision has been made according to the advice contained in the above report in response to the recommendations of the examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to the Farnham Neighbourhood Development Plan.



Signed:

Elizabeth Sims, Head of Planning Services

Date: 10 March 2017