

Mrs M Owen
Boyer Planning Ltd
Crowthorne House
Nine Mile Ride
Wokingham
RG40 3GZ

Elizabeth Sims
Head of Planning Services

Please Contact: Planning Enquiry Team
Direct Line: 01483 523583
Calls may be recorded for training or
monitoring

16/09/2016

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended) –
WA/2016/1266**

Waverley Borough Council as Local Planning Authority under the provisions of Part III of the Town and Country Planning Act 1990 (as amended), **DO HEREBY** signify their **REFUSAL** of planning permission for the development specified in the form of application deposited by you with the Council on 17 June 2016 and described in the First Schedule.

FIRST SCHEDULE

Outline planning application for the erection of up to 130 dwellings and a community building to be alternative uses within Use Class A1-A5, D1 and D2; with associated highways, open space and Suitable Alternative Natural Green Space (SANGS) with all matters reserved except access.
Land at Frensham Vale, Farnham.

SECOND SCHEDULE

The reasons for the decision of the Council to refuse permission for the development are:-

1. Reason
The proposal constitutes an unsustainable form of development as a result of its failure to maximise opportunities for travel by sustainable modes and would lead to a significant increase in trips to and from a location which would be heavily dependent on car borne travel. Access by non car modes including public transport is extremely limited with very little scope to maximise viable sustainable transport modes. The development fails to comply with Policy M1 of the Waverley Borough Local Plan 2002 and the aims of objectives of Section 4 National Planning Policy Framework 2012.

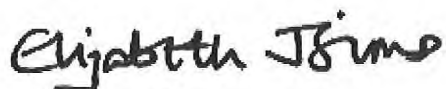
2. Reason
The proposal, as a result of the number of dwellings, scale, urbanising impact and loss of trees, would cause material and detrimental harm to the intrinsic character, beauty and openness of the countryside contrary to Policies C2, D1 and D4 of Waverley Borough Local Plan 2002 and paragraph 17 of the National Planning Policy Framework 2012.
3. Reason
In the absence of a completed legal agreement, the proposal would fail to provide on site affordable housing and as such, the development would fail to provide a sustainable, inclusive and mixed community. The proposal would be contrary to Policy H5 of the Waverley Borough Local Plan 2002, the West Surrey Strategic Housing Market Assessment (SHMA) 2015 and Paragraphs 17 and 50 of the National Planning Policy Framework 2012.
4. Reason
The proposal has failed to demonstrate that the number of dwellings and commercial floor space could be adequately accommodated on site without causing material harm to visual and residential amenities of future residents by way of insufficient car parking. The proposal therefore fails to comply with Policies D1, D4 and M14 of the Waverley Borough Local Plan 2002 and the Waverley Borough Council Parking Guidelines (2013).
5. Reason
In the absence of a completed legal agreement, the proposal would fail to secure contributions towards education, play pitch provision and leisure facilities and as such, would fail to mitigate the effects of the proposal upon infrastructure. The proposal would therefore conflict with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and paragraph 203 of the National Planning Policy Framework 2012.
6. Reason
The proposal fails to demonstrate that the proposed vehicular and pedestrian site accesses onto Gardener's Hill Road and Frensham Vale would provide safe and suitable access for all users. The proposal is therefore contrary to Policy M1 of the Waverley Borough Local Plan 2002 and the aims of objectives of Section 4 National Planning Policy Framework 2012
7. Reason
The application does not provide a Local Area of Play and consequently is contrary to Policy H10 of the Waverley Borough Local Plan 2002, Fields in Trust 'Guidance for Outdoor Sport and Play: Beyond the Six Acre Standards' and paragraphs 69 and 70 of the National Planning Policy Framework 2002.
8. Reason
The applicants have failed to provide evidence to demonstrate that there are no sequentially preferable sites outside of Flood Zone 2 and Flood Zone 3. The proposal therefore fails to accord with paragraphs 100 to 103 of the National Planning Policy Framework (2012) and the National Planning Practice Guidance (2014).

9. Reason

The applicant has failed to enter into an appropriate legal agreement to secure the provision of Suitable Alternative Natural Green Space (SANG), and therefore the Local Planning Authority considers that the proposals (in combination with other projects) would have a likely adverse effect on the integrity of the Thames Basin Heaths Special Protection Area (SPA), the Thursley, Hankley and Frensham Commons SPA and the Bourley & Long Valley Site of Special Scientific Interest (SSSI) in that it is now widely recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. Accordingly, since the planning authority is not satisfied that Regulation 62 of the Conservation of Habitats and Species Regulations 2010 (The Habitats Regulations) applies in this case, it must refuse permission in accordance with Regulation 61(5) of the Habitats Regulations and Article 6(3) of Directive 92/43/EE. The proposal conflicts with Policy NRM6 of the South East Plan and the NPPF 2012.

10. Reason

It has not been sufficiently demonstrated that protected species and their habitats would not be endangered by the proposed development. Therefore proposal conflicts with Policy D5 of the Waverley Borough Local Plan 2002 and paragraph 118 of the National Planning Policy Framework 2012.



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Informatives

1. The drawing numbers relevant to this decision are 14.271/001, 14.271/002, 14.271/003, 14.271/004, 14.271/005, 141509/A/09, 141509/A/02.1 Rev D, 14.271/PP01, 14.271/PP02, 14.271/PP03, 14.271/PP04, 14.271/PP05, 14.271/PP06, 14.271/PP07, 14.271/PP08 and 14.271/PP09.
2. 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.

WA/2016/1266

(PLEASE SEE NOTES ATTACHED)