

SUGGESTED OBJECTIONS - 24th July 2016

Frensham Forest Planning Application - referred to by the developer as 'Land at Frensham Vale'.

In this document you will find how to object by email and two sets of suggested objections.

A. Original objections sent by email on 16/07/2016.

B. More objections sent on 24th July 2016.

Here are some of the possible objections you might wish to use for **Planning Application WA/2016/1266** at Frensham Forest for a proposed development of 130 houses (increased from 120). Referred to by the developer as 'Hamlet in the Woods' and by locals as 'Horror in the Woods'.

The proposed site is situated at the end of Frensham Vale where it joins Gardeners Hill Road. The Planning Application deadline date is **August 5th 2016**.

Our website www.frenshamvale.info has just been updated and recent emails added to the 'Members Area'. We have plans for further updates to help keep you informed.

Please see the advertisement in the *Farnham Herald* on Friday 22nd July 2016 (also on our website).

If you would prefer to object via email, the email address is planconsult@waverley.gov.uk email objections carry equal weight to written objections and can be more convenient. [NB. If you want to include photographs from the web www.frenshamvale.info see News. Note new on 'Frensham Forest' tab on the top Menu bar.]

Please make certain you state you are objecting and include Your Name, Address and contact details - the address of this application; 'Land At Frensham Vale, Lower Bourne, Farnham'. **Planning Application WA/2016/1266** (N.B. Known locally as Frensham Forest) the application detail; '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.'

Click on link below to go straight to **Planning Application WA/2016/1266**.

[http://planning.waverley.gov.uk/live/wbc/pwl.nsf/\(RefNoLU\)/WA20161266?OpenDocument](http://planning.waverley.gov.uk/live/wbc/pwl.nsf/(RefNoLU)/WA20161266?OpenDocument)

As always, ***please add your own tone when you submit your objections*** (perhaps look back at points you raised previously for Craig-Y-Barns, 35 Frensham Vale). Immediately below you will see some of our initial suggested objections.

[Sent 16/07/2016]

1 Local plan

The Waverley Local Plan is planned will be adopted in the near future. It has been approved by the council and is planned to be submitted for examination by an inspector in November this year. The Local Plan sets out where housing should be built and the locations do not include this site in Frensham Vale. The Local Plan says that the intrinsic beauty of the countryside should be recognised and safeguarded.

The site is wooded and open and an important part of the countryside in this location. The proposed development would involve the removal of trees and construction of houses, roads and other infrastructure. The countryside character would inevitably be very adversely affected overall and destroyed in parts.

Summary: The construction of a housing estate in the countryside is totally inconsistent with draft Waverley Local Plan Plan RE1 which requires that the intrinsic beauty of the countryside should be recognised and safeguarded. The Local Plan will show where housing should be built. It does not include building housing at this site.

2 Flooding

The planning inspector in the 35 Frensham Vale Appeal said planning permission should not be granted because of the risk of flooding. He noted:

"However, photographs of flood events in Frensham Vale provided by third parties underline the reality of the flood risk and that it is not just a theoretical concern."

This site is subject to the same or greater flood risk (See photographs and videos on our website).

The inspector also said:

"I have also taken into account the earlier belief of the appellant that the matter of the sequential approach had been resolved, and the suggestion of the Council's consultant that only brief comment on it would be necessary. However, I consider that this is a case where application of the sequential test is warranted."

There is NO evidence that the Sequential Test has been carried out.

Water springs rise on the site and flow down the hill into the main housing area which will cause a major problem following the felling of approximately 2,000 trees in Frensham Forest. Water table and flooding catchment area: The catchment area for the Frensham Vale Stream will be impacted. See Note 1 attached - catchment area from the applicant's FRA overlaid on an OS map. Drawn in purple is the real extent of the catchment area, following the contours of the watershed. The path of the stream is drawn in dark blue; these are marked on the OS map and ignored by the applicant. We estimate that the catchment is almost 100% larger than the applicant claims.

Summary: Frensham Vale is subject to frequent flooding as noted by the planning inspector in the recent 35 Frensham Vale refused appeal. This is not a suitable location for housing to be built because of the flood risk and because more development could make flooding worse for the local area. The applicants have not carried out a Sequential Test to demonstrate that there is no alternative location with less risk for this development. The applicant has made errors in the submitted documentation the catchment is almost 100% larger than claimed. As a local resident, I suspect that this is because there will be many suitable alternatives and these are included in the new local plan.

3 Access and highways

The application includes an access point to make Frensham Vale into a single lane with priority signs. This will cause even more traffic chaos that will compound the existing high peak-time traffic volumes on Frensham Vale.

The application proposes a second access from Gardeners Hill Road to be used when the Frensham Vale access is underwater. This is a blind bend and the site of many accidents.

A painted pedestrian strip along Frensham Vale is proposed, supposedly to make up for the lack of a pavement. When the Council refused the 35 Frensham Vale and Gardeners Hill Road applications (GHR was overturned by the Inspector) this 'magic paint' idea was heavily criticised by Councillors. A painted walkway on the road will be dangerous for pedestrians.

The roads leading into and out of this site have the character and width of country lanes. There are drainage ditches on both sides to the west of the application site. There is nowhere on the lane where one can readily walk on the road verges for any distance. Mostly it is not possible to even leave the carriageway unless one is prepared to accept standing in a running stream.

Evening traffic levels were assessed from 16:00-19:00. Frensham Vale is busiest when there is pick-up from local schools which is before then.

Summary: Traffic levels are already very high on Frensham Vale, particularly at peak times. The road is narrow so that two larger vehicles cannot pass. If you are walking on the road (there is no pavement) you often have to stand in a ditch or squeeze onto the narrow verge due to passing vehicles. Building 130 more houses bringing approximately 260 more cars would make this far worse. The painted safety strip, which has found favour with the county highways department on other schemes, is considered by local people who actually walk on the road, to be totally inadequate as a way of providing safety for pedestrians.

4 Services

Summary: There is a problem with sewage in Frensham Vale, causing smells at times due to overloading. Thames Water says there is insufficient capacity in their network to accommodate the additional sewage that would flow from 130 houses. Reference item '2 Flooding' Floodwater may be contaminated by untreated sewage.

5 Character of area

The site is within 5km of Wealden Heaths 1 SPA. In the Neighbourhood Plan - Farnham Town Council identified this site as follows: *Unsuitable for development: A Greenfield site within*

the countryside: Flood Zone 2 & 3a: Character Area 'Bourne': Within 5km of Wealden Heaths 1 SPA.

This site is some distance from the amenities of Farnham Town Centre. The site is 2.5 miles from the Town Centre (road distance) and the nearest bus routes is 0.5 mile away on Frensham Road. Frensham Forest is a particularly steep landscape and is very unlikely to attract many 'casual' walkers. The Bourne Woods is more easily accessible. The site is too steep for joggers/runners and is not an area residents are likely to cycle (at least not for pleasure) and would only realistically be accessible by car. Cars (260 plus?) and other vehicles will harm the environment and add to the pollution levels in Farnham, which already exceeds the permitted levels designated by the EU ...and the UK.

Summary: The site could cover a large area of the undulating land at the west of Frensham Vale with a housing estate. This is part of the countryside, with open land, woods and trees, which is a most important part of the character of Frensham Vale. Even if the housing estate could be built so as to have limited visibility it would still destroy the intrinsic beauty of the countryside.

6 Environmental impact

The application will involve building a significant number of dwellings and related infrastructure in woodland and adjacent Ancient Woodland. The applicant's biodiversity checklist is incorrect when it states that there are no watercourses within 50m of the site. Destruction of Frensham Forest woodland: The landowner has previously failed to replant in accordance with the provisions of the previous felling licences - Forestry Commission Licence 019/187/06-07 *the conditions for this licence appear to have been breached.*

Forestry Commissions Licence # 019/533/13-14 is valid up until 31st March 2019. This licence allowed remove of 2,000 (*two thousand*) trees for the purposes of 'Thinning'. This is NOT a licence for 'Selective Felling' or 'Clear Felling, it stipulates, 'Sound management of a renewable resource' and states that 'Areas must be avoided so that they are preserved and are not disturbed during felling and extraction of the trees such as: archaeological features, badger setts, bird nests, and sites being used by European protected species'.

In addition to the removal of 2,000 trees, the proposal calls for the removal of an additional 140 (*one hundred and forty*) trees. Trees provide natural evaporation etc. of floodwater (a mature oak will disperse 50 Gallons of water per day and 1 tree provides enough oxygen for 4 people). At the January 2016 meeting with Beattie Communications, a representative from The Farnham Society, pointed out that Plan/Maps detailed A, B and C category trees maps were meaningless as trees do not simply grow in neat definable categories and that these Plan/Maps were intentionally misleading. The lower category 'C' trees were marked as the trees they needed to fell (*in addition to the felling licences*). CEG agreed their Plan/Maps were misleading and pledged to alter them.

The Forestry Commission has a strict 'Enforcement Policy Statement' in accordance with the Regulators' Compliance Code and the seven Hampton principles of good regulation required under the Legislative and Regulatory Reform Act 2006.

Defra Flood Resilience policy includes 'retention of and planting trees to prevent flooding'. Removing trees has the opposite effect.

The Environment Agency 'Fluvial Design Guide' supports this Defra solution highlighting the 'retention of Assets' (e.g. woodland) to prevent flooding. 'These include the consideration of risks and uncertainties, the collection of data and consultation with *stakeholders*.' We know that trees have an important role to play in absorbing excess water.

7 Wildlife

Frensham Forest is integral to the Bourne 'Wildlife Corridor' that not only provides immediate beauty and wildlife with its distinctive and much sought after identity but also environmentally nurtures the wider Bourne area. This proposed site is both a permanent home and a transitory haven for deer, badgers, rabbits, foxes, butterflies, protected species of amphibians and bats along with many bird species including ground nesting birds, woodpeckers, buzzards and red kites.

If you live in Farnham, this Greenfield Land proposal will permanently affect your family and your environment.

Many of you may recall a previous Application in 2000 to develop Frensham Forest which went to the High Court and was lost on Appeal. Although Planning Law has moved on, I attach the ruling, 'First Appeal Refusal 2000'

Please could you pass this document on to any neighbour who has not joined Frensham Vale Action Group (especially those without email).

MORE SUGGESTED OBJECTIONS - 24th July 2016

You must submit your objections ahead of the deadline of 5th August 2016

IMPORTANT NOTE: The objections below are not listed using any specific criteria - please feel free to select any combination in any order and as many objections that are important to you personally and please try to use your own voice/words. If objections are identical, they do not have the same impact as individually phrased objections because it may appear as if people do not care as much. Technically, objection and the issues in it are addressed in the decision making process. However, Waverley Planning is interested in how much concern there is in the local area, so our advice is to give your objections your own emphasis and express any concerns you may have. Also, if you have been online you may have noticed a couple of objections 'for' this application from outside of the local area - after registering your own objections why not notify your friends and family even if they live outside of the local area.

Neighbours directly affected in the immediate vicinity of the intended build have come together to seek professional advice on how to fight the application and a hired expert will be presenting arguments against the development to the case offer in due course. If you would like to know more about this and are able to help support the cause at a more tangible level please feel free to contact us by email at frenshamvale@gmail.com. **Every objection counts** (please note every individual has the right to register their opinion - it is not limited to a

household). In this regard, please consider and feel free to draw from the list below, therein the key arguments, when submitting an objection:

- A. **The timing of this application can be deemed entirely inappropriate in that it has been submitted during the consultation period for Waverley's Local Plan.** Clearly this consultation must be allowed to run its full course to guard against the wrong development in the wrong places taking place at this time - especially when, as in this case, development is on a large scale. The Neighbourhood Plan has been submitted to Waverley Borough Council and does not include this site. Neither Farnham Town Council or Waverley Borough Council supports development on this site.
- B. **Frensham Vale is a high-risk flood area (Flood Zone 2 & 3) within which the natural soak provided for by the trees is critical to managing an already delicate situation.** The felling of trees in the area in anticipation of development is already entirely unacceptable and the wider felling planned, the reducing grassland and adding additional hard surfaces to an area which floods can only exacerbate the problem for existing homeowners and road users in Gardeners Hill Road and Frensham Vale.
- C. It is not a sustainable location and there are sequentially better sites. It is located at a considerable distance from local services and a car will be essential to access these.

If we are to see genuinely 'sustainable development' in Waverley, the surrounding infrastructure must first be significantly advanced BEFORE builds of this size can be put into the area.

- **Traffic** is already a problem on Gardeners Hill Road in snow and ice this steeply sided lane is impassable, Frensham Vale floods. During the school run and during periods of adverse weather ice and flooding the dangers of falling into the ditch are very real. A large coach, a dustcart and recent car accidents - including one on Friday 22/01/2016 when a car overturned and Police and Fire Services were called out in close proximity to the proposed entrance which is situated on this narrow winding country lane can all testify to! At 4m in width at its widest Frensham Vale cannot accommodate 260 (or more from 130 houses) extra cars for which the development provides parking space. The increased danger to cyclists, and particularly to children walking to school/the bus stop at the end of the Vale, will be such that residents will all have to take to cars themselves, when currently they may walk or cycle, further exacerbating the traffic issue.
 - **The pressure on schools** in the area is well documented and of huge concern - the catchment area for South Farnham Infants is today at less than 300m already ruling all of Frensham Vale out of the catchment (leaving one family on the Vale travelling to Puttenham on a daily basis). We are categorically told there is no space to build new classes at Farnham's current primary schools so where will the young children of these families go to school? The pressure will continue to increase on Weydon secondary school, a school that is already oversubscribed. All of these new builds are within the Weydon catchment and will serve to reduce the catchment net across the Bourne.
- D. This area forms part of the 'green corridor' linking the protected countryside and the suburbs of the town and there has always been a desire to maintain a gradual transition from country to town centre. The site is within 5km of Wealden Heaths 1 SPA. Farnham Town Council identified this site as follows: Unsuitable for development: A Greenfield site within the countryside: Flood Zone 2 & 3a: Character Area 'Bourne': Within 5km of Wealden Heaths 1 SPA.

More reasons to object:

1. The proposed site - is located within the Wealdon Heath Buffer Zone. This is an area where there are ground nesting birds e.g. the Dartford Warbler.
2. Impact on wildlife - birds, bats, badgers, slow worms, toads, deer, butterflies, moths and many other species of insect inhabit and forage for food on this woodland site. Particular attention should be made to protected species. This woodland environment is rural and provides a *wildlife corridor*.
3. The proposed site is located in 'Countryside beyond Greenbelt.' This means that although it is not greenbelt, 'Countryside beyond Greenbelt' is a policy to help protect the rural environment.
4. The site is adjacent to protected 'Ancient Woodland'.
5. The proposed site is not located within a 'Settlement Boundary' or near one. This boundary is a requirement for town planners when considering granting planning.
6. Destruction of woodland. Attempted breach of the Forestry Commission's Felling Licence. The Forestry Commission have not managed the licenses and the land owner appears to be in breach of these licences. Despite the wording on the licences, the Forestry Commission have been unclear about the replanting requirement.
7. Farnham already exceeds EU (and the UK) Environmental levels. More houses and more cars will exacerbate this already significant challenge to reduce carbon emissions causing known problems to our health and longevity.
8. Impact on the character of the area from semi-rural to urban.
9. Traffic impact - condition of access onto Gardeners Hill Road on a blind bend and Frensham Vale where the level of traffic is dangerously high and car speed often recklessly high. Road safety at junction of access road onto A287.
10. Drainage impact - fewer trees = more concrete. Significant reduction to 'Functional Flood Plain'.
11. Flooding impact. Frensham Vale is located in Flood Risk Zones 2 & 3. The land adjoining Frensham Vale is a 'Functional Flood Plain. During heavy rainfall, the Frensham Vale river/stream floods and becomes invisible to road users.
12. Health, Social Services - Hospitals/doctors/dentists. Not enough doctor surgeries in the area for the existing local population. Local hospitals are under pressure to deliver the expected level of NH Service (there is a recent threat of Farnham Hospital closure). All healthcare provision, pregnant

mothers, mid-wives, new born right through to care for the elderly is operating at of beyond capacity.

13. Sewage. The system which runs from Gardeners Hill to Frensham Vale functions on **overcapacity**. There have been several incidents of sewage spills with and without flooding as a cause.
14. Significant and dangerous disruption during and after building to pedestrians, cyclists, horse riders and all vehicular traffic.
15. Inappropriate, out of scale size of development for the site area.
16. Proposal to build mainly 'luxury' homes cannot be 'affordable' to first time buyers or the 'average family'.
17. BATS - A bat survey carried out and reported in the Ecological Appraisal found four species of bat foraging (common and soprano pipistrelle, brown long-eared and serotine).
18. The Developer's **Biodiversity** report states there are no Water courses (rivers or streams) within 50m of the site - this is incorrect (Frensham Vale stream is about 5m from the site).
19. The Developer's **Traffic survey** - taken between 16:00 and 19:00 and these traffic figures should be totally disregarded since a large portion of high levels of traffic on Gardeners Hill Road and Frensham Vale is during school traffic.
20. The Developer is suggesting cycling. The site is extremely steep and this suggestion increases the risk of fatal accidents as the road is already far too narrow and the 'magic paint' lane is not at all sensible through to the A287 or along the steep 'V' topography of Gardeners Hill Road.

Technical Planning Objections.

1. Summary

- 1.1. The location of this site and the harms that the proposed development would cause mean that this proposal is not sustainable development in terms of the National Planning Policy Framework (NPPF) policies. Therefore, there is no presumption that planning permission should be granted.
- 1.2. The harms that would be caused would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. Therefore, planning permission should be refused.
- 1.3. The new Waverley Local Plan is being prepared quickly and is expected to be adopted in a few months. Therefore, there is a reason for refusal in terms that the outcome of the local plan should be awaited before granting planning permission in the face of national and local policies that would otherwise require refusal.

1.4. Main issues

1.5. The main issues in this application are: **Adverse impacts would arise if planning permission were to be granted which significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole**

1.6. The presumption contained in the NPPF is in favour of **sustainable development**. The NPPF describes this as a golden thread running through decision taking. It follows therefore that for this planning application to be acceptable the proposed development would have to be sustainable. The NPPF definition of sustainable development has three parts. The first two can be considered together in this case.

1.7. Economic and social roles

1.8. The NPPF definition of sustainable development includes that *"sufficient land of the right type is available in the right places and at the right time to support growth and innovation"*.

1.9. This could include the provision of land for housing. The social role specifically refers to provision of:

1.10. *"a 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"*.

1.11. Environmental role

1.12. This includes:

- contributing to protecting and enhancing our natural, built and historic environment;
- using natural resources prudently, minimising waste and pollution; and
- mitigating and adapting to climate change including moving to a low carbon economy

1.13. The site is about 2.5 miles from Farnham town centre. It has poor access to the town centre, a local centre, schools a GP/health facility and a train station. The nearest bus service is on A287 at the eastern end of Frensham Vale and is hourly. It therefore does not have accessible local services that reflect the community's needs and support its health, social and cultural well-being, which is specified in the NPPF social role definition of sustainable development.

1.14. Environmental impact

1.15. The Application Site is mostly wooded, Greenfield with a relatively small area of garden land. Its development would represent use of a natural resource. Sustainable development requires that natural resources are used prudently. This must mean that this type of site should only be developed if there are no alternatives which would be more sustainable. The SHLA rates the Application Site as RED and not suitable for identification as a housing site compared with many other sites.

- 1.16. The Application Site is within a relatively small area surrounded by land which is designated as AONB, AGLV or the SFASEQ. Its wooded character and appearance makes an important contribution to the environment of Frensham Vale and the setting of the designated areas.
- 1.17. The plans and information submitted with the planning application are all illustrative because the application is in outline with all matters reserved. Any grant of planning permission could not therefore be based on a detailed assessment of the impact of the proposed development. Given the sensitivity of this site, its wooded character and that it is surrounded by land with environmental designations, planning permission should not be granted in the absence of a detailed scheme.
- 1.18. The proposed development, far from integrating into this wooded area, would stand out as a densely developed almost treeless housing estate.
- 1.19. The Farnham Design Statement Landscape Study indicates that there could be some potential for low-density development adjacent to the settlement edge within the woodland, as long as the forest character still predominates. Otherwise, development in this segment is more likely to have a negative landscape impact due to a combination of character, landscape quality and designations. The site layout would have this negative impact.
- 1.20. The application's Ecological Appraisal indicates that there are protected species at the site including slow worms, bats and nesting bird habitat. It proposes measures to mitigate the impact that the development would have on these. It is obvious that if the site remains undeveloped there would be no impacts at all. Therefore, the impact on ecology has to be regarded as a harm, in terms of protected species, to taken into account in assessing the application.
- 1.21. The site lies within 5km of the Wealden Heaths SPA. Therefore, development will only be possible if it can demonstrate adequate avoidance or mitigation of significant adverse effects. The issue of effect on these SPAs does not appear to have been addressed in the application. Proposals for provision of SANG should be required on this issue in the event that Waverley were to consider granting planning permission.
- 1.22. The location of this site, remote a railway station and with a very limited bus service, would mean that in practice most access could be expected by cars. This is not desirable in terms of the Government's climate change agenda, referred to in the NPPF, since it increases the carbon footprint of the development.
- 1.23. The addition of almost 130 additional houses to narrow lanes with high peak period traffic flows represents a harm that would arise from the proposed development.

The proposed development is not acceptable in terms of the specific NPPF policy relating to flood risk
- 1.24. The second requirement of the NPPF for determining applications that the proposed development should not conflict with specific policies in the Framework that indicate

development should be restricted. In this case the Application Site is in an area subject to flood risk which is the subject of specific NPPF policy.

- 1.25. Flooding is an issue where further evidence is required before this application could be considered for approval.

Other material considerations that should affect the planning decision

- 1.26. Local residents are concerned that the removal of even greater numbers of trees must have some implications for surface water drainage. This issue has not been addressed in the application and further information should be required from the applicants.
- 1.27. An application for 43 houses on land at Baker Oates Stables on Gardeners Hill Road, which is close to the site, has recently been approved. The cumulative effect would destroy the semi-rural character of this area and have even more adverse effect on the settings of the designated areas.
- 1.28. The Local Plan process involves a proper examination of how land for housing should be identified which will continue over the next few months, including draft plans, public consultation and a hearing, leading to adoption of the New Local Plan in 2016. Therefore, it is not the case that there is a shortfall in a five year supply of housing land which will not be addressed in the near future through the development plan up-date process. Granting planning permission for the proposed development would therefore be in appropriate at this stage.

Our very best regards,
Joe Michel
For and on Behalf of Frensham Vale Action Group (FVAG)

Attachments:
Farnham Herald Advertisement
Letter in Farnham Herald 22/07/2016
PDF copy of this email for printing