



FARNHAM TOWN COUNCIL

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Notes

Planning & Licensing Consultative Working Group

Time and date

9.30 am on Monday 26th September, 2022

Place

Council Chamber, Farnham Town Council, South Street, Farnham GU9 7RN and via Zoom

Planning & Licensing Consultative Working Group Members Present:

Councillor John "Scotty" Fraser (Lead Member)
Councillor Roger Blishen
Councillor George Hesse
Councillor Michaela Martin
Councillor John Neale

Officers: Jenny de Quervain

1. Apologies for Absence

Apologies were received from Councillor Wicks.

2. Disclosure of Interests

None were received.

3. Applications Considered for Key/Larger Developments

Farnham Moor Park

WA/2022/02195 Farnham Moor Park

Officer: Ruth Dovey

BRIGHTWELL HOUSE, OLD MARKET PLACE, FARNHAM

Listed Building Consent for installation of four illuminated hanging projecting signs; one brass plate fascia sign; one illuminated brass menu holder; five brass colour window vinyl logo signs; one free standing sign and hand painting of three fascia signs on the existing fascia in antique gold paint.

To be compliant with LPP1 policy TDI, local policies for Farnham's town centre must be considered, including the Farnham Design Statement, Farnham Neighbourhood Plan policy FNP2 Town Centre Conservation Area and its setting,

FNP4 Advertisement Control, FNP21 East Street, South Street and Dogflud Way and Shopfront Design Guide SPD.

Farnham Town Council has no objections to the Coppa Club signage at Brightwell House.

WA/2022/02270 Farnham Moor Park

Officer: Carl Housden

THE ABBEY SCHOOL, MENIN WAY, FARNHAM GU9 8DY

Details of a scheme of biodiversity mitigation and enhancement submitted pursuant to Condition 10 of planning permission ref: WA/2021/02235 dated 17 February 2022 (County Development Application under Regulation 3).

No comments.

Farnham Upper Hale

WA/2022/02291 Farnham Upper Hale

Officer: Philippa Smyth

TECH RECYCLE HOUSE, ODIHAM ROAD, FARNHAM GU10 5AB

Erection of a building to provide warehouse/storage/ancillary office and associated works following demolition of existing buildings and radio mast.

Farnham Town Council raises objection to the size of the proposed replacement building and requests that a significant green boundary be planted – see specific details below.

Being located outside the built-up area boundary and adjacent the Thames Basin Heath Special Protection Area, Farnham Town Council do not want urban close-boarded fencing installed. The boundary needs to provide sufficient screening, planted with native hedging species such as hawthorn, beech, hornbeam and holly against a chain-link fence. This would offer security for the site as well as adding to its biodiversity value, as advised in LPP1 and the NPPF. Chain-link fence will support and conserve wildlife corridors for small mammals, reptiles and amphibians.

The access must be approved by the CHA and, with HGV restrictions introduced, conditions be added to limit movement of vehicles over 7.5 tonnes on local road.

4. Applications Considered

Farnham Bourne

CA/2022/02355 Farnham Bourne

Officer: Theo Dyer

FOXWOOD PLACE, 6B LITTLE AUSTINS ROAD, FARNHAM GU9 8JR

LITTLE AUSTINS CONSERVATION AREA REMOVAL OF TREE

No reason has been given for the Western Red Cedar's removal. Farnham Town Council objects to the removal of trees, especially in a conservation area, and requests that the Arboricultural Officer confirm the condition of the Western Red Cedar and apply a TPO if the tree can be maintained. In response to a climate emergency, it is vital to retain green infrastructure in line with LPP1 policy CCI Climate Change and NE2 Green and Blue Infrastructure. If removal is absolutely necessary, a replacement tree must be planted.

CA/2022/02356 Farnham Bourne

Officer: Theo Dyer

3A GREENHILL ROAD, FARNHAM GU9 8JN

GREAT AUSTINS CONSERVATION AREA REMOVAL OF TREES

Farnham Town Council leaves to the Arboricultural Officer. In response to a climate emergency, it is vital to retain green infrastructure in line with LPP1 policy CCI Climate Change and NE2 Green and Blue Infrastructure.

TM/2022/02290 Farnham Bourne

Officer: Theo Dyer

6 PANNELLS, LOWER BOURNE, FARNHAM GU10 3PB

APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 27/03

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPP1 policy CCI Climate Change and NE2 Green and Blue Infrastructure.

WA/2022/02184 Farnham Bourne

Officer: Lauren Kitson

CLUMPS END HOUSE, CLUMPS ROAD, LOWER BOURNE, FARNHAM GU10 3HF

Certificate of Lawfulness under Section 191 for existing use and development of the erection of a basement and associated excavation and associated works, basement works were substantially completed over four years ago and the works were not concealed.

No comments.

WA/2022/02348 Farnham Bourne

Officer: Lauren Kitson

OAKLEIGH, 30A FRENHAM VALE, LOWER BOURNE, FARNHAM GU10 3HT

Certificate of Lawfulness under Section 192 for erection of a single storey rear extension.

Farnham Town Council objects to an extension under a certificate of lawfulness 192 on a new build. An application should be submitted to amend WA/2018/1912 and Community Infrastructure Levy applied.

WA/2022/02349 Farnham Bourne

Officer: Lauren Kitson

OAKLEIGH, 30A FRENHAM VALE, LOWER BOURNE, FARNHAM GU10 3HT

Certificate of Lawfulness under Section 192 for alterations to roofspace to provide habitable accommodation and installation of rooflights.

Farnham Town Council objects to alterations under a certificate of lawfulness 192 on a new build. An application should be submitted to amend WA/2018/1912 and Community Infrastructure Levy applied.

WA/2022/02350 Farnham Bourne

Officer: Lauren Kitson

GABLES, 30C FRENHAM VALE, LOWER BOURNE, FARNHAM GU10 3HT

Erection of a double bay detached garage.

Farnham Town Council objects to further development on this site. The proposed garage is contrary to Residential Extensions SPD being in front of the building line.

WA/2022/02383 Farnham Bourne

Officer: Doug Wright

LANGFORD, 23 FORD LANE, WRECCLESHAM, FARNHAM GU10 4SH

Erection of extensions and alterations following demolition of existing extension and attached garage.

Farnham Town Council raises objection to this application unless the extensions and alterations are confirmed compliant with the Farnham Design Statement, Farnham

Neighbourhood Plan policy FNPI New Development and Conservation, FNP16 Extensions, Residential Extensions SPD and LPP1 policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and materials match existing.

Farnham Castle

CA/2022/02303 Farnham Castle

Officer: Theo Dyer

THE WILLIAM COBBETT PUBLIC HOUSE, 4 BRIDGE SQUARE, FARNHAM GU9 7QR
FARNHAM CONSERVATION AREA WORKS TO AND REMOVAL OF TREES

Farnham Town Council leaves to the Arboricultural Officer. In response to a climate emergency, it is vital to retain green infrastructure in line with LPP1 policy CCI Climate Change and NE2 Green and Blue Infrastructure.

NMA/2022/02180 Farnham Castle

Officer: Sam Wallis

29 LARKFIELD ROAD, FARNHAM GU9 7DB

Amendment to WA/2022/00116 reduction in balcony size to ensure what is built has the appropriate approval

No comments.

WA/2022/02220 Farnham Castle

Officer: Wanda Jarnecki

11 MIDDLE CHURCH LANE, FARNHAM GU9 7PP

Listed Building consent for internal and external alterations to dwelling together with alterations to boundary walls.

Farnham Town Council strongly objects to the unneighbourly extensions and alterations having a negative impact on the neighbour's amenity at no. 10. The ground floor extension is proposed to build over an existing ground floor side window at no. 10. The boundary brick wall is excessive in height, much taller than the existing fence panels. The proposed first-floor extension is attempting to minimise its impact on the neighbour at no. 12 by a wall built at a forty-five degree angle. The extensions and alterations must be compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP2 Town Centre Conservation Area and its setting, FNP16 Extensions, Residential Extensions SPD and LPP1 policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and have no negative impact on the neighbours' amenity.

WA/2022/02221 Farnham Castle

Officer: Wanda Jarnecki

11 MIDDLE CHURCH LANE, FARNHAM GU9 7PP

Erection of extensions, alterations to elevations and fenestrations together with erection of garden outbuilding and works to boundary walls following demolition of existing single storey extension.

Farnham Town Council strongly objects to the unneighbourly extensions and alterations having a negative impact on the neighbour's amenity at no. 10. The ground floor extension is proposed to build over an existing ground floor side window at no. 10. The boundary brick wall is excessive in height, much taller than the existing fence panels. The proposed first-floor extension is attempting to minimise its impact on the neighbour at no. 12 by a wall built at a forty-five degree angle. The extensions and alterations must be compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and

Conservation, FNP2 Town Centre Conservation Area and its setting, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and have no negative impact on the neighbours' amenity.

WA/2022/02222 Farnham Castle

Officer: Sam Wallis

PUMPHOUSE COTTAGE, 7 VICARAGE LANE, FARNHAM GU9 7PR

Erection of extension and alterations to elevations and fenestrations; creation of roof terrace and associated landscaping.

Farnham Town Council raises objection to this application unless approved by the Heritage Officer and the extensions and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP2 Town Centre Conservation Area and its setting, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and has no negative impact on the neighbours' amenity from the proposed roof terrace.

WA/2022/02223 Farnham Castle

Officer: Sam Wallis

PUMPHOUSE COTTAGE, 7 VICARAGE LANE, FARNHAM GU9 7PR

Listed Building consent for internal and external alterations.

Farnham Town Council raises objection to this application unless approved by the Heritage Officer and the extensions and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP2 Town Centre Conservation Area and its setting, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and has no negative impact on the neighbours' amenity from the proposed roof terrace.

WA/2022/02268 Farnham Castle

Officer: Carl Housden

6 LION AND LAMB YARD, FARNHAM GU9 7LL

Consent to display 1 illuminated fascia sign and 1 illuminated hanging sign.

Farnham Town Council has no objections to the externally illuminated signage. Local policies for Farnham's town centre must be considered, including the Farnham Design Statement, Farnham Neighbourhood Plan policy FNP2 Town Centre Conservation Area and its setting, FNP4 Advertisement Control and Shopfront Design Guide SPD.

WA/2022/02279 Farnham Castle

Officer: Tracy Farthing

LION AND LAMB HOUSE, WEST STREET, FARNHAM GU9 7HH

Listed building consent for internal and external alterations.

Farnham Town Council raises objection to this application unless the alterations are approved by the Heritage Officer and confirmed compliant with the Farnham Design Statement, FNP2 Town Centre Conservation Area and its setting, FNP4 Advertisement Control, and Shopfront Design Guide SPD.

WA/2022/02301 Farnham Castle

Officer: Sam Wallis

9 PARK ROW, FARNHAM GU9 7JH

Listed Building consent for erection of extension to outbuilding following partial demolition of existing outbuilding.

Farnham Town Council raises objection to this application unless the alterations are approved by the Heritage Officer and confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP2 Town Centre Conservation Area and its setting, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design.

WA/2022/02302 Farnham Castle

Officer: Sam Wallis

9 PARK ROW, FARNHAM GU9 7JH

Erection of extension to outbuilding following partial demolition of existing outbuilding.

Farnham Town Council raises objection to this application unless the alterations are approved by the Heritage Officer and confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP2 Town Centre Conservation Area and its setting, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design.

Farnham Firgrove

WA/2022/02287 Farnham Firgrove

Officer: Sam Wallis

26 UPPER WAY, FARNHAM GU9 8RG

Erection of extensions and alterations to attached garage to provide additional habitable accommodation.

Farnham Town Council raises objection to this application unless the extensions and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and has no negative impact on the neighbour's amenity at no.28 being close to the boundary.

WA/2022/02299 Farnham Firgrove

Officer: Doug Wright

BRAMBLETON HALL, TALBOT ROAD, FARNHAM GU9 8RR

Erection of an extension and alterations to elevations to provide a boxing ring.

Farnham Town Council has no objections to the reduced scheme.

NMA/2022/02206 Farnham Firgrove

Officer: Daniel Holmes

9 BRAMBLETON AVENUE, FARNHAM GU9 8QU

Amendment to WA/2021/01589 to install an air source heat pump.

The heat pump must be positioned away from neighbours to prevent noise pollution.

Farnham Hale and Heath End

TM/2022/02226 Farnham Hale and Heath End

Officer: Theo Dyer

1 THE GLADE, FARNHAM GU9 0QT

APPLICATION FOR WORKS TO TREES SUBJECT OF TREE PRESERVATION ORDER 21/10

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

TM/2022/02230 Farnham Hale and Heath End

Officer: Theo Dyer

NETTLECOMBE CLOSE, FARNHAM GU9 0AQ

APPLICATION FOR REMOVAL OF TREE SUBJECT OF TREE PRESEVATION ORDER 01/19

Farnham Town Council leaves to the Arboricultural Officer. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

Farnham Moor Park

TM/2022/02247 Farnham Moor Park

Officer: Theo Dyer

55 LYNCH ROAD, FARNHAM GU9 8BT

APPLICATION FOR WORKS TO TREE SUBJECT TO TREE PRESERVATION ORDER 06/06

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

TM/2022/02327 Farnham Moor Park

Officer: Theo Dyer

AMBLEDOWN HOUSE, 6A OLD COMPTON LANE, FARNHAM GU9 8BS

APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 06/06

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

WA/2022/02207 Farnham Moor Park

Officer: Sam Wallis

SOMERSBY, 18 COMPTON WAY, FARNHAM GU10 1QZ

Erection of extensions and alterations to elevations following demolition of existing extension (revision of WA/2021/02437).

Farnham Town Council raises objection to this application unless the extensions and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP8 South Farnham Arcadian Areas, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction.

WA/2022/02236 Farnham Moor Park

Officer: Sam Wallis

BUSH COTTAGE, 31 CROOKSBURY ROAD, FARNHAM GU10 1QD

Alterations to elevations.

Farnham Town Council raises objection to this application unless the alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP16 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction.

WA/2022/02342 Farnham Moor Park

Officer: Sam Wallis

GLENSIDE COTTAGE, BOTANY HILL, SANDS, FARNHAM GU10 1LZ

Certificate of Lawfulness under Section 192 for construction of a pool building with integral plant room, toilet and changing room.

No comments.

Farnham Shortheath and Boundstone

TM/2022/02298 Farnham Shortheath and Boundstone

Officer: Theo Dyer

8 BOUNDSTONE ROAD, WRECCLESHAM, FARNHAM GU10 4TQ

APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 32/07

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

WA/2022/02193 Farnham Shortheath and Boundstone

Officer: Sam Wallis

23 BEACON CLOSE, WRECCLESHAM, FARNHAM GU10 4PA

Erection of a first floor extension and alterations to elevations.

Farnham Town Council raises objection to this application unless the extension and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction.

Farnham Upper Hale

WA/2022/02249 Farnham Upper Hale

Officer: Adam Constantinou

HIGH CORNERS, 24 UPPER OLD PARK LANE, FARNHAM GU9 0AT

Erection of extension and alterations together with alterations to attached garage to provide additional habitable accommodation.

Farnham Town Council raises objection to this application unless the extension and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction.

Farnham Weybourne and Badshot Lea

TM/2022/02203 Farnham Weybourne and Badshot Lea

Officer: Theo Dyer

10 THE LAURELS, FARNHAM GU9 9EG

APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 01/02

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

WA/2022/02240 Farnham Weybourne and Badshot Lea

Officer: Lauren Kitson

1 WOODSIDE ROAD, FARNHAM GU9 9DS

Erection of extension and alterations to elevations.

Farnham Town Council raises objection to this application unless the extension and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and has no negative impact on the neighbour's amenity at no. 3.

Farnham Wrecclesham and Rowledge

TM/2022/02296 Farnham Wrecclesham and Rowledge

Officer: Theo Dyer

5 THE CHINE, WRECCLESHAM, FARNHAM GU10 4NN

APPLICATION FOR WORKS TO TREE SUBJECT OF TREE PRESERVATION ORDER 14/00

Farnham Town Council, subject to the Arboricultural Officer's comments, welcomes the maintenance of trees to extend their life and associated amenity. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure.

TM/2022/02354 Farnham Wrecclesham and Rowledge

Officer: Theo Dyer

93 BOUNDSTONE ROAD, ROWLEDGE, FARNHAM GU10 4AS

APPLICATION FOR REMOVAL OF TREE SUBJECT OF TREE PRESERVATION ORDER 20/11

Farnham Town Council leaves to the Arboricultural Officer. In response to a climate emergency, it is vital to retain green infrastructure in line with LPPI policy CCI Climate Change and NE2 Green and Blue Infrastructure. If removal is necessary, a replacement tree must be planted.

WA/2022/02377 Farnham Wrecclesham and Rowledge

Officer: Daniel Holmes

51 RIVERDALE, WRECCLESHAM, FARNHAM GU10 4PJ

Erection of two storey extension and alterations.

Farnham Town Council raises objection to this application unless the extension and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNPI6 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction.

WA/2022/02381 Farnham Wrecclesham and Rowledge

Officer: Sam Wallis

30 WRECCLESHAM HILL, WRECCLESHAM, FARNHAM GU10 4JW

Certificate of Lawfulness under Section 192 for erection of a single storey rear extension.

No comments.

WA/2022/02382 Farnham Wrecclesham and Rowledge

Officer: Sam Wallis

5 BROADWELL ROAD, WRECCLESHAM, FARNHAM GU10 4QH

Erection of extension to existing porch and alterations to elevations along with installation of air source heat pump; erection of dormer extension and installation of rooflight to provide additional habitable accommodation in roof space.

Farnham Town Council raises objection to this application unless the extension and alterations are confirmed compliant with the Farnham Design Statement, Farnham Neighbourhood Plan policy FNPI New Development and Conservation, FNP16 Extensions, Residential Extensions SPD and LPPI policy TDI Townscape and Design, CCI Climate Change and CC2 Sustainable Construction and the heat pump is positioned away from neighbours boundary to prevent noise pollution.

5. Appeals Considered

Appeal Notifications

Appeal reference: APP/R3650/W/22/3302987

WA/2021/03018 Farnham Moor Park

HAWTHORNS, HALE ROAD, FARNHAM GU9 9RL

Outline application with all matters reserved except for access; erection of 65 dwellings(including 40% affordable housing); public open space, car park, landscaping , infrastructure and new vehicular access following demolition of existing dwelling and outbuildings.

Appellant: Mr & Mrs A Lifford Stax Group Ltd

See below Farnham Town Council's comments submitted on this application and subsequent amendments reaffirming objections.

Waverley Borough Council's unacceptable position on this application completely ignores and undermined Farnham's Neighbourhood Plan.

Amendments received

The plans have been amended to show a 3m cycleway on Hale Road from Six Bell Pub to Hale Road north arm roundabout

WA/2021/03018 Farnham Moor Park

Officer: Ruth Dovey

HAWTHORNS, HALE ROAD, FARNHAM GU9 9RL

Outline application with all matters reserved except for access; erection of 65 dwellings(including 40% affordable housing); public open space, car park, landscaping , infrastructure and new vehicular access following demolition of existing dwelling and outbuildings.

Farnham Town Council maintains its previous strong objections to this application.

Although provision for improved cycleways has included, these can be achieved without the need to build 65 dwellings in this location.

This is site not an allocation in the Farnham Neighbourhood Plan (FNP): The Inspector in the appeal decision on WA/2020/1410 states 'Paragraph 15 [of the NPPF] sets out that planning should be genuinely plan-led, and amongst other matters should provide a platform for local people to shape their surroundings. The FNP has sought to do this.'

Farnham Town Council refers to the Inspector to the Court of Appeal Judgment on the NPPF Tilted Balance:

The Court of Appeal has handed down judgment in the case of *Gladman Developments Ltd v SSHCLG & Corby BC & Uttlesford DC* [2021] EWCA Civ 104 dealing with paragraph 11(d)(ii) and

the tilted balance in the National Planning Policy Framework. The Court of Appeal dismissed the Appellant's challenges, upholding the decisions of the Secretary of State's inspectors.

Gladman argued that it was a misinterpretation of the tilted balance in paragraph 11(d)(ii) of the NPPF to have any regard to development plan policies when answering the paragraph 11(d)(ii) question – whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of doing so, when assessed against the policies in the NPPF taken as a whole.

The issues in the appeal were, first, whether a decision-maker, when applying the tilted balance under paragraph 11(d)(ii), is required not to take into account relevant policies of the development plan, and, secondly, as a connected issue, whether it is necessary for the tilted balance and the duty in s38(6) of the Planning and Compulsory Purchase Act 2004 to be performed as separate and sequential steps in a two-stage approach.

On the first issue, the Court of Appeal concluded:

- the provisions on decision-taking in the second part of paragraph 11 of the NPPF set out a policy to guide decision-makers on the performance of their statutory responsibilities under s70(2) of the Town and Country Planning Act 1990 and s38(6) of the PCPA 2004, in the specific circumstances to which they relate;
- decision-makers are not legally bound to disregard policies of the development plan when applying the tilted balance under paragraph 11(d)(ii);
- it is neither a misinterpretation nor misapplication of paragraph 11(d)(ii), or taking into account an immaterial consideration, to have regard to development plan policies when dealing with the tilted balance question;
- the exercise of assessing a development's compliance with the policies in the NPPF could properly embrace consideration of related policies in the development plan, and sometimes this would make good sense because of the relationship between the two;
- the performance of the statutory duty under s38(6) and the performance of the tilted balance exercise may be inter-related, and conflict or compliance with development plan policies can bear on the assessment required by the NPPF policy in paragraph 11(d)(ii);
- the policies of the development plan will often inform the balancing exercise required under paragraph 11(d)(ii);
- in many cases it will facilitate the assessment of adverse impacts and benefits in the tilted balance to consider not only the relevant policies of the NPPF but also the corresponding policies of the development plan;
- a complete assessment under paragraph 11(d)(ii), in which adverse impacts and benefits are fully weighed and considered, may well be better achieved if relevant policies of the development plan are taken into account;
- whether and how policies of the plan are taken into account in the application of paragraph 11(d)(ii) will be a matter for the decision-maker's planning judgment, in the circumstances of the case in hand.

On the second issue, the Court of Appeal concluded:

- there is nothing to prevent an approach in which the application of the tilted balance under paragraph 11(d)(ii) is incorporated into the decision-making under s70(2) of the TCPA 1990 and s38(6) of the PCPA 2004 in one all-encompassing stage;
- the presumptions in both paragraph 11(d)(ii) and s38(6) can lawfully be applied together;

- a decision-maker is not obliged to combine in a single exercise the paragraph 11(d)(ii) assessment and the assessment required to discharge the duty in s38(6), although they lawfully can;
- if this is how it is done, the decision-maker must keep in mind the statutory primacy of the development plan and must make the decision, as s38(6) requires, in accordance with the development plan unless material considerations indicate otherwise – so that the integrity of the section 38(6) assessment can be assured;
- it is not necessary to consider twice, in separate steps, matters that arise both under the relevant policies of the development plan and under the policies of the NPPF.

Richard Honey appeared for the Secretary of State, instructed by the Government Legal Department.

The primacy of development plans in the English planning system has been reaffirmed by a Court of Appeal ruling on two appeals by land promoter Gladman, which emphasised that where a council lacks the required five-year housing land supply, this may tilt the balance in favour of proposed residential schemes but it does not render grants of planning permission automatic.

Local Plan Part I (LPPI) policy TDI Townscape and Design states: account will be taken of design guidance adopted by the Council including design and development briefs, Conservation Area Appraisals and associated Management Plans, town and village design statements and other design policies and guidance produced within subsequent Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.

Amendments received

Ecology reports and Site Plan.

WA/2021/03018 Farnham Moor Park

Officer: Ruth Dovey

HAWTHORNS, HALE ROAD, FARNHAM GU9 9RL

Outline application with all matters reserved except for access; erection of 65 dwellings(including 40% affordable housing); public open space, car park, landscaping , infrastructure and new vehicular access following demolition of existing dwelling and outbuildings.

Farnham Town Council maintains its objection to the proposed development of 65 dwellings on the land around Hawthorns, being outside the built-up area boundary and not an allocation for housing in the Farnham Neighbourhood Plan (FNP).

The Inspector in the appeal decision on WA/2020/1410 states ‘Paragraph 15 [of the NPPF] sets out that planning should be genuinely plan-led, and amongst other matters should provide a platform for local people to shape their surroundings. The FNP has sought to do this.’

A further appeal decision on WA/2020/0651 says ‘Policy FNP10 of the [F]NP seeks to safeguard the surrounding countryside and states that outside the revised Built-Up Area Boundary priority will be given to protecting the countryside from inappropriate development and only limited development outside the revised boundary will be permitted.’

Surrey Highways has submitted the following comments as reasons for refusal:

1. It has not been demonstrated to the satisfaction of the County Highway Authority that the proposed development would not have an unacceptable impact on highway safety or a severe residual cumulative impact on the local road network. The proposed development is therefore contrary to policy ST1 of Waverley Borough Council's Local Plan 2018 and Paragraph 111 of the NPPF 2021.
2. It has not been demonstrated to the satisfaction of the County Highway Authority that appropriate opportunities to promote sustainable transport modes, particularly cycling, have been taken up, given the development's highly accessible location. The proposed development is therefore contrary to policy ST1 of Waverley Borough Council's Local Plan 2018 and Paragraph 110 of the NPPF 2021.

A new document entitled 'Plans – 021515-STAX-01.pdf' uploaded 25 March 2022 states 'new junction to engineers design' – are these designs available to view. Although the applicant has added to the 'Plans – 021515-STAX-01.pdf' a 'potential 3m wide link into Farnham Park' no further information is included. If the applicant has updated traffic surveys and given responses to the CHA enquiries, these must be made available to view on the planning portal with an extended consultation period. As of Friday 1 April 2022, the CHA Officer had received no updates from WBC to respond to.

As previously submitted, Farnham Town Council strongly objects to the proposed development of Hawthorns, Hale Road. Local Plan Part 1 (LLPI) policy TD1 Townscape and Design states: account will be taken of design guidance adopted by the Council including design and development briefs, Conservation Area Appraisals and associated Management Plans, town and village design statements and other design policies and guidance produced within subsequent Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.

WA/2021/03018 Farnham Moor Park

Officer: Ruth Dovey

HAWTHORNS, HALE ROAD, FARNHAM GU9 9RL

Outline application with all matters reserved except for access; erection of 65 dwellings(including 40% affordable housing); public open space, car park, landscaping , infrastructure and new vehicular access following demolition of existing dwelling and outbuildings.

Farnham Town Council strongly objects to the proposed development of Hawthorns, Hale Road. Local Plan Part 1 (LLPI) policy TD1 Townscape and Design states: account will be taken of design guidance adopted by the Council including design and development briefs, Conservation Area Appraisals and associated Management Plans, town and village design statements and other design policies and guidance produced within subsequent Development Plan Documents, Supplementary Planning Documents and Neighbourhood Plans.

This is not an approved development site in the Farnham Neighbourhood Plan 2020, is outside the Built-up Area Boundary and not compliant with FNPI New Development and Conservation and FNPI4 Housing Site Allocations.

The proposed development would be detrimental to the landscape character, having an urbanising effect on the location, in conflict with FNPI10 Protect and Enhance the Countryside.

The proposal is in conflict with FNP30 Transport Impact of Development. The local road network cannot support the increased vehicle movement generated by 65 dwellings in this location.

The Secretary of State disagreed with the appeal decision on WA/2017/2352 for 65 dwellings, dismissing the planning appeal and refusing planning permission in May 2020.

'The Secretary of State notes that the appeal site is outside the BUAB and is not allocated through FNPI4, and that the proposal does not meet any of the types of development permitted outside the BUAB through FNPI6, FNP 17 and FNP20. For these reasons the Secretary of State agrees with the inspector (IR141) that the appeal site is not an appropriate location for housing, and would conflict with WLPP1 policy RE1, and rFNP policies FNPI0 and FNPI4.'

'Effect on the landscape

Having carefully considered the inspector's assessment at IR142-157, the Secretary of State agrees (IR158) that the proposal would have a harmful urbanising impact on the landscape character of the appeal site, albeit one that is contained and would have limited effect on the wider landscape. Nevertheless, he agrees with the Inspector that this would still conflict with rFNP policies FNPI and FNPI0, and WLPP1 policies RE1 and RE3. For these reasons, the Secretary of State agrees with the Inspector (IR189) that this carries moderate weight against the proposal.'

'For the reasons given above, the Secretary of State considers that the appeal scheme is not in accordance with WLPP1 policies RE1 and RE3, and rFNP policies FNPI, FNPI0 and FNPI4, and so is not in accordance with the development plan overall.'

This application for a proposed development of 65 dwelling is not acceptable, contrary to the Farnham Neighbourhood and must be refused.

Appeal Decision

For information only.

Appeal reference: APP/R3650/W/21/3287686 and APP/R3650/W/21/3288833
WA/2021/0416 and WA/2021/02277 Farnham Bourne
1 GROVELANDS, LOWER BOURNE, FARNHAM GU10 3RQ
Erection of a new dwelling and associated works
Appeal dismissed.

6. Licensing Applications Considered

Licensing Applications Considered

Minor Variation

Shell Waitrose Folly Hill, Odiham Road, Farnham, GU10 5AB
Shell UK Products Ltd

This application is for the change of name to Shell Little Waitrose Folly Hill and the addition of the following conditions to the Licensing Objectives "The Premises Licence Holder shall require any third party delivery partner delivering on behalf of the Premises Licence Holder to comply

with all legal requirements pertaining to the retail sale of alcohol, and in particular to operate a "Challenge 25" age verification policy." and "The Premises Licence Holder shall require all third party delivery partners not to deliver alcohol to schools, parks or playgrounds." No changes are to be made to the other licensable activities.

No comment.

7. Surrey County Council Mineral, Waste, or Other Applications/Consultations

Toob Permitted Development Notifications

Farnham Town Council has been disappointed again by the lack of openness by Toob. A vast number of poles and cabinets are proposed for the Badshot Lea area, with no prior information being shared with the Town Council.

Local residents need to complain to Toob directly about proposed installations, especially on streets where there are no existing telegraph poles. Public backlash to proposed telegraph poles in North Farnham resulted in proposals being put on hold.

See attached documents showing the blight of the proposed telecommunications infrastructure allowed under permitted development.

8. Public Speaking at Waverley's Western Planning Committee

There were no items for this meeting.

9. Date of next meeting

Monday 3rd October 2022 at 9.30am.

The meeting ended at 12.15 pm

Notes written by Jenny de Quervain

Date of next meeting 3 October 2022