



## **Waverley Borough Council Local Planning Authority Farnham Neighbourhood Plan Review (Modification Proposal) 2013– 2032 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 Farnham Neighbourhood Plan Review (Modification Proposal) 2013-2032 has been altered as a result of it and that this Plan may now proceed to referendum.

### **2. Background**

- 2.1 The Farnham Neighbourhood Plan Review (Modification Proposal) 2013-2032 relates to the area that was designated by Waverley Borough Council as a neighbourhood area on 16 July 2013. This area is coterminous with the Farnham Town Council boundary that lies within the Waverley Borough Council Local Planning Authority area.
- 2.2 In 2018 Farnham Town Council resolved to modify the 'made' Farnham Neighbourhood Plan. Following the submission of the Review Plan in January 2019, it was publicised and representations were invited. This publicity period ended on 21 March 2019.
- 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 Plan Review (Modification Proposal) 2013-2032 and to prepare a report of the independent examination.
- 2.4 Mr Stebbing held a Procedural Exploratory Meeting on 4 June 2019 to hear further submissions on whether or not the modifications contained in the Review Plan are so significant or substantial as to change the nature of the made Plan. Following this meeting Mr Stebbing determined on 21 June 2019 under Paragraph 10 (1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 that the modifications contained in the Review Plan constitute material modifications which do change the nature of the made Plan and, if to proceed, would require an examination and a referendum. On 1 July 2019 the Town Council determined to proceed with the Examination of the Review Plan under Schedule 4B to the Town and Country Planning Act 1990.

- 2.5 Mr Stebbing considered that a Public Hearing was necessary to ensure adequate examination of a number of issues that had arisen and to receive oral submissions on those matters. A Public Hearing was therefore organised and held on 1 October 2019 at the Farnham Town Council Offices.
- 2.6 The Examiner's report was received by Waverley Borough Council on 9 December 2019. Mr Stebbing's report sets out eleven proposed modifications and recommends that the Review Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.
- 2.7 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 (as amended) 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 Review Plan. Table 1 below outlines the alterations made to the Review 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	Modification	Justification	WBC decision
PM1	Front cover	Add the Review Plan period <b>2013-2032</b> to the Front cover.	For clarity and to distinguish the Review Plan from the existing made Plan.	Agreed
PM2	Page 54	<u>Policy FNP14 d) – Land between Hale Road and Guildford Road Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed
PM3	Page 55	<u>Policy FNP14 e) – Colemans Yard, Wrecclesham Road Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed
PM4	Page 55	<u>Policy FNP14 f) – West of Switchback Lane, Rowledge Infrastructure</u> Delete existing text, and replace with:	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed

		<b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>		
PM5	Page 57	<u>Policy FNP14 h) – Cobgates, Falkner Road Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed
PM6	Page 57	<u>Policy FNP14 i) – University for the Creative Arts, Falkner Road Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed
PM7	Page 58	<u>Policy FNP14 j) – Centrum Business Park, East Street Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”.</b>	For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.	Agreed
PM8	Page 58	<u>Policy FNP14 k) – Kimbers Lane, Farnham</u>	For clarity and to address the inconsistency in the stated	Agreed

		<p><u>Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”</b>.</p>	<p>infrastructure requirements between the sites.</p>	
PM9	Page 59	<p><u>Policy FNP14 I) – Surrey Sawmill, Wrecclesham Hill</u> <u>Infrastructure</u> Delete existing text, and replace with: <b>“Contributions will be sought to provide necessary infrastructure in accordance with Policy FNP32 in this Plan”</b>.</p>	<p>For clarity and to address the inconsistency in the stated infrastructure requirements between the sites.</p>	Agreed
PM10	Page 44	<p><u>Policy FNP12 (Thames Basin Heaths Special Protection Area (SPA))</u> Amend text of policy clause i) to read: <b>“appropriate contributions towards the provision of Suitable Alternative Natural Greenspace (SANG) at Farnham Park and its extension at Farnham Park Hotel; Tongham Road, Runfold or Runfold South Quarry Site, or”</b>. Add new paragraph (to follow Map G), to read as follows: <b>“An additional 10.61 hectares of land at the Farnham Park Hotel site has been identified as potential SANG. Planning</b></p>	<p>To define the new SANG site which was identified through the examination process and to provide appropriate accompanying text.</p>	Agreed

		<p><b>permission has been sought for this change of use, and this land will form an extension to the existing approved SANG at Farnham Park.”</b></p> <p>Add new map (to follow above new paragraph) identifying the 10.61 hectares of land at the Farnham Park Hotel site as a SANG site.</p>		
PM11	Page 36	<p><u>Map E (Farnham Landscape Character Assessment 2018)</u></p> <p>Add a series of inset maps at a larger scale to follow Map E to show the various landscape designations across the Neighbourhood Plan Area at an appropriate level of detail, in order to provide greater clarity. Map E should be adjusted to mark the areas covered by the insets.</p>	To show the various designations at an appropriate level of detail in order to provide greater clarity for users of the Review Plan.	Agreed

#### **4. Conclusion**

- 4.1 Waverley Borough Council confirms that the Farnham Neighbourhood Plan Review (Modification Proposal) 2013-2032, 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 Plan Review (Modification Proposal) 2013-2032 should proceed to a referendum based on the neighbourhood area defined by Waverley Borough Council on 16 July 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 Plan Review (Modification Proposal) 2013-2032.

#### **5. Authorisation under delegated authority**

- 5.1 Under sections M.3 xxi and M.3 xiv respectively of the Waverley Borough Council Scheme of Delegation dated March 2018, the Head of Planning and Economic Development has delegated authority to make all decisions, take all actions and exercise all powers in respect of the Council's Development Management, Planning Policy and Planning Enforcement functions in accordance with the Town and Country Planning Act 1990 and the Localism Act 2011.

Signed:



Zac Ellwood, Head of Planning and Economic Development

Date: 20-12-2019

## **APPENDIX A – Confirmation from Farnham Town Council regarding examiner’s recommendations**

Dear Alice

At the meeting of Farnham Town Council tonight (19<sup>th</sup> December) Farnham Town Council resolved:

- i) to adopt the modifications set out in the Independent Examiner’s report;
- ii) that Waverley Borough Council be asked to expedite the referendum.

I understand from your email that the Referendum will be scheduled for 12<sup>th</sup> March.  
Please progress the formal processes from your perspective.

If we need to meet to plan elements of the next steps please let me know.

With all good wishes

*Iain Lynch*

**Iain Lynch**  
**Farnham Town Clerk**



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