

OBJECTION STATEMENT

Application WA/2022/01887
outline application for 130 dwellings
Phase 2 Midhurst Road, Haslemere

Prepared by
Haslemere South
Residents
Association

(April 2023 V2.0)



Beautiful AONB in Surrey Hills & TODAY- removal of mature trees.

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Executive Summary

On behalf HSRA members and families in Haslemere, this document sets out comments and a response by way of **OBJECTION** to a planning application (**WA/2022/01887**) and the outline application for further dwellings submitted by Mr. Nobbs (Redwood (South West) Limited) on the Midhurst Road, Haslemere, Surrey referred to by the applicant as Phase 2. By way of summary, the following are the main reasons why the application should be refused by Waverley Borough Council as the planning decision-maker.

The council would be making a grave error in permitting such a large development on protected, untouched AONB biodiverse grassland. The AONB is recognised by the majority of councilors across Waverley as sacrosanct land which must be protected above all other as stated in the NPPF (Clause 177). The features portrayed in the plan carry more burdens than benefits as the protection of the AONB land outweighs any perceived benefits and housing numbers are not perceived as an exceptional circumstance by the Inspector or Supreme Court for planning appeals and the Local Plan Pt2 (adopted) which fulfills the housing number quota until 2032. The application violates RE1 in the Haslemere Neighbourhood Plan and it does not protect the AONB so is against policy RE3.

HSRA have read the submission by the Surrey Hills AONB objections and do not believe the Developer's rebuttal address any of the objections. The NPPF 177 and associated clauses still apply to reject this application and retain the AONB as the plan is not deemed an exceptional circumstance and has a strong local community objection. Sadly, neither the scouts nor the school requirements are deemed exceptional in terms of planning. Visibility of the AONB grass land on the highest point in Haslemere is clearly visible even in full summer leaf from the Gibbet Hill vantage point.

It should be noted that adjacent sites (within 500m) have been cleared completely of trees (see cover photo) from Sturt Farm, The Heights and Red Court. Further tree felling simply for access to AONB for development works against any climate mitigation. The lost AONB would be about 20 acres 12 hectares (ha) of quality grassland vibrant with wildlife bounded by 15 acres of deciduous woodland.

Key Points of Objection (In order)

- The whole proposed development area is AONB and under the highest protection and should be rejected outright.
- The application has been rejected by statutory consultants Natural England & Surrey Hills AONB, SDNP plus Haslemere Town Council (advisory).
- The development is not an allocated site in the adopted LPP2 (21 March 2023) and is against the Haslemere Neighbourhood Plan H 1.3 & H8 – 3.5.
- Thames Water Utilities state that the potable water supply, which includes supply to Haslemere Hospital, is inadequate to support the current water demand and specifically any new properties on the Blackdown/ Sturt Farm circuit as required in the Haslemere Neighbourhood Plan as it exceeds capacity. Thames Water have not publicly or formally proposed the required remedial ring-main solutions until the next decade.
- The proposed plan displaces protected and endangered wildlife and therefore does not comply with NPPF paragraph 176 as great weight should be given to conserving biodiversity of our countryside. Likewise, Para 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site.
- The road access plans on the Midhurst Road are on a dangerous area with a fatality in recent years. The road access additionally requires the removal of many many mature trees currently providing a quaint southern access canopy to Haslemere, correctly setting the rural scene of the Town.
- The applicant relies on supposed pressure on the town being able to meet its housing needs. In meeting housing needs Waverley will be bound by NPPF paragraph 120.c to give substantial weight to using brownfield sites in preference to greenfield sites and the LPP2 allocations meet the housing numbers without any large development on an AONB greenfield outside the settlement boundary.
- The development contravenes the NPPF paragraph 179 as it does not safeguard the existing wildlife corridors and stepping stones specifically along the recognised Haslemere Vision categorised wildlife corridor adjacent to the register foot path FP597. Linked to this is the Climate Change emergency declared by Haslemere Town Council and WBC in 2019.
- In the practical application of Localism, the Haslemere community, have voted against this development because it is a large development on a greenfield AONB site outside the Settlement Boundary. In Haslemere Vision's Phase 2 consultation 89% residents voted 'Against'. The Neighbourhood Plan consultation and subsequent approval by the Town Council and subsequent public referendum again showed overwhelming majority 'Against'.
- Local residents and the Town Council are extremely concerned at the cumulative effect on traffic with other developments taking place, besides the cumulative loss of protected countryside. Narrow and steep lanes with no pavements pose real risk to safety. This site is not accessible on foot by pavements or dedicated paths, to either the station or the High Street.
- The community objects. HSRA, amongst others, with nearly 300 members, whose families and households number over 500 residents of Haslemere, object strongly to the application for the reasons set out in this document.

DETAIL OF POINTS FOR OBJECTION

1. Site Context AONB

1.1. The whole site is on protected AONB and under the **NPPF 176** states "Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues." This site has minimal benefits over the damage which will be inflicted on the protected AONB.

1.2. The Developer response (March 2023) from Sightline Landscapes (undated & no version number) claims:

1.2.1. **Reason 1: the development should be classed as a "case for exceptional circumstances to apply"**. There is no evidence that loss of mature trees for access is anyway exceptional as neither the Scouts nor the School are priority in terms of planning so **Clause 177** of the NPPF still applies. The same applies to the north, viewing south where the key site area is clearly visibly through summer trees, denied in the report - see Photo 4.

1.2.2. **Reason 2:** The northern boundary consists of ecologically incorrect leylandii and Laurel and are very immature and not sufficiently screening the AONB for at least a decade at the current growth rate. The fence applied around the low-level screen has caught and injured local deer(7 that we know of) as reported in the Haslemere Herald from 13 March 2019 onward.

1.2.3. **Reason 3:** All the properties on the south side of Scotland Close and many on the north and east are affected by the proposed development on the AONB damaging the amenity view. The development will also overlook these properties and Human Rights Act The responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land. Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

1.2.4. **Reason 4.** The loss of matures trees is against and ecological or climate change requirements, whether "the developer is painfully aware" or not. The NPPF states in Clause 174: Planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

Rights of Way Act:

The development on the Midhurst Road requires the removal and possible relocation of the historic and well-trodden footpath FP597 as listed by the Ramblers Association (see photo below). No statutory notification has yet been applied.



The application is not compliant with **179** of the NPPF or **174** of the NPPF.

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1.3. Loss of amenity view & treeline

1.3.1. The central green AONB area can clearly be seen in Photo 2 below from Gibbet Hill contrary to statements issued by the developer. The development intends to put buildings 10m high on the ridge (198m) which will eradicate the perfect tree line. Both NPPF (2021) and the Haslemere Neighbourhood Plan refer to the loss of amenity view, which is defined as the collective view for all, not a specific property. This is also raised in Chapter 10 of the Environment Statement of the Landscape and Visual Impact Assessment (LVIA). Additionally, this requirement applies to the Surrey Hills AONB as the development will disrupt the tree line as viewed from the Hindhead vantage point. This is also the case for views from Meadowlands Drive and Hedgehog Lane. Any attempt at screening as stated in the Redwood pack would need to be over 15m high before any building takes place. The maximum permissible fence height is under 2m. The fields behind Scotlands Close are also visible along The Close and from all the homes on the south and west side and from many on the east side.



Photo 2 (Sept 2022) taken from [51.1155, -0.71576] at Gibbet Hill with full tree cover

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The proposed site erodes Haslemere's unique and protected landscape. The application will also destroy the setting of the AONB and the South Downs National Park that borders the site to the south. The Site is located within a "Sensitive Area" as set out in Regulation 2(1) of the EIA Regulations by virtue of its location within the Surrey Hills Area of Outstanding Natural Beauty (AONB). It would have both a direct and a cumulative detrimental effect on the natural environment, causing an urbanisation 'coalescence' effect (sometimes called urban sprawl).

- 1.4. The development destroys a rich and diverse Ecological Habitat. Many protected species, including migratory birds, will be displaced by the proposed development. There will be deliberate harm to biodiversity with knock-on impacts for wider ecosystems, which cannot be compensated for. The council's climate emergency pledge is to act to protect the environment.

The application is not compliant with national planning policies **176, 179 & 182**.

1.5. SDNP

In the letter the SDNP Office objects to the proposed development for several reasons and the developer's consultant suggest this is sustainable.

REASON 1: *"The complex of fields around Stedlands Farm and directly adjacent to the SDNP boundary are assart fields - identified in the Surrey HLC and likely at least medieval in origin. Their conservation and enhancement should be a priority for this part of the SANG, and are a tool for interpretation themselves. The detailed SANG designs appear to have been drawn up with no awareness of this sensitive asset, and they are currently harmful. We would recommend their historic boundaries are restored and the ponds are relocated to a less sensitive location"*

HSRA response: The proposal retains the historic boundaries of the 1890 Ordnance Survey plans and the proposed landscape character of semi-open grassland and heath with scattered trees is characteristic of assart, especially if compared to the existing condition of open fields covered in a uniform agriculturally enhanced grazing sward.

The developer further state that 'We appreciate that the tree loss along the Midhurst Road will result in a significant change to the landscape, but only for a short section of the road'. HSRA note, any significant change is a permanent as however short it maybe the consequential adjoining damage is critical.

- 1.6. The proposed development is not an allocated site in the 2023 Local Plan pt 2 (LLP2-2023) and it is outside the demarcation settlement boundary of Haslemere as defined in the Haslemere Neighbourhood Plan (adopted) – Policy **H1**. The boundary has been in place since the first iteration of the Haslemere Neighbourhood Plan and therefore not under any dispute.
- 1.7. It has been confirmed in the High Court that pressure of housing numbers is not an "exceptional circumstance" for the purposes of evaluating whether or not to permit development on AONB. (**Longdene Case No: CO/539/2019**)
- 1.8. Haslemere's character as a town is defined by its surrounding countryside, precisely the "treasured countryside" referenced in the government's White Paper.

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1.9. The site lies within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and is adjacent to the South Downs National Park. The character of the site is entirely consistent with the AONB and makes a very positive contribution to the settings of both the AONB and Haslemere and is adjacent to the current defined Settlement Boundary, which protects the Town from "urban Sprawl".

1.10. The site represents a pattern of land use unchanged for at least 144 years with an extensive framework of established trees and woodland. It features a rising contour reaching 198m with the Scotlands Close properties (#9 to #22) some 17 meters below at 181m (as defined by Ordinance Survey).

1.11. Haslemere Town Council - HTC Statement: Haslemere Town Council wishes to object to this application on the following grounds:

"The proposal is contrary to policy H1.3 of the Haslemere Neighbourhood Plan as the development area sits in an Area of Outstanding Natural Beauty, outside the Town settlement boundary. It also fails to protect or enhance the AONB contrary to policy RE3 of the Local Plan Part 1.

We trust you [Waverley BC] will take these comments into consideration."

The Councillors also stated the Objection actually violates the National NPPF Clauses 176 & 177 on Great weight and exceptional circumstances on AONB.

2. Development Plan

The proposed application will cause:

2.1. Loss of privacy to houses and curtilage

2.1.1. The development will feature on a rising contour reaching 198m above the Scotlands Close properties (#9 to #22) some 17m below at 181m (as defined by Ordinance Survey) with the proposed properties being a specified additional 10m high. A 2m fence now blocks the view and light for many residents and shields non indigenous shrubs Leylandii & laurel, both deemed as invasive and has caused recorded harm to local wildlife as stated in the Haslemere Neighbourhood Plan. It serves very little as a screen and is now an unmaintained scrub.

Several reports featured in the Haslemere Herald when deer were trapped by this fencing causing actual harm. Videos and photographs were submitted.

2.1.2. permanent Safety Risks & Congestion on the Transport Network

2.1.3. Cause road safety as East Hampshire District Council (EHDC) added concerns over B2131 towards Liphook with the additional of the Road junction in Midhurst Road and the increased traffic on the A286. (dated 10 August 2022).

2.1.4. The application suggest that the residential areas should be mainly accessed by sustainable means, ie pedestrians or cyclists. However, pedestrians flowing onto narrow lanes or the main Midhurst Road and more cars from this and other developments in the vicinity will increase risk to safety for all. Furthermore, the topography of the site location creates irremediable barriers to any purported facility for sustainable transport to and from the proposed development.

The application is not compliant with national planning policy **104 of the NPPF**.

3. Places unsustainable pressure on the town's Water Supply & Haslemere Hospital

- 3.1. Thames Water (TW) issued a formal statement to Waverley on the Water situation (19 August 2022) that the town on the Blackdown / Sturt pumping station circuit is now in serious danger of shortages, low pressure and ultimately supply shut down. This includes Haslemere Hospital. TW stipulate that an additional 49 homes with Haslemere will create a situation where the water supply system is at capacity. There are already several building projects underway which absorb this small but precise remaining capacity.
- 3.2. The town has suffered water shortages in recent months and years. An additional large housing estate will make this untenable. In the summer (2022), even before the higher summer temperatures, Haslemere residents witnessed a convoy of Thames Water bowser tankers running up to Blackdown reservoir. The High Street saw 4 tankers in the spaces of 2 hours circumnavigating the Haslemere Town Hall. Besides this being evidence of the fragile status of the town's water supply currently, it also shows that this type of solution to shore up the supply is not sustainable or economical with a heavy carbon footprint just from the tanker fuel consumption alone.



Photo 5: Continual Water Delivery at Blackdown - Summer 2022

- 3.3. The submitted development plan shows no strategy to combat the water shortage and the addition of the dwellings will guarantee a loss of water supply beyond any efficiency or reduced water mechanisms which does not align to the adopted Haslemere Neighbourhood Plan H8 – 3.5. The current supply chain is clearly deficient and requires a major infrastructure investment which is not planned or even certain at all.

4. THE PROPOSED DEVELOPMENT ISSUES

Transport assessment

- 4.1. It is important to note that the transport and highways impacts of the proposed development have consistently been a concern from the perspective of both the public but also Haslemere Town Council (e.g. HTC concerns regarding the allocation of the adjacent smaller site owned by the applicant in LPP2 - July 2018; HTC objections to the adjacent smaller application by the applicant for 49 houses on Scotland Lane ("Phase 1") - September 2020).
- 4.2. The submitted road layout plans have been submitted using Ordnance Survey maps not the statutory format which includes topography, adjacent third party land ownership and similar requirements including the safety 'line of sight'. None of these issues have been considered with such a basic road layout plan. Surrey County Council confirm no formal road plans have been submitted or confirmed as safe (26 Sept 2022). Additionally, the latest road speed reports show that the average speed was 43mph so significant calming measures would be required.
- 4.3. In terms of being a site that is capable of complying with **NPPF clause 110** the impact of the development will be to create a wholly unacceptable level of risk to safety on Midhurst Road. Not only will the increase in vehicular traffic impact existing users, whether drivers, cyclists or pedestrians, but this is exacerbated by the cumulative effect of increased traffic from developments such as Sturt Farm. This is highlighted of concern by East Hampshire District Council EHDC on increase of traffic from this development on the B2131 into Liphook. Note that NPPF paragraph **110** states that "Development should [...] be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." This is severe.
- 4.4. Any car will have alternative exits from the proposed development site. This impacts on Scotland Lane, at the northern section of Old Haslemere Road the verges become high banks, restricting pedestrian access to the carriageway and providing an extremely narrow highway corridor. The applicant's Transport consultant proposes use of a 'virtual footway' by road markings on the road. This was already voiced as impractical and would provide a dangerous false sense of security on a road whose width would not allow for a car to pass without driving across the border of the so-called 'virtual footway'.
- 4.5. Community Hall (including use for Scouts) location and Forest School
Although scouts are a local community recommendation, the buildings are not classed as an "exceptional circumstance" under planning and therefore violate the NPPF 177. The developer statement claims the buildings are for the Scouts and Schools use, however the detail of the plans show extra use as a community hall increasing the traffic and access and hence more damage to the AONB protected area. The developer is offering two community projects as part of the scheme to appease the planning system. The access to the proposed Scouts and other potentially unspecified community groups) facility is through the housing estate

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first enduring a 1:10 slope on the north west corner. This visibly carves up the AONB for no specific reason other than access adding further danger to children on winter nights. This would contravene any rural dark-sky policy if this lone road were to be lit – the developer makes no positive comment on this.

- 4.6. The Insurance liability for this so-called gifted land needs to be taken into account, as any indemnity policy would need to be in the order of £10M every year, a burden the scouts and Schools must consider. This is extra to the annual maintenance and safety requirement from the residential poisonous plants recorded on site along the Midhurst Road footpath FP597 [nightshade; Cuckoo pint ladies& lords; hemlock] and tree safety on the access route.
- 4.7. The application (WA/2022/1887) has no benefits which outweigh the protection of the AONB and will cause a serious health and safety risks on a key access corridor into Haslemere.
- 4.8. Scouts. At this time HSRA has been unable to obtain a response to the Scouts position. Like the Forest School, the Scouts would be liable for the maintenance and outdoor site safety of the site and the scouts thus requiring Indemnity Insurance.
- 4.9. The Grayswood Nursery School is a 2.6mile journey to the site, taking a recorded 55minutes to walk along the main A286, assuming the children use a walking-bus as suggested by the developer to ensure sustainability.
- 4.10. It is also understood from the Developer's plan that the buildings would be offered as a community building. This would have an additional severe impact on the AONB which would be against the NPPF for protected land and the increase in vehicles and impact the AONB and the access from the Midhurst Road would no longer be a manageable bearing. The Scout site is suggested is within the proposed SANG, thus reducing the access as part of the buildings would need to be restricted for security of the children raising the issue of responsibility and safeguarding.

5. Material Considerations

Housing numbers

5.1. The applicant relies on supposed pressure on the town being able to meet its housing needs. In meeting housing needs (which may be relaxed by Waverley and the Government) , Waverley will be bound by NPPF paragraphs **119 & 120.c** to give great weight to using brownfield sites in preference to greenfield sites and the Neighbourhood Plan assumes housing numbers will be met without large development on greenfield outside the settlement boundary.

Design Statement -The Haslemere Design Statement (2012)¹ was adopted as a material consideration in July 2012 by WBC as planning decision-maker. WBC requires that Village and Town Design Statements be used by the Planning Committee when determining planning applications within the relevant area. Furthermore, applicants need to make reference to the relevant Design Statement.

5.2. The applicant chooses not to refer to LPP2 thus discards the importance of either the adopted Neighbourhood Plan or even the long-standing adopted and well-regarded Haslemere Design Statement. The application is materially non-compliant in this regard. Haslemere Design Statement, which is endorsed by the Neighbourhood Plan, includes specific guidelines to:

- Preserve the tree and hill skyline views (this includes views from Hindhead)
- Protect the local characteristic (Midhurst Road Canopy)
- Enhance and extend wildlife corridors.

5.3. The application is not able to satisfy any of these three guidelines which are incapable of being remedied or mitigated (the proposed development will not preserve the tree and hill skyline views, nor will it protect the local characteristic, nor will it enhance or extend wildlife corridors).

¹ https://www.waverley.gov.uk/downloads/file/3162/haslemere_design_statement

6. Neighbourhood Plan

- 6.1. The Haslemere Neighbourhood Plan was formally adopted by Waverley Borough Council on 12 November 2021 and will now be used to help determine planning applications in the Neighbourhood Plan area (Grayswood, Haslemere, Beacon Hill and Hindhead). The Haslemere Neighbourhood Plan links to the Local Plan Pt2 adopted by Waverley BC in March 2023. Much of the land outside the settlement boundaries, defined in the Haslemere Neighbourhood Plan are designated as Areas of Outstanding Natural Beauty (defined in **Policy 3.3.**) The Plan clearly shows that the area south of Scotlands Close listed in **H1.1** and on Map 1a place the proposed development outside the Settlement Boundary on greenfield AONB protected land.
- 6.2. Haslemere Neighbourhood Plan Policy **3.58** is presented to protect trees, woodland and hedgerows in order to conserve and enhance the landscape and scenic beauty of Haslemere as well as the Surrey Hills Area of Outstanding Natural Beauty and its setting. The development is not compliant with policy **H9.2** by the destruction of trees in the proposed Phase 2, specifically along the Midhurst Road to allow access to the AONB and to accommodate houses on the hillside ridge (at 198m) above Haslemere. The development by the same respect, violates Policy **H9.3 & H9.4.**



Photos 6: The total clearance of a once wooded area on Red Court (2023).

- 6.3. Haslemere Neighbourhood Plan **H12: 3.74 & 3.75** - The development specifically causes harm through the degradation, narrowing or severance of wildlife corridors on the Midhurst Road. The site already has enlarged fencing with inappropriate landscaping with non-indigenous leylandii and laurel hedges (contrary to the Haslemere Neighbourhood Plan) and will need to redirect watercourses as stated in their plan. The intent of the relevant policy in the Haslemere Neighbourhood Plan is to ensure that such harm does not occur.
- 6.4. Haslemere Vision surveys indicated an almost universal desire to protect and cherish the designated countryside that, almost completely surrounds the town, in places reaching almost to the town centre.

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6.5. The vision of the adopted Neighbourhood Plan includes the objectives:

- To protect and enrich our green spaces, biodiversity and the natural environment that surrounds us;
- To re-balance road use, limiting the adverse impact of motor vehicles by improving provision for off street parking and/or improving facilities for alternative forms of transport.

This is not in compliance with NPPF paragraph **185**

6.6. NPPF Para **185** states: Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

This development will cause light pollution with the number of properties have a major impact on the health and life of residents as it is inappropriate in the location proposed so violating **NPPF 185 c**.

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7. Wildlife And Biodiversity

The proposed plan displaces wildlife and therefore does not comply with the NPPF paragraph **176** as great weight should be given to conserving biodiversity of our countryside.

- 7.1. The Proposed land provides a haven for wildlife and has a very diverse population of animals. It also provides a vital corridor for the wildlife as well as a recognise stop-over for birds in the Wealden Heath Spa II area (Hindhead). The proposed scheme displaces wildlife and therefore does not comply with LPP policy and NPPF paragraph **176** as great weight should be given to conserving the biodiversity of our countryside.
- 7.2. According to NPPF policy, planning decisions should contribute to and enhance the natural and local environment by establishing coherent ecological networks. Consideration must include an assessment of the detrimental effect on the environment.
- 7.3. The proposed development contravenes NPPF paragraph **179(a)** as it does not safeguard the existing wildlife corridors and stepping stones, if fact it actually cuts straight through wildlife corridors defined by Haslemere Vision. Linked to this is the Climate Change emergency declared by each of Haslemere Town Council and WBC in 2019. Haslemere Town Council declared in tandem, a Biodiversity emergency. This application undermines and contradicts the councils' policies in this respect.
- 7.4. The applicant's Ecology Assessment has errors. One example is its reference to the presence of Wayfaring Tree (*Viburnum lantana*). Published records for Surrey, Sussex and Hampshire do not validate any such species in this area, which is not surprising given the need for alkaline soil which is inconsistent with Red Court's soil type.
- 7.5. Doubt is similarly cast over the applicant's purported remediation proposals, where it is stated that, "the nationally important silver studded blue butterfly (*Plebejus argus*) will utilise calcareous grassland where bird's foot trefoil (*Lotus corniculatus*), horseshoe vetch (*Hippocrepis comosa*) or rock rose (*Cistus* species) is present." This claim is clearly not correct because *Plebejus argus* is attracted to acidic heath, such as evidenced in its presence on Bramshott Common and Blackdown, rather than the calcareous grassland of the Red Court estate.



Photo: Slowworm taken in summer on Red Court border.

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7.6. The applicant's own identification (in Engain's report 2019) of the wealth of protected species on and around the proposed development site is acknowledged. These include red listed species which fall into the endangered and protected category:

- Dormice
- Badgers
- Slow worms
- Grass snakes
- Multiple species of migratory and resident birds
- Passerines, including firecrests
- Bats, including pipistrelles, serotines and noctules, brown long-eared bats
- Woodpeckers (including green and lesser and greater spotted)
- Owls - long eared, barn & tawny



Photo: Protected Dormouse taken in spring against Red Court

Local residents also Report:

- Orphaned badgers and rabbits since the clearing of the Knotweed, suggesting wildlife disturbance.
- Hedgehogs
- 2 family harem of Pheasants
- Voles & Shrews
- Toads
- Green snakes
- Sand Lizards

7.7. The proposed development will have an irreversible and negative impact on important ecological networks. This means that there is a 'shadow' effect of the diminution in wildlife across the surrounding area. For example, the imminent introduction of beavers by the National Trust into the valley which extends from Chase Farm across the south close to the Red Court estate, will be impacted by the proposed development. The valley is home to a wide range of wildlife and is part of a system of unspoilt damp clay valleys, steep wooded hillsides and dry heathy hilltops.

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7.8. As noted by the President of Haslemere Natural History Society, "The beavers will become part of a rich mammal fauna that includes an extraordinary range of bats, the well- documented dormice and badgers, plus others including field voles and roe deer. These use and depend on a range of integrated habitats in the landscape that support other components of biodiversity, especially a wealth of insects and plants. The proposed development will not only destroy habitat at Red Court, it will cast a shadow beyond."

7.9. In relation to the applicant's proposed mitigation of the threat to the bat population at the site, the presence of specific and rare bat species in the surroundings of Haslemere and on the proposed site (eight bat species have been identified in the neighbouring National Trust property), means that the mitigation is unlikely to help any but the most common bats.

7.10. Bat experts explain how it is common practice for developers to make a point of installing bat boxes in the properties. These might possibly attract more of our most common pipistrelle and long-eared species which are already plentiful in the area. However, it would be at the expense of rarer species which are dependent on the habitat which would be destroyed. Mitigation measures undertaken where other developments have gone ahead very rarely prove successful. There are probably over 3 million pipistrelles and a quarter of a million long-eared bats in Britain, compared with just a few thousand Bechstein's and barbastelles, so the purported mitigation proposals are damaging in themselves to the rarer species.

Bat species confirmed on the National Trust land adjoining Red Court are:

- Common pipistrelle
- Soprano pipistrelle,
- Brown long-eared
- Natterer's
- Daubenton's,
- Serotine,
- Noctule and whiskered bats. (The latter is a cryptic species, easily confused with two other small woodland bats, so it is possible that these too are present.)

7.11. Bat species confirmed within a relatively short distance across the ecological network and corridor at Imbhams Farm include Barbastelle, Nathusius' pipistrelle, and breeding colonies of Bechstein's and Alctoe bats. The woodland around Red Court is similarly a likely habitat for these species.

8. Wealden Heaths II SPA 5km Zone

- 8.1. The proposed development site is within the Wealden Heaths II Special Protection Area 5km Zone.
- 8.2. This area is designated because it provides a habitat for the important bird species of woodlark (BoCC4 green list and Red list for birds 2015, protected in the UK under the 2008 Wildlife and Countryside act), Dartford warbler (a species of international conservation concern – listed as near threatened on the on Global IUCN Red list, protected in the UK under the Wildlife and Countryside Act 2008), nightjar (BoCC4 Amber listed protected species and Red list for birds 2015), nightingale (BoCC4 Red list protected species) smooth snakes (protected in the UK under the 2008 Wildlife and Countryside act, Priority Species under the UK Post-2010 Biodiversity Framework. Listed as a European Protected Species under Annex IV of the European Habitats Directive), cuckoo (BoCC4 red list and listed as vulnerable on global IUCN Red list of threatened species), woodpeckers (BoCC4 Red list and listed as vulnerable on global IUCN Red list of threatened species), redpoll (BoCC4 Red list and Priority Species under UK post-2010 biodiversity framework - protected in the UK under the Wildlife and Countryside Act 2008), sparrowhawk (BoCC 4 Green list and Red list for birds 2015), nesting owls - all wild birds, including eggs and nests, are protected by law, as are the wintering habitats of wild birds.
- 8.3. On a regular basis local residents hear the calls of owls and see a colony of bats flying in and around the woodland at Red Court - roosting bats are classified as European Protected Species (EPS) and subject to a high degree of legal protection - their roosts are protected whether occupied or not. WBC's own policy states that residential development should be avoided in these areas.
- 8.4. The proposed development contravenes NPPF paragraph **179** as it does not safeguard the existing wildlife corridors and stepping stones. Linked to this is the Climate Change emergency agreed by Haslemere Town Council and WBC in 2019. Support for this application would undermine and contradict the councils' policies in this respect. The applicant has proposed the addition of Bat boxes to homes which is discouraged by all prominent bat experts as a dangerous practice. It maintains potential homes for the common bats but drives out the rarer and encouraged species. This in turn disrupts the ecology network and causes an overall decline. This is akin to the Red Squirrel / grey squirrel survival strategy. Relocation and mitigation of bat location has overwhelmingly proved to be very detrimental to the colonies and should not be applied at this site. Bats are inherently lazy and if they have a house rather than their previous woodland for a home, they tend to starve.
- 8.5. Biodiversity Net LOSS (**Experts confirm a BNG Loss for this development**)
 - 8.5.1. The Haslemere Neighbourhood Plan Policy **H12.3** stated that development proposals should result in a net gain for biodiversity. Although Engain, working for the developer has generated a BNG (version 3), the unpaid experts engaged by HSRA dispute the findings as the methodology uses disputed starting figures.

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The policy requires a developer to protect and enhance features of biodiversity interest of value on and adjacent to the development site, incorporating and integrating them into development proposals, maintaining appropriate buffer zones between new development and the green network. This is not the case here.

- 8.5.2. The developer does not suggest new tree planting which will specifically prioritise habitats, but are essentially screens to hide the inevitable damage to the AONB from being visible from outside the site. The development by the very nature of roads through the vacant AONB is not wildlife friendly and does not enhance the landscaping and ecological enhancements (such as mixed native hedgerows, wildlife ponds, bird nesting and natural bat roosting features -bat boxes on housing as the developer suggests does not constitute "natural". The continual mowing of the specific field only fields and subtly felling trees over the past years means that the assessment which has already been discredited by independent expert Professor Tom Oliver, will need to be adjusted. Residents have also reported orphan baby badgers and displaced wild rabbits appearing along Scotland Lane immediately opposite the current archaeological investigations and knotweed clearance.
- 8.5.3. By way of substantiating the ecological issues with Phase 2 which is adjacent to Phase 2 please refer to relevant aspects of Professor Tom Oliver's original statement on Phase 1 (as subsequently updated):
- 8.5.4. 1. Double counting of habitat polygons listed as both created and enhanced. According to Natural England guidelines (pg17 of attached 'Biodiversity metric 2.0 User Guide) the pre-intervention baseline area of the site (in this case 4.74ha) is split into area lost, retained the same or enhanced. These should sum to the total site area to allow comparison with the pre-intervention baseline. In the Engain calculation, some of the same habitat polygons are listed as being newly created and enhanced at the same time, i.e. double counting of benefits. For example, see grassland polygon ref 16 on the net gain calculation document attached that I have annotated. Without double counting of this polygon alone, it leads to a net biodiversity loss of -3.7% from the project
- 8.5.5. 2. Assessment of existing woodland as 'fairly poor' quality with a condition score of 1.5. The descriptions of habitat condition should be well justified. This is especially important for this habitat polygon which covers 1.8ha of the site and will be mostly destroyed. According to page 40 of attached 'Biodiversity metric 2.0 Technical Supplement' the woodland exceeds criteria for 'poor quality'. It is not clear why it has not been allocated as 'moderate' quality with a condition score of 2, particularly in light of important woodland species found on the site including dormice, song thrushes, slow worms & grass snakes (using woodland rides/edges) plus a number of bats such as Soprano pipistrelle, Brown long-eared bat and Noctule.

Note: Full report published on the Waverley Portal.

9. Traffic and road safety

- 9.1. Residents south of Haslemere High Street to as far as Liphook, are concerned at the cumulative effect on traffic with other developments taking place. Narrow and steep lanes with no pavements pose real risk to safety.
- 9.2. The developer by default imposes the need for all residents to become car-free suggesting that all residents are required to be physically mobile – an unrealistic assumption. The NSO state that 22% population require assistance so by a mean-distribution calculation that would be near on 90 residents would be unable to use the proposed sustainable transport methods, forcing road use. The countryside area and access to town, shops and residents requires a fit healthy person, especially given the local topography in this rural environment.
- 9.3. This site is not accessible on foot from the north-end by pavements or dedicated paths, to either the station or the High Street. It is necessary to walk in the road and the roads are not sufficiently wide to accommodate 'virtual pavements' created with road markings.
- 9.4. The applicant's analysis of walking distances does not reflect the topography or narrow sections of the site's location and Haslemere town centre. The time and physical exertion needed to walk is far greater than suggested, and even more so if carrying shopping or with children. The consequence is that residents in the proposed development will not walk to local facilities and shops other than by exception.
- 9.5. New Midhurst Road junction
- 9.5.1. This is highlighted of concern by East Hampshire District Council (EHDC) on increase of traffic from this development on the B2131 into Liphook. Note that NPPF paragraph **110** states that "Development should [...] be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network. The submitted plans are not confirmed as sustainable or safe by Surrey CC Highways as portrayed by the developer. With evidence to the SCC Highways an Automatic Traffic Counter (ATC) along the A286 Midhurst Road within the vicinity of the site's proposed access to accurately gather data on the 85th percentile speeds of vehicles travelling in both directions should be included.



Photo 7: The Midhurst Road Canopy

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9.5.2. The road access position (listed as restricted for emergency vehicles although there will be over 300 residents) and the required loss of trees is deemed both dangerous and damaging the environment. HSRA survey of the road measurement taken on 2022 showed the traffic was a 42.5mph average past the proposed site entrance. HSRA formally disputed the placement of the temporary road counter in a position likely to provide false data – this was not disputed and removed. This proposed junction would require major road adjustments, possibly a roundabout, with traffic calming measures as far back as Bell Vale Lane and Scotland Lane respectively.

9.5.3. The existing footpath appears to be just an annoyance to the developer, whereas it has a historic placement and recognised by the Ramblers Association with designation FP596. It has a historic well-trodden path and for over two decades untouched.



Photo 8: The wooded footpath (FP597) running on its correct course adjacent to the wildlife corridor (Aug22)

10. Flood risk

10.1. The Atkins Environmental Report commissioned by WBC that the area of the proposed development is classified as **Amber & Red** for flooding, so building on this raised area will cause excessive run-off in normal winter rain fall conditions. However, the developer simply states that the site is designated within an area classed as having a low risk of flooding with no evidence stating it is considered that significant effects related to flood risk and drainage are not likely. The fact that the area floods on a regular basis contradicts any of these theoretical and contradictory statements.

10.2. The regular flooding at the junction of the Midhurst Road and Scotland Lane will become even more frequent and disruptive and dangerous for road-users and pedestrians, if the development were to occur, due to increased run-off. Since 2020 there have been five recorded events of traffic stalling in the deep flood waters including large home-grocery delivery vans, showing the depth and veracity of the flood. Recently the Junction of the stream on the junction of the B2131 and the A287 now floods regularly.



Photo9: Floods at Collards (Petworth Road) & Scotland Lane / Midhurst Road [6 Sept 22]

10.3. The proposed SUDS come into question as the floods occur already so additional water & urban structures will further exacerbate the flood situation as the weather patterns have shifted.

10.4. The Phase 1 SUDS should be re-examined for capacity and suitability. A recent report on historical SUDS showed a 71-failure rate on the 90 reviewed demonstrating that over the longer term (in most cases two years after the developer left the site) the SUDS failed with silt build up and poor maintenance being the most frequent causes. Phase 1 and phase 2 are both on silt generating sand-based soils.

11. Heritage

11.1. Red Court is grade 2 listed as is the Lodge building. Separate listings. In the immediate vicinity of Red Court there are 7 other separately listed grade 2 buildings:

- Lowder Mill House
- Lowder Mill Building
- Valewood Farmhouse
- Stedlands Farm House
- Houndless Water
- Broad Dene
- Shepherds Down

11.2. It is of key importance that changes created to the settings of all these listed buildings, including Red Court itself, be recognised as an irremediable harm caused by the proposed scheme. The setting is held to the same precious status as each building itself and the setting is comprised of the cluster of buildings and not just each one in isolation.

11.3. With respect to both Red Court and its Lodge the AGLV on which the development is proposed historically forms a critical part of the setting of both buildings. It is imperative that Historic England are consulted by WBC directly.

11.4. Surrey County Council, Historic Environment Planning: Archaeology state a suitable condition to protect the historic value of the site would be; "No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority."

12. Dark skies

12.1. The site is adjacent to the IDA Dark Sky. Any development of this size will add significant light pollution especially as it is raised on the hillside as a gateway to the National Park.

12.2. The High Weald's dark skies are some of the darkest skies in the South East. Sky Quality Meter (SQM) readings taken around nearby Wadhurst indicate skies as dark as 21.09 mags/arcsec² – a figure that corresponds to a Silver Tier International Dark Sky Reserve, described by the International Dark Sky Association as being: "Night-time environments that have minor impacts from light pollution and other artificial light disturbance, yet still display good quality night skies and have exemplary night-time lightscapes." The applicant's scheme on the hillside location of the proposed site will not be appropriate in the terms of NPPF paragraph 80 (c) in this respect.

Light pollution must adhere to **NPPF 185c** which this clearly cannot.

13. Affordable Housing

13.1. Although the applicant emphasises the provision of affordable housing, it is not clear from the application how affordable in real terms the dwellings will be. A percentage discount from the prices of market housing in Haslemere does not guarantee affordability for modest or low-income buyers or renters. Current price averages for Haslemere based on the Halifax / Rightmove data sources, the average price for a property in Haslemere is £707,027 with some 1 bed flats near the station (no parking etc) at £235,314. This would correlate to affordability only for a non-capital key worker on a salary of £78,000 – whereas the average Haslemere salary is £25,574². There is a disparity between the legal Affordable Housing and the housing which is generally affordable. Haslemere Town Council stated that a 19x Salary would be required to purchase a Red Court Home. No Mortgage provider offers such a rate.

13.2. The Affordable Housing Statement 0313 states that the 44 Affordable homes will meet the government definition of “Affordable Home” but these do not correspond to any buildings that are actually affordable by key workers. Haslemere Town Council stated that a **13x Salary** would be required to purchase an “affordable” Red Court Home.

13.3. As regards the applicant’s reliance on some expressions of support because the applicant is promising to build the minimum number of affordable homes in the scheme, it is notable that in a survey conducted by Haslemere Vision, the second highest group of residents of whom 93% were against a large development such as this one lived in housing association accommodation or council rental accommodation. Without having more detailed research, this could be explained as indicating that there is a practical preference for affordable housing to be within the main settlement centre near the station or Town centre rather than in the more remote surroundings of the town where the applicant’s site is located.

13.4. Energy Efficiency

The developer’s Sustainability & Energy statement (David Strong Consulting) clearly confirms “All dwellings will be Certified to the PassivHaus standard.” Waverley BC must demand certification evidence as this contradicts the developers Environmental Statement (3) Preliminary Passivhaus Risk Review (Stantec). Although the Passivhaus is a voluntary standard for energy efficiency which intends to reduce the building's ecological footprint, the development document states that every building will be to this standard. However, the actual detail Environmental Statement (3) Preliminary Passivhaus Risk Review states the “The Passivhaus principle has been considered and addressed to some extent within the current drawings and specification” **but none actually have a Green (RAG) status showing conformity**. If the developer is to make such a claim on energy efficient buildings this should be a requirement not just considered. The expected BRE certification (displayed by Stantec).



The expected BRE certification.

² <https://www.payscale.com/research/UK/Location=Haslemere-England%3A-Surrey/Salary>



14. The HSRA Position

14.1. Haslemere South Residents Association (HSRA) comprises approximately 300 members whose families and households' number over 500 residents of Haslemere. HSRA is established by its constitutional documents "for the public benefit in the area (*Area of Benefit*) comprising the residential, recreational and rural places extending to the southern and eastern side of Haslemere" and under its constitution its purposes are:

- to promote high standards of development, conservation, planning, traffic management, safety in or affecting the Area of Benefit;
- to enhance and protect the community interests of those resident in the Area of Benefit;
- to enhance and protect the community interests of those community, educational and sport & leisure organisations utilising or enjoying the Area of Benefit; and
- to represent the views of its members on local neighbourhood and environment matters generally.
- HSRA supports appropriate development within Haslemere and is generally aligned with the views of Haslemere Town Council, Haslemere Vision and Haslemere Society regarding the application which was cast and **Objection** on 27th September 2022.
- The issue which the planning decision-makers need to balance is simple: is the proposed development worth it? Not in terms of the returns for the commercial developer in Somerset, but in terms of any economic, social and environmental benefit at all when weighed against the loss and damage to the environment, landscape and wildlife.

The local application at Longdene (visible from the proposed site) was under application WA/2016/1226, and was rejected by WBC and subsequently the subject of an exhaustive series of appeals by the applicant. An application to appeal to the Supreme Court having been refused in February 2022, the decision of the Court of Appeal finding against Monkshill (the Developer) is now the final decision on this issue. It clearly finds that developments that do not conserve and enhance the landscape and scenic beauty in an AONB can be refused planning permission on those grounds. The application proposed here would still clearly urbanise this AONB site and so do significant harm to the AONB.

The application should be rejected on this ground alone.

15. Conclusion _Objection

1. The whole development area is AONB and under the highest protection.
2. The development is not an allocated site in the adopted LPP2 (March 2023).
3. The Application has been rejected by statutory consultants Natural England & Surrey Hills AONB plus Haslemere Town Council.
4. Thames Water Utilities state that the supply is inadequate to support the current water demand and specifically any new properties on the Blackdown/ Sturt Farm circuit as required in the Haslemere Neighbourhood Plan H8 – 3.5 & the Local Plan.
5. The road access plans on the Midhurst Road are not approved and therefore may be dangerous until approved by Surrey Highways specifically adjacent to the recent fatality at close to the B2131 & A287 junction. The road additionally requires the removal of many many mature trees currently providing a quaint southern access canopy to Haslemere, correctly setting the rural scene.
6. The applicant relies on supposed pressure on the town being able to meet its housing needs. In meeting housing needs Waverley will be bound by NPPF paragraph 120.c to give substantial weight to using brownfield sites in preference to greenfield sites and the LPP2 allocations meet the housing numbers without large development on greenfield outside the settlement boundary.
7. The proposed plan displaces protected and endangered wildlife and therefore does not comply with NPPF paragraph 172 as great weight should be given to conserving biodiversity of our countryside. Likewise, Para 182 states that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site as is applicable here.
8. The development contravenes the NPPF paragraph 179 as it does not safeguard the existing wildlife corridors and stepping stones specifically along the recognised Haslemere Vision categorised wildlife corridor adjacent to the register foot path FP597. Linked to this is the Climate Change emergency declared by Haslemere Town Council and WBC in 2019.
9. In the practical application of Localism, the Haslemere community, have voted against this development. It is a large development on a greenfield site outside the Settlement Boundary. In Haslemere Vision's Phase 2 consultation 89% residents voted 'Against'. The Neighbourhood Plan consultation and subsequent approval by the Town Council and subsequent public referendum again showed overwhelming majority 'Against'.
10. Local residents and the Town Council are extremely concerned at the cumulative effect on traffic with other developments taking place, besides the cumulative loss of protected countryside. Narrow and steep lanes with no pavements pose real risk to safety. This site is not accessible on foot by pavements or dedicated paths, to either the station or the High Street.
11. The HSRA with nearly 300 members, whose families and households number over 500 residents of Haslemere, object strongly to the application for the reasons set out in this document.

**** ENDS ****

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