

OBJECTION STATEMENT

Application WA/2020/1213

Land at "Scotland Park", Scotland Lane, Haslemere

Prepared by
Haslemere South
Residents
Association



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1. Executive Summary

- 1.1. On behalf of its members who are local residents, this document sets out comments and response by way of objection to a planning application (WA/2020/1213) submitted by Mr. Nobbs (Redwood (South West) Limited) in respect of a proposed residential development at the land off Scotland Lane, Haslemere, referred to by the applicant as "Scotland Park". By way of summary, the following are the main reasons why the application should be refused by Waverley Borough Council as planning decision-maker.

Contravenes Local and National Planning Policy

- 1.2. Local Plan Part 1 policy RE1 states that the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the national planning policies as set out in the NPPF. The applicant's proposed is contrary to this policy because the immediate and irrevocable effect of building at this scale on the protected land is that the "intrinsic character and beauty" of the countryside in this and the surrounding area will be ruined.
- 1.3. LPP1 policy RE3 requires AGLV to be treated as AONB which means paragraph 172 of the National Planning Policy Framework (NPPF) applies. This requires "exceptional circumstances" to build on such protected land. The applicant argues the town's need for housing justifies this scheme and dismisses Local Plan Part 1 policy RE3. This is not an acceptable argument on the part of the applicant as RE3 is current policy.
- 1.4. 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. This position applies equally to AGLV in Waverley, by applying policy RE3 in LPP1 referred to above.
- 1.5. In any event, this site is not actually needed by the town in order to meet its housing needs quota. 50 homes (including flats and affordable homes) can be provided inside the town's settlement boundary or on confirmed available brownfield sites. Furthermore, the relaxation of government planning rules will directly increase windfall numbers as well. This position is consistent with our community's emerging Neighbourhood Plan.
- 1.6. The application does not demonstrate that the development is in the public interest and the strength of public opposition indicates that it is not considered by the community as being in the public interest.
- 1.7. The application is not compliant with WBC's policy RE3 and its consequential application of national planning policy at paragraphs 170 and 172 of the NPPF.

Ignores the Views of the Community

- 1.8. The proposed development is not compliant with Haslemere's current Design Statement and furthermore the applicant expressly dismisses our community's emerging Neighbourhood Plan which prioritises protection of countryside against this type of scheme and has been approved

by the Town Council after years of effort and Haslemere-wide consultation. 89% of surveyed residents did not want large developments on this category of greenfield land.¹

- 1.9. The applicant maintains that his stakeholder and public consultation has been extensive, whereas it has been limited and confusing as a result of consulting on a larger scheme than the proposed development WA/2020/1213 and making public statements about stakeholder support which have had to be retracted. In any event, the Town Council received objections from 168 of the 195 attendees at the applicant's consultation event in May 2019, which is not reflected in the materials submitted with the application.
- 1.10. The applicant states that he and his project team "have undertaken significant work" on the development "over a number of years". It is implied that there has been investment, which would be lost if permission is not granted. In as much as this may be considered by any decision-maker to be remotely relevant (which it clearly is not), then such consideration must be heavily outweighed by the fact that the community, through its Haslemere Vision project team and Haslemere Town Council, have undertaken significant work on development planning both in the Haslemere Design Statement² and the emerging Neighbourhood Plan, over a number of years. This investment is no less important.
- 1.11. The Mayor's introduction to the 2020 draft Neighbourhood Plan states:
- In 2011 the Localism Act gave communities the opportunity to have a greater influence on the planning decisions for their area by writing a Neighbourhood Plan. In 2012, a group of local volunteers proposed that a Neighbourhood Plan ("the Plan") should be prepared for the area within the Haslemere Town Council Boundary. The Town Council supported this and, in April 2013, a volunteer led organisation called Haslemere Vision was launched with the aim of preparing a plan that will help to deliver the long term goals of a balanced and vibrant neighbourhood.*
- Since then more than 80 volunteers have given thousands of hours of time and expertise organising public meetings, online surveys and two paper consultations delivered to over 7,000 households, to seek the views of local residents and other stakeholders, groups and businesses who share an interest in our area. Those involved in developing the Plan have listened carefully to the consultation responses to ensure that the Plan reflects the views of the community.*
- Perhaps the defining joy of life in Haslemere is the ease of access to the beauty of the National Trust and otherwise designated countryside that, almost completely, surrounds it, in places reaching almost to the town centre. Haslemere Vision surveys indicated an almost universal desire to protect and cherish this.*
- 1.12. It is clear that in terms of consultation, the town's consultations have been an order of magnitude more extensive than those undertaken and relied upon by the applicant.
- 1.13. The application is not compliant with paragraph 50 of the National Planning Policy Framework (NPPF).

¹ Haslemere Vision Evidence Base (www.haslemerevision.org.uk/wp-content/uploads/Evidence-Base-2013-20131030.pdf)

Consultation Results Phase 1 and Phase 2 (www.haslemerevision.org.uk/downloads/evidence)

² Haslemere Design Statement 2012 (www.waverley.gov.uk/downloads/download/1278/haslemere_design_statement)

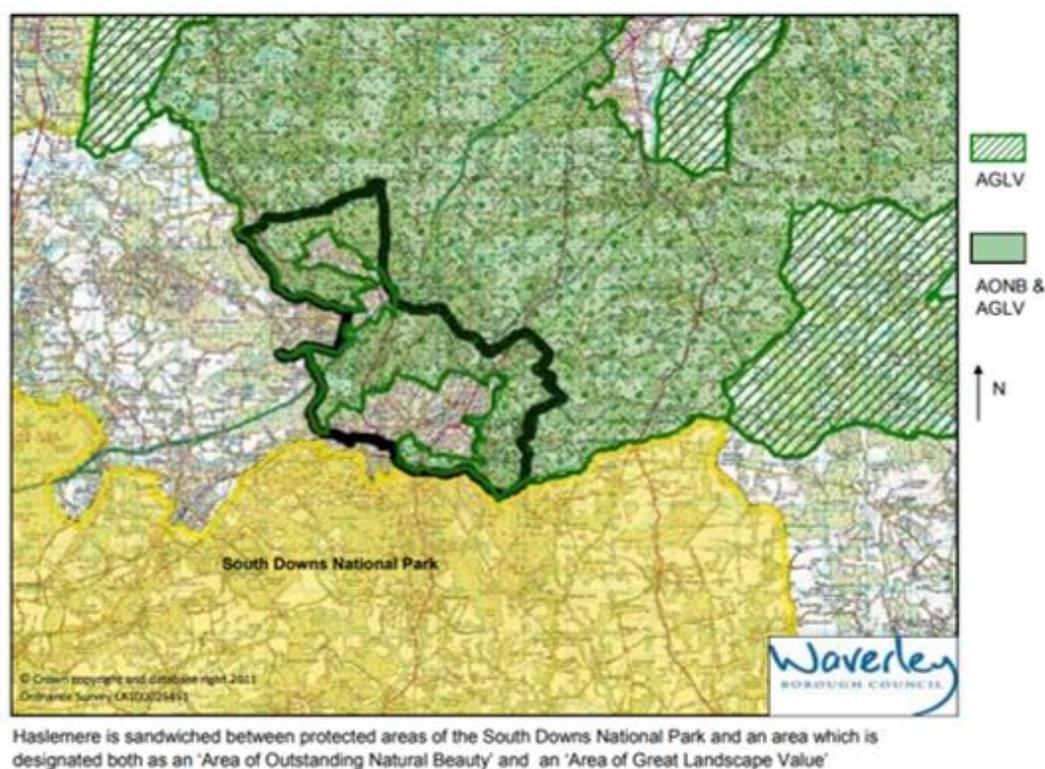


Figure 1 – Haslemere’s surrounding countryside

Erodes Haslemere’s unique and protected landscape

- 1.14. The proposed development swallows up swathes of Haslemere’s surrounding countryside (see figure 1) and damages its intrinsic character and beauty. It would have both a direct and a cumulative detrimental effect on the natural environment, causing an urbanisation ‘coalescence’ effect.
- 1.15. The proposal will also destroy the setting of the AONB and the South Downs National Park that border the site.
- 1.16. The applicant seeks to divert attention from these impacts by pointing to retention of some of the green space. However, the landscape and environmental value of a parcel of green space surrounded by large houses is not the same as its value as part of a coherent landscape along the southern ridge of Haslemere which is AGLV and AONB.
- 1.17. The application is not compliant with national planning policy at paragraph 174 of the NPPF.

Destroys a rich and diverse Ecological Habitat

- 1.18. 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

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ecosystems, which cannot be compensated for. The council's climate emergency pledge is to act to protect the environment.

- 1.19. The application does not provide evidence to support the claimed 10% net biodiversity gain. The requirements of DEFRA 2.0 are not fulfilled.
- 1.20. The application is not compliant with national planning policy at paragraphs 172, 175 & 180 of the NPPF.

Places unsustainable pressure on the town's Water Supply

- 1.21. The town has suffered water shortages in recent months and years. An additional large housing estate will make this worse.

Creates permanent Safety Risks & Congestion on the Transport Network

- 1.22. Pedestrians flowing onto narrow lanes 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.
- 1.23. In this context, the applicant's submitted data in the Design & Access Statement regarding walking times to the town centre is unreliable (it is self-contradictory) and as a desktop exercise is not supported by the on-site empirical reality; it is simply not a safe assumption that walking to and from the site/town facilities will significantly reduce car use.
- 1.24. It is noted that Surrey County Council Highways department have requested a delay in the application process due to concerns that the transport issues have not been properly addressed by the applicant. HSRA supports such a delay in order that SCC may opine fully on the proposal.
- 1.25. The application is not compliant with national planning policy at paragraph 102 of the NPPF.

Prejudices Waverley's emerging Local Development Plan

- 1.26. It cannot be right that the applicant's plan should be approved, as he requests, simply because planning officers have taken his site into consideration in a draft development plan (LPP2) that was rejected by Waverley's Environment Oversight & Scrutiny Committee and Executive in October 2018 and still has not been approved or finalised; to do so will prejudice LPP2.
- 1.27. Approval of the application would therefore breach national planning policy at Part 4 of the NPPF.

2. Introduction

- 2.1. Haslemere South Residents Association (HSRA) comprises approximately 300 members whose families and households number over 500 residents of Haslemere.
- 2.2. 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:
 - 2.2.1. to promote high standards of development, conservation, planning, traffic management, safety in or affecting the Area of Benefit;
 - 2.2.2. to enhance and protect the community interests of those resident in the Area of Benefit;
 - 2.2.3. to enhance and protect the community interests of those community, educational and sport and leisure organisations and associations utilising or enjoying the Area of Benefit; and
 - 2.2.4. to represent the views of its members on local neighbourhood and environment matters generally.
- 2.3. 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.
- 2.4. In addition, HSRA endorses the current Haslemere Design Statement, which must be given material consideration by the planning decision-maker.
- 2.5. This application comes at a time when climate considerations are paramount. Both Haslemere Town Council and Waverley Borough Council have passed climate emergency resolutions. The protection of the environment, flora and fauna, ecological networks and woodland is of local, district, national and global significance. Never before have these considerations been more material.
- 2.6. In its August 2020 White Paper, the government has emphasised the importance of benefits from the last 10 years of reform in planning policy and processes:
 - 2.6.1. “protections for environmental and heritage assets [...] continue to protect our treasured countryside and historic places; and
 - 2.6.2. we have democratised and localised the planning process by abolishing the top-down regional strategies and unelected regional planning bodies, and empowered communities to prepare a plan for their area, through our introduction of neighbourhood planning”.
- 2.7. The White Paper then sets out its wishes that planning decisions:
 - 2.7.1. “promote the stewardship and improvement of our precious countryside and environment, ensuring important natural assets are preserved, the development potential of brownfield land is maximised, that we support net gains for biodiversity and the wider environment and actively address the challenges of climate change; and

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- 2.7.2. create a virtuous circle of prosperity in our villages, towns and cities, supporting their ongoing renewal and regeneration without losing their human scale, inheritance and sense of place. We need to build more homes at gentle densities in and around town centres and high streets, on brownfield land and near existing infrastructure so that families can meet their aspirations.”³
- 2.8. WBC’s adopted Local Plan Part 1 (LPP1) gives the AGLV land, on which the proposed development is located, the highest applicable policy status as protected landscape equivalent to AONB (policy RE3). It is only under “exceptional circumstances” that development must be permitted and it must be in the public interest.
- 2.9. The applicant refers to the emerging Waverley Borough Council (WBC) Local Plan Part 2 (LPP2) and the allocation of the proposed site within the emerging LPP2 development site allocations. In this seemingly ‘chicken and egg’ scenario, it is critical that the planning decision-maker recognises that this application touches directly on strategic and fundamental issues of using AGLV/AONB outside the settlement boundary for large scale development. Accordingly, there can be no basis whatsoever to let ‘the tail wag the dog’ in this specific case; under established law, it would be premature for any permission to be given to the application until LPP2 is finally adopted.

³ <https://www.gov.uk/government/consultations/planning-for-the-future/planning-for-the-future>

3. Site Context

- 3.1. The proposed development is outside the settlement boundary of Haslemere.
- 3.2. Haslemere's character as a town is defined by its surrounding countryside, precisely the "treasured countryside" referenced in the government's recent White Paper (see above).
- 3.3. The site lies within the Surrey Hills Area of Great Landscape Value (AGLV) and is part of the wider wooded greensand hills landscape, south of Haslemere, which features two national landscape designations. The site is contiguous with the Surrey Hills Area of Outstanding Natural Beauty (AONB) and is 400m north of 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. This is reflected in:
 - 3.3.1. The location of the site within the same landscape character area as the AONB (see Surrey Landscape Character Assessment⁴);
 - 3.3.2. A recommendation by landscape consultants commissioned by Surrey County Council, that the site be included within the AONB (see Surrey Hills AONB Areas of Search);
 - 3.3.3. The site being identified as an AONB candidate piece of land in the Hankinson Duckett Landscape Character Assessment which was commissioned to inform Natural England's decision to review the boundaries of the Surrey Hills AONB; as such it was recommended for inclusion in the AONB; and
 - 3.3.4. The site's designation as AGLV.
- 3.4. The edge of Haslemere is currently defined by Scotland Lane which is immediately north of the site. This is an historic lane (first edition OS 1869-1875) with an attractive leafy character which is representative of the local area. The lane descends from a ridgeline (referred to in this Appraisal as Red Court ridge) and shares many characteristics of the rural sunken lanes found within the greensand hills. The section alongside the site is narrow, absent of footways, and has no kerb and channel. Adjacent to the site Scotland Lane is 'sunken', being at lower level than the site, and benefits greatly from the mature trees within the site, particularly those alongside the road which contribute to its overall wooded and leafy character.
- 3.5. Opposite the site, along the northern side of Scotland Lane, is a line of existing dwellings. These include Edwardian properties built in the attractive Surrey style as well as more recent properties. Most are set within mature gardens and are set back from the lane with large front gardens. The mature landscape framework within these gardens combined with the mature trees within the site creates a strong enclosing landscape edge to the settlement and one which is entirely complementary to the nearby AONB.
- 3.6. The Hankinson Duckett assessment mentioned above concluded this part of the AGLV appeared as an anomaly to the AONB boundary surrounding Haslemere as it is part of the same landscape and National Park landscape to the south. This contrasts with the applicant's superficial comment that the settlement line should simply track across the AGLV, essentially for convenience.
- 3.7. The site represents a pattern of land use unchanged for at least 144 years. It features a rising contour and an extensive framework of established trees and woodland. These features

⁴ Surrey Landscape Character Assessment 2015 Waverley Report (www.surreycc.gov.uk/land-planning-and-development/countryside/strategies-action-plans-and-guidance/landscape-character-assessment)

- enclose the site and frame Scotland Lane, and the nearby heritage assets of Red Court and Red Court Lodge (Grade II).
- 3.8. Overall rising land within the site, mature trees, and the combination of woodland and small grassy fields creates an attractive landscape which is complementary to the adjacent AONB. The site makes a very positive contribution to the local landscape character. The high value of the site is recognised by its designation as AGLV and its most valuable qualities include:
- 3.8.1. The contribution of the site to the leafy character 'sunken' character of Scotland Lane;
 - 3.8.2. The contribution of the site's mature landscape framework to a strong enclosing landscape edge to the settlement;
 - 3.8.3. Providing a complementary landscape setting to heritage assets within Red Court;
 - 3.8.4. The legibility of the historic landscape pattern comprising a wood and small fields assarted from woodland; and
 - 3.8.5. A framework of established vegetation which makes a significant contribution to the wider greensand hills woodland network.
- 3.9. Although the applicant refers to the site having the implied, if not express, support of WBC (which in itself raises questions as to pre-determination of either the application or the Regulation 19 Submission LPP2) WBC have not published any detailed evidence to support the allocation of the site on landscape grounds. Indeed, WBC has refused repeated requests for HSRA to have a copy of a landscape architect's assessment referred to at the October 2018 Environment Overview & Scrutiny Committee meeting.
- 3.10. The Red Court site was retained in a draft of the LPP2 despite WBC Policy RE3 in the adopted Local Plan Part 1 (LLP1) which requires the site be treated as being within the AONB until Natural England has completed its boundary review, and WBC's own evidence base suggesting it should be included within the AONB designation. The fact that Natural England's review is delayed is not a basis to change WBC Policy.
- 3.11. The applicant's proposed 50 dwellings could not be satisfactorily accommodated on the site without significant landscape harm. In landscape terms the site is highly unsuitable for residential development as it would:
- 3.11.1. Harm the historic landscape pattern of the local area;
 - 3.11.2. Harm the existing woodland framework within the site and its contribution to the surrounding greensand hills woodland network;
 - 3.11.3. Create an illogical new settlement boundary;
 - 3.11.4. Be contrary to the Landscape Character Area's landscape strategy to enhance and conserve field boundaries, woodland and sunken rural lanes;
 - 3.11.5. Remove the site from the Hindhead Wooded Greensand Hills Landscape Character Area;
 - 3.11.6. Harm the valued AGLV landscape;
 - 3.11.7. Remove the site from being considered for inclusion in the AONB, pre-empting the outcome of Natural England's boundary review;
 - 3.11.8. Harm, in any event, the setting of the currently designated AONB, irrespective of the boundary review outcome;
 - 3.11.9. Result in tree removal and the replacement of a natural setting with a suburban one for retained trees;

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- 3.11.10. Harm the woodland setting to Red Court Lodge as experienced from Scotland Lane;
 - 3.11.11. Harm the wooded horizon and setting to Red Court as experienced from the South Downs National Park; and
 - 3.11.12. Potentially harm the integrity of a possible Saxon/ early medieval settlement (Area of High Archaeological Potential Ref. WA154).
- 3.12. The key statement in paragraph 172 of the NPPF is on giving “great weight” to “conserving and enhancing landscape and scenic beauty”. The proposed scheme backs onto the South Downs National Park and access to the National Park from the town is via various routes past the proposed development. All walkers, rambles, cyclists and visitors will want to access these areas of countryside through the green valleys which currently exist, rather than through a built-up housing development. The proposed development does not meet the “Great Weight” statement in NPPF Clause 172.

4. Community Involvement

- 4.1. The applicant describes some consultation events and exercises. These were expressly “focused on both a larger and longer term opportunity for development across the whole of Scotland Park”. As a result, these consultation events and exercises cannot be relied upon in the way that the applicant seeks to do.
- 4.2. In the applicant’s consultation on this larger scheme for 180 (or apparently sometimes 250) homes certain promises (or “goodies” in the words of one supportive parish councillor) were offered to the community. These included a much-publicised scout hut and access for a forest school. To the extent that any expressions of support are identified by the applicant, these cannot be relied upon because there is no way of knowing how many such expressions of support were given in part due to those promises of “goodies”.
- 4.3. To the extent that the applicant knew in 2019 that he would only be progressing with a development of 50 homes rather than 180 homes, which is evidenced by the innumerable references in the applicant’s Planning Statement to the draft allocation in LPP2 (which was for just 50 homes) as well as the applicant’s reliance on the site not being designated AONB, then the applicant’s “exercises” in consultation were disingenuous and misleading.
- 4.4. The applicant’s report of his engagement with the community shows its limited scope. Invitations to an open day to visit the site were only delivered to a small proportion (to the west of Old Haslemere Road only) of the great many homes in the vicinity that would be affected by the different and multiple adverse impacts that the proposed development would inevitably have on enjoyment of landscape, congestion, pedestrian and road safety, transport, infrastructure, dark skies, among others.
- 4.5. In stark contrast to the small and unreliable community engagement efforts of the applicant, the town has been engaging with the community in depth and over a long time, including on the directly relevant question as to whether or not a site of protected land outside the settlement boundary should become the location of a large development such as the one proposed in the application. In April 2013, a volunteer led organisation called “Haslemere Vision” was launched with the aim of preparing a Neighbourhood Plan that will help to deliver the long-term goals of a balanced and vibrant neighbourhood. Since then more than 80 volunteers have given thousands of hours of time and expertise organising public meetings, online surveys and two paper consultations delivered to over 7,000 households, to seek the views of local residents and other stakeholders, groups and businesses who share an interest in the area. The output was a draft Neighbourhood Plan approved by the Town Council and supported in principle through public consultation – a Plan that reflects the views of the community.
- 4.6. Haslemere Vision surveys (see figure 2 below) 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.

B1: Where do you believe we should build?

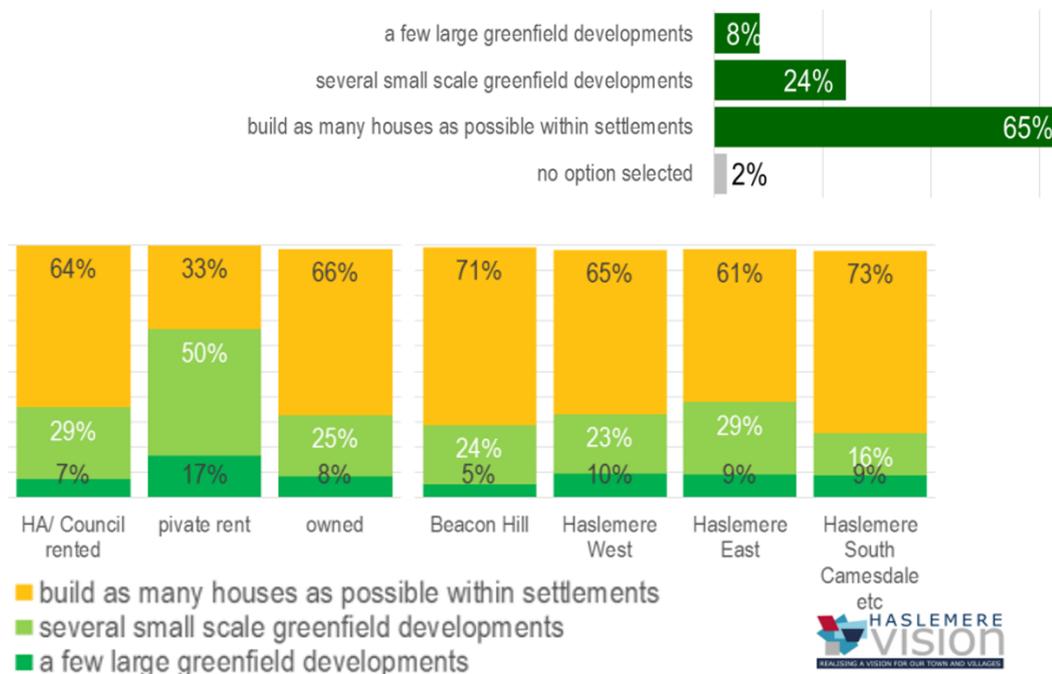


Figure 2 – Extract from Haslemere Vision Consultation Results 2016

- 4.7. Figure 2 shows the results of town-wide consultation undertaken by Haslemere Vision. Only 8% were supportive of a development in the category of the applicant’s proposal (i.e., a “large greenfield development”) and 89% were against. 65% were against allowing even small-scale developments building outside the settlement boundary (which, again, is the category of the applicant’s proposal).
- 4.8. The survey results also show that objections to a large development such as the applicant’s proposed scheme on a greenfield site came from residents across the town: 95% in Beacon Hill, 88-90% in Haslemere West, 90-91% in Haslemere East and 89-91% in Haslemere South and Camelsdale.
- 4.9. 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 the second highest group of residents (93%) against a large development such as this one were in housing association accommodation or council rental accommodation (see figure 2). 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 rather than in the more remote surroundings of the town where the applicant’s site is located.
- 4.10. The applicant’s representation of support for the proposed development must be considered with appropriate scepticism because on numerous occasions the applicant has falsely claimed certain stakeholders were in favour of the development when this turned out not to be the case at all. Examples are set out in the following paragraphs, as reported in the press.
- 4.11. The applicant made statements to the effect that their proposal enjoyed the support of the Campaign to Protect Rural England and displayed a CPRE promotional banner at their Consultation event at Haslewey. Subsequently, CPRE had to correct the misrepresentation in

the local press (Haslemere Herald 13 June 2019) confirming that CPRE did not support the proposal. CPRE Waverley District chairman is quoted: "The developers of Red Court claim in their literature that the proposals to build 180 houses on green fields designated as an area of great landscape value and/ or within the Surrey Hills AONB 'conform and align absolutely' with CPRE policies on access to National Parks and AONBs. Most emphatically we do not share that view."

- 4.12. Subsequently, CPRE's district Chairman had to make second corrective statement (Haslemere Herald 20th June 2019):

"CPRE SURREY would like to respond to the 'letter of apology' from Redwood (South West) Ltd regarding the proposed development on land at Red Court, Scotland Lane, in the Herald last week.

CPRE Surrey is concerned at the misuse of CPRE's submissions to the Glover review of National Parks and AONBs. The Red Court site falls partly within the Surrey Hills Area of Outstanding Natural Beauty (AONB) and partly within the Surrey Hills Area of Great Landscape Value (AGLV). This area of AGLV has been recommended by Natural England's landscape consultants for upgrading to AONB status as part of a review of the whole of the AONB and AGLV.

The National Planning Policy Framework (NPPF) and the Local Plan provide that great weight should be given to conserving landscape and scenic beauty in, inter alia, AONBs, which have the highest status of protection in relation to landscape and scenic beauty—and that planning permission should be refused for major developments in AONBs except in exceptional circumstances, and where it can be demonstrated they are in the public interest.

The proposals for Red Court fail these tests."

- 4.13. In May 2019 the applicant publicly claimed that several local schools supported the development. A correction was published in the Haslemere Herald on 30th May 2019 in which a headteacher, speaking on behalf of the Haslemere Confederation of Schools stated:

"It has been brought to the attention of the headteachers of the confederation of local Haslemere state schools that the developer of the Scotland park/ Red Court Estate has indicated we are in support of the project. This is not the case and, in fact, the local schools made a clear decision to remain neutral regarding this project. It was also stated we have been invited to a consultation and we will be in attendance with some of our pupils and this will also not be the case".

- 4.14. Against this background and notwithstanding the applicant's retractions and apologies, the lack of rigour in public and written representations on the part of the applicant means that any statements in the application documents must be reviewed with appropriate scepticism, especially where they refer to support from third parties or consultee organisations.

5. The Proposed Development

- 5.1. The proposed development consists of converting precious countryside into a housing estate. As observed by Haslemere Vision and in the emerging Neighbourhood Plan, land in and around Haslemere is a scarce commodity. Accordingly, the density of housing stock on any given site needs to be appropriately high. The application consists of housing at a very low density (17.6 dph) and as such represents an incredibly low return for damage to the countryside, in terms of economic and social contribution to the town or in terms of surplus contribution to housing supply.
- 5.2. The applicant points out that the Red Court estate has historically been privately owned and as such not available to members of the public to access, whereas the proposed scheme would open up some areas of green space to the public. In the Planning Statement, the applicant reports that the results of his consultation included "a general feeling by respondents that there is not a lack of public open space and green space within Haslemere". This is manifestly the case, due to the proximity of large areas of National Trust and South Downs National Park green spaces, as well as protected green spaces across the townscape. There is therefore no meaningful benefit to the community in this aspect of the proposal.
- 5.3. The fact that parts of the countryside are not accessible to the public is not unusual. Fields and woodlands are no less important from a landscape and environmental standpoint for the fact that there are not public rights of way across them. Of course, there is nothing to prevent an owner of fields and woodland, such as the applicant, Mr Nobbs, from opening up paths for the public if his desire is to share them with the public. This does not require replacing any of the fields and woodland with housing estates.
- 5.4. The proposed development involves a single vehicular access on Scotland Lane which is combined with access for pedestrians and bicycles. In addition there is a pedestrian access directly onto Scotland Lane at its narrowest and least visible point.

Transport assessment

- 5.5. 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 this site in LPP2 - July 2018; HTC objections to the application - September 2020).
- 5.6. The applicant refers to an email from Surrey County Council (SCC) dated 21 December 2017 and relies upon this document to give the impression that SCC supports the application from a highways and transport perspective. However, the email is only an advisory communication. The email is responding to a different scheme, namely a scheme for 250 houses, not the current application.
- 5.7. The paragraph that is quoted in the Planning Statement to be evidence of SCC's support is therefore taken out of context and in any event is focused solely on the question of whether a site within 700m from the town centre is sensible as a candidate for promoting sustainable modes of transport. It is clear that the application should not be approved from the perspective of there being no assurance whatsoever that the highways and transport impacts have been properly assessed and satisfactorily addressed.
- 5.8. In terms of being a site that is capable of complying with NPPF paragraph 108, the impact of the development will be to create a wholly unacceptable level of risk to safety on Scotland Lane. Not only will the increase in vehicular traffic impact existing users, whether drivers,

cyclists or pedestrians, but this is exacerbated by (a) incorporating a pedestrian exit from the housing estate directly onto the middle of Scotland Lane by a blind corner on a narrow lane with no pavements; and (b) the cumulative effect of increased traffic from developments at The Heights and Longdene House. Note that NPPF paragraph 108 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."

- 5.9. In addition to the 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 is 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'. The only alternative is via historic byways which are less direct and unlikely to be used.

6. Development Plan

- 6.1. The applicant refers to the emerging Waverley Borough Council (WBC) Local Plan Part 2 (LPP2) and the allocation of the proposed site within the emerging LPP2 development site allocations. Although sometimes there may be parallel dialogues with developers about both their promotion of a site for local plan allocation and their preparation for planning application submission, there can be no basis whatsoever to let 'the tail wag the dog' in this context, which involves strategic and fundamental issues of using AGLV/AONB outside the settlement boundary for large scale development; under established law, it would be premature for any permission to be given to the application until LPP2 is finally adopted.
- 6.2. The whole proposed development area is designated as AGLV but must be considered as AONB under Waverley's LPP1 (policy RE3). The applicant relies on a draft of LPP2 to argue that WBC's position has changed regarding this policy. This is categorically not the case and could never be the case given LPP2 is only in draft form and the policy remains intact. The emerging LPP2 document self-evidently remains a draft; it is therefore incorrect for the applicant to refer to it as evidence of any change in policy position of WBC.
- 6.3. This is especially the case from a legal standpoint at a time when the allocation of development sites on protected countryside in the emerging LPP2 has been the subject of (a) contentious public debate; (b) changes in other draft allocations to align with the respective views of a number of Parish Councils; (c) hesitation on the part of the WBC Overview & Scrutiny Committee and Executive in 2018; and (d) the context for WBC's latest call for additional brownfield sites in 2020.
- 6.4. It would be a case of the tail wagging the dog for this application to be approved before the proposed site has been confirmed within LPP2 – a manifest case of prejudice to the democratic processes through which a local area determines its Development Plan.
- 6.5. This point is all the more important given that WBC made changes in the settlement boundary and allocation of sites in the preparation of a pre-submission draft LPP2 document presented to the Environment Overview & Scrutiny Committee on 22 October 2018 as a direct result of representations made by local parish councils in Chiddingfold and Dockenfield. Haslemere's parish council (the Town Council) has expressed a change in its position regarding the allocation of sites, following its approval in November 2019 of a draft Neighbourhood Plan that does not move the settlement boundary to include DS18 (and indeed through the Town Council's recent objection to the applicant's present application); therefore out of due process it will be incumbent upon WBC to take account of that revised representation in finalising the pre-submission draft LPP2, as it has of other parish councils' representations.
- 6.6. The application will prejudice the outcome of the emerging Neighbourhood Plan as the key Neighbourhood Plan statements are about retaining the Settlement Boundary and protected green spaces. Therefore WBC should refuse the application in order to comply with NPPF paragraph 50. The Haslemere wide community has continually objected to large developments on greenfield sites outside the Settlement Boundary. It is simply not appropriate to ignore the Neighbourhood Plan in the way suggested by the applicant in his application.

7. Material considerations

Housing numbers

- 7.1. The applicant relies on supposed pressure on the town being able to meet its housing needs. In meeting housing needs, WBC will be bound by NPPF paragraph 118 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.
- 7.2. Furthermore, the draft LPP2 does not include some 60 allocatable sites with a yield of 5 or fewer dwellings. This appears to mean that in assessing future satisfaction of housing needs, far more than the applicant's yield of 50 homes will be met within the town already under WBC's projections. Therefore there is no case to permit this development on grounds of an overriding need to increase the supply of housing by 50 dwellings during the Development Plan's period.

Design Statement

- 7.3. The Haslemere Design Statement (2012)⁵ was adopted as a material consideration in July 2012 by WBC as planning decision-maker.
- 7.4. 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.
- 7.5. The applicant chooses to refer to the emerging LLP2 but discards the importance of either the emerging Neighbourhood Plan or even the adopted and well-regarded Haslemere Design Statement. The application is materially non-compliant in this regard.
- 7.6. Haslemere Design Statement, which is endorsed by the draft Neighbourhood Plan, includes specific guidelines to:
 - 7.6.1. Preserve the tree and hill skyline views
 - 7.6.2. Protect the local characteristic
 - 7.6.3. Enhance and extend wildlife corridors

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).

Neighbourhood Plan

- 7.7. Haslemere Vision surveys (see figure 2 above) indicated an almost universal desire to protect and cherish the designated countryside that, almost completely, surrounds the town (see figure 3 overleaf), in places reaching almost to the town centre.

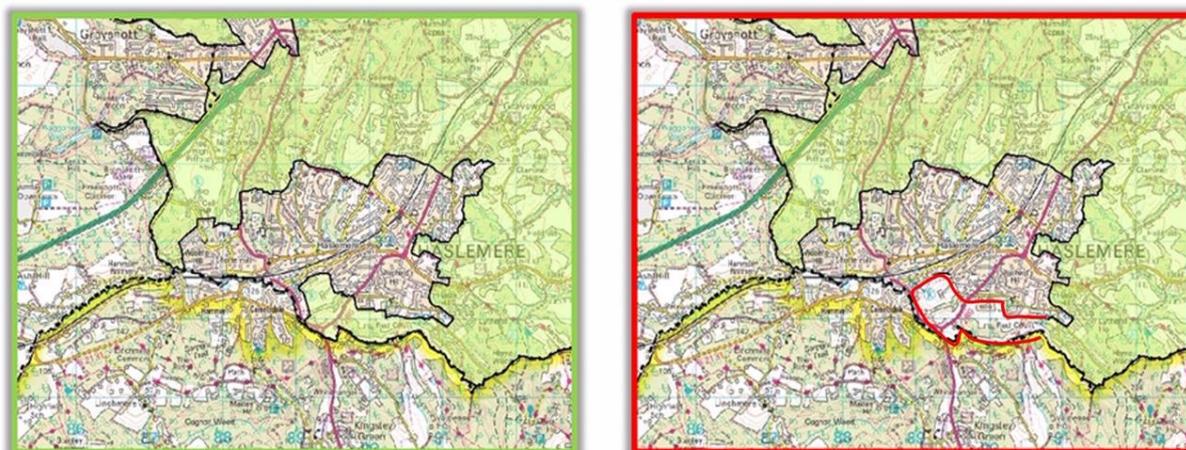
⁵ https://www.waverley.gov.uk/downloads/file/3162/haslemere_design_statement

- 7.8. The vision of the Town Council approved draft Neighbourhood Plan includes the objectives:
- 7.8.1. To protect and enrich our green spaces, biodiversity and the natural environment that surrounds us
 - 7.8.2. 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

As above, these objectives cannot be satisfied nor remedied by the proposed development: the environment will not be protected or enriched and attempts to compensate or mitigate fall short of these objectives; and the topography of the location prevents any improvement being made as regards non-car modes of transport.

Coalescence

- 7.9. The cumulative effect of the proposed development with previously permitted development on greenfield sites is a 'coalescence effect' which can be seen in the map comparison in figure 3. Not only is Haslemere's special ring of green space eroded significantly, but also the urbanisation growth results in merging of the townscapes between Haslemere and Camelsdale.



**Figure 3 – Before and after threatened developments at 'Scotland Park' and Sturt Farm –
Loss of AONB & AGLV land and resulting Coalescence**

- 7.10. The cumulative loss would amount to some 175ha.
- 7.11. The applicant has not taken into account or addressed the cumulative effect of this development with others in the same geographical area. This is not in compliance with NPPF paragraph 180:

180. 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.

Wildlife and biodiversity

- 7.12. 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. The proposed scheme displaces wildlife and therefore does not comply with LPP1 policy and NPPF paragraph 172 as great weight should be given to conserving the biodiversity of our countryside.
- 7.13. 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.
- 7.14. The proposed development contravenes NPPF paragraph 174 as it does not safeguard the existing wildlife corridors and stepping stones. 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. Support for this application would undermine and contradict the councils' policies in this respect.
- 7.15. The applicant goes to some length to make claims of enhancement and a so-called 10% net gain to biodiversity. However, there is distinct lack of evidence to support these claims. In particular there is no DEFRA 2.0 report.
- 7.16. The applicant's Ecology Assessment cannot be relied upon. 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.
- 7.17. 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.
- 7.18. The applicant's own identification (in Engain's report) 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
- 7.19. Local residents also Report:
- Hedgehogs
 - 2 family harem of Pheasants
 - Voles
 - Shrews

- Toads
 - Green snakes
 - Sand Lizards
- 7.20. 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 of 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.
- 7.21. 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."
- 7.22. 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.
- 7.23. 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.
- 7.24. 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.)
- 7.25. 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 Alcahoie bats. The woodland around Red Court is similarly a likely habitat for these species.

Wealden Heaths II SPA 5km Zone

- 7.26. The proposed development site is within the Wealden Heaths II Special Protection Area 5km Zone. 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.

- 7.27. 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.

Traffic and road safety

- 7.28. Residents south of Haslemere High Street 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.
- 7.29. This site is not accessible on foot 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.
- 7.30. The applicant's analysis (contained in his Design & Access Statement) of walking distances to and from the town centre and local facilities is unintelligible (it asserts that it takes half the time to walk twice a given distance!) and does not reflect the topography 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.
- 7.31. The application takes no account of seasonal variation in road and pathway conditions. In winter, the steep inclines on Scotland Lane, Old Haslemere Road, Museum Hill and College Hill become treacherous for cars, bicycles and pedestrians, as can be seen in figure 4 overleaf.



Figure 4 – Winter conditions as witnessed on social media in real time

- 7.32. It is noted that Surrey County Council Highways department has requested a delay in consideration of the application pending further work being done to ascertain the transport and highways implications of the proposed development and the extent to which concerns can be allayed, if at all.

Flood risk

- 7.33. It was noted in 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.
- 7.34. 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.

Heritage

- 7.35. 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
- 7.36. 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.
- 7.37. 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.

Dark skies

- 7.38. 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.
- 7.39. 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.

8. Affordable Housing

- 8.1. 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.
- 8.2. 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 the second highest group of residents (93%) against a large development such as this one were in housing association accommodation or council rental accommodation (see figure 1 above). 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 rather than in the more remote surroundings of the town where the applicant's site is located.

9. Noise Assessment

- 9.1. As regards noise, the proposed development will inevitably create a level of noise that will impact wildlife irremediably. This will only further damage the habitats for many of the species identified above.

10. Planning Balance

- 10.1. 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.
- 10.2. With respect to any weight to be given to economic advantage from the proposed development for the town, this is negligible as the proposed plan does not generate or develop any significant business to support the development's new residents. In today's gig-economy and digital working context, the applicant's proposals for work spaces within the properties provides no guarantee of local revenue-generating businesses to support Haslemere's economic wellbeing through employment or local services provision.
- 10.3. In the context where it is more likely than not that Haslemere's housing needs can be met without this development, there are no exceptional circumstances to justify the proposal given it is on land to be treated as AONB under WBC's own policies.

11. Conclusion

- 11.1. The whole development area is **designated as AGLV but must be considered as AONB** under the Waverley adopted LPP1 under policy RE3. The applicant relies on a draft of Waverley's LPP2 to argue that Waverley's position has changed regarding this policy. This is categorically not the case and could never be the case given LPP2 is only in draft form and the policy remains intact.
- 11.2. The applicant relies on a draft of Waverley's emerging LPP2 in which the site appears as a Development Site. This should not be taken into account because **LPP2 is only in draft**. Approval of this application would prejudice the due process of finalising LPP2.
- 11.3. 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 118 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 and a large brownfield site has recently been proposed in response to a late call for sites by WBC.
- 11.4. 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.
- 11.5. The development contravenes the NPPF paragraph 174 as **it does not safeguard the existing wildlife corridors and stepping stones**. Linked to this is the Climate Change emergency declared by Haslemere Town Council and WBC in 2019. Support for this application would undermine and contradict the councils' policy to protect the environment in this respect.
- 11.6. In the practical **application of Localism**, the Haslemere community, WBC's constituents, have in effect voted against this development because it is a large development on a greenfield site outside the Settlement Boundary. In Haslemere Vision's Phase 2 consultation 89% were against. **The Neighbourhood Plan consultation and subsequent approval by the Town Council showed overwhelming majority against. The Town Council has specifically chosen to object to the application.**
- 11.7. The application will **prejudice the outcome of the emerging Neighbourhood Plan** as the key Neighbourhood Plan provisions are about retaining the Settlement Boundary and protected green spaces and WBC should refuse the application to comply with NPPF paragraph 50. The Haslemere wide community has continually objected to large developments on greenfield sites outside the Settlement Boundary. It is simply not appropriate to ignore the emerging Neighbourhood Plan in the way suggested by the applicant in his application.
- 11.8. Local residents and the Town Council are extremely concerned at the **cumulative effect on traffic with other developments taking place**. 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.
- 11.9. **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.**