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TOWN AND COUNTRY PLANNING ACT 1990 (as amended) – WA/2020/1213

Waverley Borough Council as Local Planning Authority under the provisions of Part III of the Town and Country Planning Act 1990 (as amended), **DO HEREBY** signify their **REFUSAL** of planning permission for the development specified in the form of application deposited by you with the Council on 30/07/2020 and described in the First Schedule.

FIRST SCHEDULE

Erection of a residential development including associated parking, landscaping, open space and infrastructure.

LAND COORDINATES 490217 132204 SCOTLAND LANE, HASLEMERE.

SECOND SCHEDULE

The reasons for the decision of the Council to refuse permission for the development are:

1. The proposal would result in harm to the intrinsic character and beauty of the Countryside and fail to respect the landscape character of the Area of Great Landscape Value (AGLV). The proposal would also harm the setting of the Area of Outstanding Natural Beauty (AONB). The proposal would therefore be contrary to Policies RE1 (Countryside beyond the Green Belt) and RE3 (Landscape Character) of the Local Plan Part 1 (2018), along with guidance contained in the NPPF.
2. The applicant has failed to enter into an appropriate legal agreement under s 106 TCPA 1990 to secure avoidance measures in relation to the Wealden Heaths II Special Protection Area (SPA). In the absence of such legal agreement the proposal (in combination with other projects) would have a likely adverse effect on the integrity of the Wealden Heaths II (SPA) in that it is now recognised that increasing urbanisation of the area around the SPA has a continuing adverse effect on its interest features, namely Nightjar, Woodlark and Dartford Warbler, the three internationally rare bird species for which it is classified. The proposal conflicts with Policy NE1 of the Local Plan (Part 1) 2018, and Policy FNP13 of the Farnham Neighbourhood Plan 2013-2032.

3. In the absence of an appropriate legal agreement to secure the provision of affordable housing within the meaning of the NPPF, appropriate to meet Waverley Borough Council's housing need, the proposal would therefore fail to create a sustainable, inclusive and mixed community, contrary to Policy AHN1 of the Local Plan Part 1 (2018) and paragraph 65 of the NPPF 2021.
4. The applicant has failed to enter into an appropriate legal agreement to secure the pedestrian improvement plan, SUDS management and maintenance, provision management and maintenance of open space and management and maintenance of estate roads. The proposal is therefore contrary to Policy ST1, CC4, TD1 and LRC1 of the Local Plan Part 1 (2018) and Policies D1 and D4 of the Local Plan 2002 (as retained).

Yours faithfully



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Informatives:

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2019.

WA/2020/1213