

WA/2022/01887 – Hybrid application consisting of an Outline application (all matters reserved except access) for up to 111 residential dwellings accessed from the proposed access road (linking to Midhurst Road), associated landscaping, restricted access for emergency access, community growing space and associated infrastructure, including green infrastructure. Full application for the erection of 1 dwelling and associated works; a junction alteration from Midhurst Road, associated access road to serve the development (including the diversion of a public footpath), car park, associated landscaping and drainage; the erection of a scout facility/nursery (use class F) and an education facility (use class F); a Suitable Alternative Natural Greenspace (SANG). This application is accompanied by an Environmental Statement - at LAND CENTRED COORDINATES 489803 131978 MIDHURST ROAD HASLEMERE

Applicant: Mr Tony Nobbs - Redwood South West Limited  
Parish: Haslemere  
Ward: Haslemere East and Grayswood  
Grid Reference: E: 489803  
N: 131978  
Case Officer: Dylan Campbell  
Neighbour Notification Expiry Date: 23/08/2022  
Extended Expiry Date: 02/05/2023

RECOMMENDATION That, permission be REFUSED

## 1. Site Description

The application site is located to outside of the developed area of Haslemere, to the east of Midhurst Road, south Scotland Close and to the southwest of a site recently allowed on appeal for 50 dwellings, fronting Scotland Lane (WA/2020/1213 – Scotland Park Phase 1). The site is also bound to the east by Red Court (Grade II Listed Building), and a number of residential dwellings located to the south of the site along Bell Vale Lane.

The site measures approximately 23.3 hectares comprising three paddocks in the northern part of the site, and then slopes down steeply to the south which comprises parkland, woodland (Red Court Woods) and fields.

The site is wholly located within the Area of Outstanding Natural Beauty (AONB) and in the Countryside beyond the Green Belt. It is currently accessed via Scotland Lane by way of an existing private track through the adjoining development site.

## 2. Proposal

This is a hybrid application which seeks:

Full Planning Permission for:

- Junction alterations at Midhurst Road to form a new access.

- One dwelling located at proposed Midhurst Road access.
- Circa 9.69 hectares Suitable Alternative Natural Greenspace (SANG).
- Car parking facilities to serve proposed SANG.
- Associated landscaping.
- Associated drainage.
- Footpath diversions.
- Scout facility (Use Class F).
- Forest School education facility (Use Class F).

Outline Planning Permission (all matters reserved except access) for:

- Up to 111 residential dwellings (access from Midhurst Road proposed access).
- Associated landscaping.
- Community growing space.
- Open space
- Associated infrastructure (green infrastructure)

A layout plan has been submitted which shows both the full planning matters and the indicative layout of the outline matters, along with indicative details of elevations, scale, sections and landscaping.

### 3. Relevant Planning History

| <b>Reference</b> | <b>Proposal</b>   | <b>Decision</b>  |
|------------------|---|--|
| WA/2020/1213     | Erection of a residential development including associated parking, landscaping, open space and infrastructure. | REFUSED<br>24/07/2021<br>Allowed on Appeal<br>01/02/2022 |

WA/2020/1213 is a residential development for 50 dwellings known as Scotland Park Phase 1. It is located to the northeast of the application site, fronting Scotland Lane and would be accessed via Scotland Lane, this application would be accessed via Midhurst Road with only a permissive footpath to connect Phases 1 and 2. Therefore there would be little overlap between the two sites.

### 4. Planning Policy Constraints

- Countryside beyond the Green Belt
- AONB
- AGLV
- Wealden Heaths II SPA 5km Buffer Zone
- East Hants SPA 5km Buffer Zone
- Ancient Woodland 500m Buffer Zone

- PRow
- Listed Buildings

The relevant development plan policies comprise:

Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018):

- SP1 – Presumption in Favour of Sustainable Development
- SP2 – Spatial Strategy
- ALH1 – The Amount and Location of Housing
- ST1 – Sustainable Transport
- ICS1 – Infrastructure and Community Facilities
- AHN1 – Affordable Housing on Development Sites
- AHN3 - Housing Types and Size
- LRC1 – Leisure and Recreational Facilities
- RE1 – Countryside beyond the Green Belt
- RE3 – Landscape Character
- TD1 – Townscape and Design
- HA1 – Protection of Heritage Assets
- NE1 – Biodiversity and Geological Conservation
- NE2 – Green and Blue Infrastructure
- CC2 – Sustainable Construction and Design
- CC1 – Climate Change
- CC2 – Sustainable Construction and Design
- CC4 – Flood Risk Management

Waverley Borough Local Plan (Part 2): Site Allocations and Development Management Policies (adopted 21<sup>st</sup> March 2023) (LPP2):

- DM1 - Environmental Implications of Development
- DM2- Energy Efficiency
- DM3 - Water Supply and Wastewater Infrastructure
- DM4 - Quality Places through Design
- DM5 - Safeguarding Amenity
- DM6 - Public Realm
- DM7 - Safer Places
- DM8 - Comprehensive Development
- DM9 - Accessibility and transport
- DM11 - Trees, Woodland, Hedgerows and Landscaping
- DM15 -Development in rural areas
- DM19 - Local Green Space
- DM20 - Development Affecting Listed Buildings, and/or their Settings
- DM25 – Archaeology
- DM34 - Access to the Countryside

- DM36 - Self-Build and Custom Housebuilding

Haslemere Neighbourhood Plan 12 November 2021:

- H1 – Designation and Purpose of the Settlement Boundaries
- H2 – Housing Density
- H3 – Windfall Development
- H4 – Provide sufficient affordable housing of the right type
- H5 - Provide an appropriate mix of housing types
- H6 - High quality external design
- H7 - Access and Transport
- H8 - Water
- H9 - Trees, Woodland and Hedgerows
- H10 - Dark Skies
- H11 - Green Spaces
- H12 - Protecting and Enhancing Biodiversity through Haslemere's Ecological Network

In accordance with the National Planning Policy Framework (NPPF) due weight has been given to the relevant policies in the above plans.

Other guidance:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (2019)
- Surrey Hills AONB Management Plan (2020-2025)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015)
- Waverley Settlement Hierarchy Factual Update (2012)
- Fields in Trust: Beyond the Six Acre Standard (England) Guidance (2015)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Strategic Flood Risk Assessment (2015/2016)
- Planning Infrastructure Contributions SPD (2008)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Residential Extensions SPD (2010)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Design Guide (2002)
- Haslemere Design Statement (2012)
- National Design Guide (2019)
- An Approach to Landscape Sensitivity (Natural England, 2019)

- Climate Change and Sustainability Supplementary Planning Document (October 2022)

## 5. Consultations and Town/Parish Council Comments

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| Haslemere Town Council      | Objection – Proposal is contrary to Policy H1.3 of the Haslemere Neighbourhood Plan as development is sited in the AONB. It also fails to protect or enhance the AONB contrary to Policy RE3 of the LPP1.  |
| Fernhurst Parish Council    | Objection – Inappropriate development impinges onto AONB. Result in development creep. Contrary to Waverly Council draft amendments to Local Plan. Access is inadequate for volume of traffic that would be generated. Access will result in accidents and 30mph speed limit is unenforceable.   |
| East Hants District Council | No objection - Impacts on EHDC would be limited. May be increased traffic on B2131 to/from Liphook. HCC comments should be sought in terms of additional traffic on network  |
| Secretary of State          | No comments to make on the Environmental Statement   |
| Environment Agency          | No objection subject to two conditions stating the development shall be carried out in accordance with the FRA and mitigation measures; and in accordance with SANG Creation and Management Plan and mitigation measures.  |
| Natural England             | <p>Objection -Fundamental landscape objection on grounds of unacceptable development within an AONB designated landscape. The proposal will have significant impact on purpose of designation of Surrey Hills AONB and direct irreversible loss of AONB land. LVIA follows prior NE advice and does not provide for clear consistence of certainty.</p> <p>Planted tree belt and Midhurst Road planting will take up to 10 years to be effective mitigation. Meadowlands Drive and Hedgehog Lane would be impacted. Layout demonstrates urbanisation of land.</p> <p>LVIA photos taken in summer months when screening is most effective.</p> <p>Exceptional circumstances as set out in para 177 of the NPPF have not been demonstrated.</p> <p>General advice is given on protected species.</p> <p>No objections to proposed SANG meeting</p> |

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|                            | <p>specification. the proposed SANG mitigation is suitably required to avoid adverse effects on SPA site integrity. However, the first aim should always be to avoid requiring mitigation in the first place. As such, it isn't a benefit to develop where you might have an effect on an SPA and so require SANG in the first place.</p> <p>There appear to be alternative sites identified for Haslemere which can be explored to achieve the housing need.</p>  |
| Surrey Wildlife Trust      | <p>Objection - Further information requested: up to date survey information for protected species and associated impact avoidance and mitigation proposals; Assessment of impact to Wildlife Corridors in line with Haslemere Neighbourhood Plan Policy H12; Further qualitative information for great crested newts; Clarification of impact on deciduous woodland HPI; Clarification of impacts to important hedgerow(s); Clarification of impacts to and compensation for hedgerow Habitats of Principal Importance</p>   |
| Local Lead Flood Authority | <p>No Objection -<br/>The LLFA are satisfied that the proposed drainage scheme meets the requirements set out in the FRA documents and are content with the development proposed, subject to conditions in relation to SuDs and informative.</p>   |
| Thames Water               | <p>No objections subject to conditions - Surface water will not be discharged to public network therefore, no objections. Approval should be sought from LLFA .</p> <p>Inability of existing foul water network infrastructure to accommodate development. TW unable to agree position for foul water network with applicant prior to determination, therefore a condition is recommended.</p> <p>Upgrades to water network required beyond 50 dwellings and proposed development should not outpace delivery of infrastructure (condition recommended).</p> <p>Demonstrate measures to minimise groundwater discharge into public sewer (Informative).</p> <p>Development boundary is in Source Protection Zone. Advised to read online advice.</p> |
| Southern Water             | <p>Site not within SW statutory area for wastewater drainage services.</p>   |

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| <p>County AONB Officer</p>    | <p>Objection - Proposal is contrary to the AONB planning policies set out in the NPPF, Local Plan and Surrey Hills AONB Management Plan. It would constitute major development under national AONB planning policy set out at NPPF paragraph 177. There are no exceptional circumstances to outweigh these policies to protect the application site from development. Some of the development would be on the highest point of the local landscape. Much of the development would be visible in extensive landscape views from the north. It would spoil the setting of the housing in Scotland Close.</p> <p>Existing trees to the south would screen views of the development. That cannot be relied on as the development would likely exceed that of the trees. Retained trees cannot be guaranteed in the long term as trees can be lost for a multitude of reasons. The western extent of the development would be on steeply sloping ground and likely to be seen from Midhurst Road.</p> <p>Access onto Midhurst Road along with dwellings at the entrance and the activity created by traffic movements would fundamentally undermine the character of this length of Midhurst Road. The access road and dwellings would interrupt the wildlife corridor. Two wildlife corridors are also identified across the main development site which would be broken by the proposed development.</p> <p>The submitted LVIA is only a snapshot at one point in time in summer.</p> <p>The development would undermine the special landscape character of the locality. Furthermore, it is considered that largely being on rising ground, including a hilltop, where public views would be impacted. The development would conflict with the recent Haslemere Neighbourhood Plan. Any lack of a 5 year housing land supply cannot be used as a reason for allowing development in an AONB by virtue of NPPF paragraph 11.</p> |
| <p>Surrey County Highways</p> | <p>No objection – It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. The proposal will provide highways improvements within the vicinity of the site. A RSA Stage 2 will be required at the detailed design stage. The highway and access works will need to</p>   |

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|   | <p>be carried out via a S278 Legal Agreement with Surrey County Council. The contribution towards Rights of Way improvements and a Demand Responsive bus service will promote sustainable modes of travel to/from the site. In addition to this, the Travel Plan, EV charging points and e-bike charging points will go towards providing alternative modes of sustainable travel. It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal will not have a material impact on highway safety.</p>   |
| Surrey County Archaeology                                   | No objections - agree with the results of the assessment and condition recommended.   |
| Surrey County PRow Officer                                  | No objections. The proposed relocation of footpath 597 will need to be arranged via Legal Order. Attention drawn to footpath requirements.  |
| Countryside Access  | No objections - Applicants' attention drawn to Countryside Access requirements.   |
| Council's Environmental Health Officer (Land Contamination) | No objection - Agree with conclusions of report and recommend standard land contamination conditions.   |
| Council's Conservation Officer                              | No objection - No harm to the heritage assets   |
| South Downs National Park                                   | <p>Objection - Some principles of the proposed SANG are broadly supported. However, standard SANG requirements can have negative impact on landscape. Assart Fields in southern part of SANG should be conserved and enhanced, historic boundaries should be restored, and ponds relocated. Landscape design of site and SANG should better recognise historic park around Red Court, which is the only part of the site where Estate rails would be characteristic. Country Park character not reflective of historic landscape to the south.</p> <p>Community/Traditional Orchards more characteristically located close to settlements (may be better closer to Stedlands). Grasslands should be soil tested to ensure appropriateness for habitats and species proposed. More light touch approach to SANG to appear as Countryside rather than country park (unmade paths, less bins, less signage etc.). A286 Midhurst Road transition from town to countryside likely to be significantly undermined by tree loss (narrow treeline character</p> |



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|                         | <p>not being replaced) and significant engineering works. Route into site appears larger than Midhurst Road itself. Intentions for E 1 B lighting zone to be achieved, however, no lighting strategy. Condition recommended.</p> <p>Responses to initial objection (dated 21/11/22) very useful but maintain parts of the site comprise setting of the National Park. May be appropriate to seek contributions towards repair or upgrade works to PRow within SDNP. Recommend consulting West Sussex CC PRow Team.</p> |
| SGN                     | No objection - General advice regarding development around SGN infrastructure.   |
| The Countryside Charity | Objection – Contrary to the AONB planning policies set out in the NPPF, Local Plan and Surrey Hills AONB Management Plan. Not an allocated site and no exceptional circumstances. Midhurst Road tree line makes significant contribution to green enclosed character of the route. Impact to Haslemere Ecological Network and wildlife corridor within due to proposed access.   |
| Surrey Police           | No objection - Request that a condition is made that the development achieves Secure by Design Gold or Silver Accreditation.   |

## 6. Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2019” the application was advertised in the newspaper on 5 August 2022 and 30 September 2022, site notices were displayed around the site on 5 August 2022 and 30 September 2022 and neighbour notification letters were sent on 1 August 2022.

183 letters have been received raising objection for the following reasons:

- Development not in LPP2 allocation.
- Does not comply with Neighbourhood Plan.
- Housing need can be met elsewhere.
- Not in the public interest.
- Exceptional circumstances not justified.
- Lack of Community engagement.

- Unsustainable location.
- Principle and impact of development in the AONB.
- Impact on setting of National Park.
- Outside settlement boundary.
- Major impact on the Landscape.
- SUDs and SANG not effective without knowing number of houses.
- Pressure on water supply.
- Ecology and protected species impacts.
- Impact on Haslemere Ecological Network.
- Impact on wildlife corridors.
- BNG calculations incorrect.
- Out of keeping.
- Highway safety impacts.
- Traffic congestion including cumulative effects.
- Impact on Midhurst Rd, Scotland Ln, Bell Vale Ln and nearby junctions.
- Highways access safety.
- Pedestrian safety.
- Traffic impact on air quality.
- Loss of mature trees along access
- Impact on residential amenity from construction and operation.
- Loss of privacy to Scotland Close
- Flood risk

7 letters have been received supporting the application on the following grounds:

- Scout facilities.
- New public open space.
- Address shortage of new homes.
- Affordable housing.
- High design standard.
- Energy efficiency.
- Tree planting and wildflower planting.
- Appropriate access and sight lines.

- Additional traffic manageable.
- Other developments have taken place in AONB.
- Existing on road parking dangers could be addressed.
- Reasonably close to town centre and recreation ground.

A package of revised documents was submitted by the applicant and a re-consultation was issued by a press notice and site notice (on 17 March 2023), and individual neighbour notification to the owners and occupiers of neighbouring properties and statutory consultees (on 14 March 2023).

51 letters have been received raising objection for the following reasons:

- Development not in LPP2 allocation.
- Does not comply with Neighbourhood Plan.
- Housing need can be met elsewhere.
- Not in the public interest.
- Exceptional circumstances not demonstrated.
- Unsustainable location.
- Principle and impact of development in the AONB.
- Visible from surrounding countryside.
- Impact on setting of National Park.
- Outside settlement boundary.
- Major impact on the Landscape.
- Harm to setting of heritage assets.
- Flood risk.
- SUDs not effective.
- SANG will not offset loss of biodiversity.
- Pressure on water supply.
- Inadequate foul water infrastructure.
- Inadequate infrastructure.
- Ecology and protected species impacts.
- No firm evidence of climate change measures.
- Impact on Haslemere Ecological Network.
- Impact on wildlife corridors.

- BNG calculations incorrect.
- Proposed building heights of keeping with AONB.
- Light pollution.
- Affordable housing.
- Highway safety impacts.
- Local facilities not walking distance.
- Traffic congestion including cumulative effects.
- Impact on Midhurst Rd and Scotland Ln.
- Highways access safety.
- Poor visibility.
- Pedestrian safety.
- Loss of mature trees along access.
- Loss of privacy to Scotland Close.
- Scouts tenancy has been confirmed, deteriorates any exceptional circumstance.

11 letters have been received supporting the application on the following grounds:

- Benefit the local community
- Opportunity for permanent Scouting facilities
- Sympathetic to the local environment and character of the area

## 7. Planning history

The planning history is a material consideration.

Planning permission for 50 dwellings was allowed on appeal on 1 February 2022 (WA/2020/1213) on land adjoining this application site. The Inspector considered its location was not in a valued landscape and engaged the 'tilted balance' after finding the local authority could not demonstrate a 5-year housing land supply.

The adjoining site considered under WA/2020/1213 was within an Area of Great Landscape Value (AGLV) but was not within the Surrey Hills Area of Outstanding Natural Beauty (AONB). The Inspector noted that the site had not been managed appropriately for a number of years, resulting in an invasion of Japanese Knotweed. It was agreed that the landscape condition was medium but added that the site was well contained with views limited to close range locations and did not satisfy the criterion for scenic quality.

It was considered by the Inspector that the scheme conflicted with local plan policy on housing mix and also that it failed to recognise the intrinsic character and beauty of the countryside and would harm the character of the AGLV. However, with the tilted balance engaged, the adverse impacts of the proposal would not significantly outweigh the benefits when assessed against the NPPF and the Inspector therefore granted planning permission. The differences between the current proposal and the application allowed on appeal are:

- Current application site is within AONB (adjacent site outside of it, within the AGLV)
- Difference in the number of proposed dwellings
- Current site is more separated from/ developed area boundary of Haslemere
- Current application is in hybrid form with the bulk of proposal submitted in outline with all matters reserved except access, previous application was submitted as a full application.

This application requires an assessment on its own merits, as to whether it is acceptable in its own right. The planning history as set out above, is a material consideration to the assessment.

## 8. Environmental Impact Assessment.

The application is accompanied by an Environmental Statement (dated June 2022) and the Environmental Statement Addendum (dated February 2023).

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) state that an Environmental Statement (ES) should 'include the data required to identify and assess the main effects which the development is likely to have on the environment'.

An ES is required to ensure that the likely significant effects (both direct and indirect) of a proposed development are fully understood and taken into account before the development is allowed to go ahead. An ES must describe the likely significant effects and mitigating measures envisaged.

It has been determined by the Local Authority that, as submitted, the Environmental Statement was compliant with the minimum information requirements set out in Regulation 18(3)(a)-(e) of the EIA Regulations 2017 and that the Local Planning Authority can proceed with the determination of the application.

The relevant planning policies and guidance relating to the ES topics, are set out within the 'Development Plan Policies' section of this report (above).

The submitted ES includes the following chapters that address the impacts of the proposed development on those aspects of the environment identified by the Planning Authority as likely to experience significant impacts:

- Chapter 7 – Built Heritage
- Chapter 8 – Climate Change and Greenhouse Gases
- Chapter 9 – Ecology
- Chapter 10 – Landscape and Visual
- Chapter 11 - Socio-economics
- Chapter 12 – Traffic and Transport

Although no formal Scoping Opinion was adopted in respect of the proposed development, the information submitted in the ES (June 2022) and the ES Addendum (February 2023) is consistent with the principles set out in Regulation 18(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The main conclusions of the ES topics and the Officers' response to them are set out in the relevant sections of this officer report.

The Local Planning Authority consider that the information set out in the ES and its supporting appendices, in combination with any additional information or evidence forthcoming from the consultation on the planning application, is sufficient for the application to be determined, with reference to the question of impacts on Landscape and Visual Amenity.

## 9. Principle of development

Policy SP1 of the Local Plan (Part 1) 2018 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development.

Policy SP2 of the Local Plan (Part 1) 2018 sets out the spatial strategy for the borough up to 2032 and seeks to avoid major development on land of the highest amenity and landscape value, such as the Surrey Hills Area of Outstanding Natural Beauty, focus development at the four main settlements, with moderate to limited growth in villages; and allocate other strategic sites. Additional sites will be identified and allocated through Local Plan Part 2 and neighbourhood plans.

Policy H1.3 of the Haslemere Neighbourhood Plan outlines that development outside the settlement boundaries will only be supported which otherwise conform with national and local planning policies.

A key element of the NPPF is to minimise the loss of greenfield sites by making the best use of development opportunities within existing urban areas.

The Local Plan Part 1 allocated strategic housing sites capable of delivering over 100 houses. The current proposal is for up to 111 dwellings and therefore of a size that could have been considered a strategic site for the purposes of Part 1 of the Local Plan. The site is outside of the urban settlement area of Haslemere and would involve a major housing development within the Surrey Hills Area of Outstanding Natural Beauty (AONB). The site is a greenfield site and it is not allocated for any redevelopment within the Local Plan (Part 1) or the Local Plan (Part 2) and has not been identified as a site with development potential. SP2 seeks to avoid development on land of the highest amenity and landscape value, such as the Surrey Hills Area of Outstanding Natural Beauty, the proposals clearly conflict with the objectives of Policy SP2 in this regard.

For the reasons outlined above, the proposal would conflict with conflict with the spatial strategy Policies SP1 and SP2 of the Local Plan 2018 (Part 1) and Policy H1.3 of the Haslemere Neighbourhood Plan.

## 10. Housing Land Supply

The Council published its latest Five-Year Housing Land Supply Position Statement, with a base date of 20 February 2023 on 28 February 2023. A Five-Year Housing Land Supply Update Note was published on 16 March 2023. The Council calculates it currently has 4.28 years' worth of housing land supply. Although the housing land supply position is below 5-years, it remains the case that the Council cannot demonstrate a Five-Year Housing Land Supply, paragraph 11 (d) of the NPPF 21 is engaged via footnote 8.

Therefore, unless the site is located in an area, or involves an asset, of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

In these circumstances, the application site is located in the AONB, and the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, as outlined in the AONB section of this report. Therefore, the tilted balance is disengaged.

## 11. Lawful Use of the Site and loss of agricultural land

Policy DM15 of the LPP2 (2023) states that development should recognise the benefits of areas of best and most versatile agricultural land. Where it can be demonstrated that significant development of agricultural land is necessary, areas of poorer quality should be preferred to those of higher quality. Paragraph 174(b) of the NPPF states that planning decisions should recognise *“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...”*

Natural England states that 'High quality agricultural land is valued because of its important contribution to food production, and it also offers much greater potential than poorer land for growing alternative fuel/energy crops'. Natural England observes that land protection policy 'is relevant to all planning applications, including those on smaller areas but it is for the planning authority to decide how significant are agricultural land issues ...'

The submitted Planning Statement confirms that the site has been in private ownership for a number of years and comprises six fields, currently pasture, which are not part of an active agricultural enterprise and are not productive. The only activity relating to management of the grass and involves cutting and occasional grazing. The application is supported by an Agricultural Land Classification and Soil Resources Report (May 2022) which does confirm that approx. 4.4ha (47%) of the 9.3ha non-woodland elements of the site is Grade 3a (Best and Most Versatile (BMV)) and 53% of the site is not BMV.

The proposal would not impact upon agricultural business enterprises in the area, but the application proposes measures to mitigate the loss of soil resources during the construction phase and would identify the most appropriate re-use for the different types of soils and proposed methods for handling, storing soils on-site. These could be included within a Construction and Environmental Management Plan (CEMP).

Whilst some BMV land will be impacted by the Proposed Development (circa 4.4 ha), given the constrained nature and minimal area of land affected it is considered that the redevelopment of the application site would not have such significant implications on the availability of BMV agricultural land in the area, as to warrant a sole reason for refusal on these grounds. The threshold for which LPA's are required to consult Natural England in relation to agricultural land is where a development proposal is likely to cause a loss of 20ha or more of BMV land. This threshold is above the loss of BMV land associated with the proposal, which has been identified as 4.4 ha. Therefore, the loss of some land which is the BMV agricultural land is a negative to be weighed in the planning balance recognising the aforementioned reasons why it would not itself form a reason for refusal.

## 12. Sustainability of the Location of Development

The site is located outside any defined settlement area. In this case the application site is on the edge of the developed area of Haslemere. To the north is Scotland Close; to the east of Red Court; and to the northeast of site of the recently allowed on appeal "Scotland Park Phase 1" where site clearance has now occurred. Therefore, the proposal would not appear isolated. As such it the proposal would not be considered to represent isolated dwellings. There would be no need to engage paragraph 80 of the NPPF.



Policy ST1 of the 2018 Local Plan and paragraph 110(a) of the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Local and national policy assesses the sustainability of the transport offer in the context of the location and asks whether appropriate opportunities to promote sustainable transport have been taken up.

Policy DM15 (a) of the Local Plan Part 2 states that development in rural areas should not be isolated from everyday services and facilities, while maximising opportunities for walking and cycling and seeking to avoid dependency on private vehicles, taking account of the nature and functional needs of forms of development which are acceptable in rural areas. Isolated new development shall be resisted by the Council unless there are special circumstances which justify the development; such as where the type of development is appropriate for the location, or the re-use of a redundant building would enhance its immediate setting.

Officers have regard to the Guidelines for Providing for Journeys on Foot published by The Institution of Highways and Transportation (2000) which suggests that a 2km/25minute walk is the most people are likely to do for their day to day needs without taking the car.

This submission is supported by a Transport Statement (dated 21 June 2022), which gives an assessment of surrounding key facilities and services and the existing network of suitable walking and cycling infrastructure connected to these amenities; along with proposed improvements.

Haslemere is identified as a main settlement under Policy SP2 of the Local Plan (Part 1) 2018 and as a Community with Key Services in the Waverley Settlement Hierarchy Factual Update 2012. Haslemere contains an extensive range of services and facilities.

The site vehicle access is approx. 1.2km to the south Haslemere Town Centre, positioned on the A286 Midhurst Road, which is a typical 14minute walk and there would be a permissive route through Scotland Park Phase 1 to Scotland Lane. There are bus stops located at Midhurst Road (to the west of the site), Lower Street (to the north of the site), Camelsdale Road (to the southwest of the site) and Petworth Road (to the northeast) providing bus services 19 (Aldershot), 23 and 23X (Alton), 70 (Midhurst/Guildford), 71 (Godalming/Guildford); 13 (Alton/Haslemere/ Basingstoke), 70 (Guildford/Midhurst). Haslemere High Street has bus stops that access bus services 19 and 70.

Haslemere Train Station is approx. 1.5km from the application site, (20minute walk) and provides regular access to London Waterloo and Portsmouth Harbour. The site is considered to be in a sustainable location in sufficient proximity to shops and services and with access to various alternative travel options to the private car. Given the site's close proximity to the Built Up Area, the location itself would not be an

unsustainable location for residential development and would not conflict with Policy DM15 (a) in this regard.

### 13. Countryside and landscape impacts

The application site is a Greenfield site located within the Countryside beyond the Green Belt outside any defined settlement area, comprising three paddocks in the northern part of the site, and then slopes down steeply to the south which comprises parkland, woodland (Red Court Woods) and fields and therefore has a rural undeveloped character.

Policy RE1 of the Local Plan (Part 1) 2018 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF. Policy DM15 of the Local Plan (Part 2) 2023 also recognises the natural beauty and undeveloped character which is intrinsic to the open countryside.

The site is also within an Area of Outstanding Natural Beauty (AONB) and within the setting of the South Downs National Park. Policy RE3 of the Local Plan (Part 1) 2018 states that the protection and enhancement of the character and qualities of the Surrey Hills Area of Outstanding Natural Beauty (AONB) that is of national importance will be a priority and will include the application of national planning policies together with the Surrey Hills AONB Management Plan.

Section 85 of the Countryside and Rights of Way Act 2000 states that in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

Paragraph 041 (reference ID: 8-041-20190721) of the NPPG 2019 states that all development in Areas of Outstanding Beauty will need to be located and designed in a way that reflects their status as landscapes of the highest quality.

Paragraph 176 of the NPPF requires 'great weight' to be given to conserving and enhancing landscape beauty in AONBs. Furthermore, paragraph 176 also requires the scale and extent of development within an AONB to be limited.

Where applications for major development come forward, paragraph 177 of the Framework states that planning permission should be refused for major development, other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest, consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Considering the currently rural, undeveloped nature of the land that would be affected, and the scale of the proposed residential scheme with 111 homes, access roads and associated infrastructure, the proposal would constitute major development for the purposes of assessment under paragraph 177 of the NPPF; in line with footnote 60 of the NPPF, a point not disputed in the applicants planning statement, therefore permission should be refused other than in exceptional circumstances .

The Surrey Hills AONB Management Plan 2020 -2025 sets out a vision and policies for the conservation of the natural beauty of the Surrey Hills landscape. The vision for the Surrey Hills recognises that the landscape will change but ensures that it changes in a way that conserves and enhances its special qualities. In doing so, it also needs to maintain the social and economic viability of the Surrey Hills in a sustainable manner.

Policy P1 of the Surrey Hills AONB Management Plan reflects paragraph 176 of the NPPF outlined above. Policy P2 of the Management Plan gives attention to potential impacts on ridgelines, public views and tranquillity; as well as material colour and dark skies. Policy P6 of the Surrey Hills Management Plan 2020 -2025 states that 'development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted'.

Many of the important and distinctive features of the Surrey Hills include sunken lanes, traditional signs, boundary walls and fences, and the general use of local materials, such as ironstone paving and sandstone kerbs. The relatively high car ownership in Surrey contrasts with a lack of convenient public and community transport. The increasing volume of traffic leads to a loss of tranquillity, damage to features such as verges, and the introduction of highway engineering solutions that can detract from the rural character of the area.

The key pressures and threats identified during the process of developing the Management Plan, and most relevant to this planning application are housing development and traffic.

The Waverley Borough Council Landscape Review (2014) identifies the site (segment HE05A) as having:

- some landscape qualities;
- medium contribution to the settlement setting;
- moderate visual prominence;
- low intervisibility;
- moderate landscape sensitivity; and
- medium landscape value

The Landscape Review (2014) considers development in segment HE05 to be 'likely to have a negative impact on the landscape due to the topography and access to the area'. The Landscape Review (2014) was commissioned by the Council with the aim

of assessing the ability of the landscape to accommodate future residential development in areas of the Borough, which in turn provided evidence to inform the Local Plan (Part 1) 2018.

The application site is located in the Hindhead Wooded Greensand Hills (GW5) as defined by the Surrey Landscape Character Assessment (SHCA). GW5 is a broad area which wraps around Haslemere, Greysot and Hindhead and Beacon Hill, at the south-western edge of the County. The area is defined by the settlement edges to the south and west, the extent of underlying greensand to the east and the transition to lower, open greensand hills to the north. The character area is within the Surrey Hills AONB.

The key characteristics of the Hindhead Wooded Greensand Hills are its complex topography, heavily wooded area, with some significant areas of Ancient Woodlands and pockets of heathland and small scale, mainly pastoral, fields bounded by intact hedgerows. There is watercourse along valleys. Hindhead golf course occupies the northwestern end of the character area. Woodland encloses the majority of the character area, however, gaps in woodland cover allow long distance views, particularly from higher ground, over the wider landscape to the north and east, such as from the edge of the Devil's Punchbowl and Gibbet Hill.

The A3 passes through the area, partially within a tunnel. There are some minor lanes within the character area, mainly within the south-west corner, but elsewhere access through the woodland is limited to informal tracks and a comprehensive network of public rights of way. The Portsmouth Direct railway line passes through the south-eastern part of the character area.

The central and northern parts of the character area have almost no settlement, but a few farmsteads and small groups of dwellings are present towards the south of the character area.

Towards the centre of the character area are large tracts of registered common land and Open Access Land, in particular Hindhead Common. Cross Dyke on Hindhead golf course is a scheduled monument.

Significant proportion of the character area is covered by a combination of ecological designations including Sites of Special Scientific Interest, Sites of Nature Conservation Importance and the Wealden Heaths Special Protection Area.

Devil's Punch Bowl and Gibbet Hill are popular visitor attractors but as a whole, this heavily wooded and undulating character area, is peaceful and remote due to its enclosed nature and limited access within the majority of the character area.

The landscape strategy for the Wooded Greensand Hills is to conserve the remote and relatively unsettled, rural landscape with its varied woodland, areas of open heathland, rural lanes, and views over wider landscape to the south. Elements to be enhanced and conserved are field boundaries, woodland and heathland, and the sunken rural lanes.

### Landscape and Visual Impact

The application is supported by a Landscape and Visual Assessment (Chapter 10 of the Environmental Statement). This assesses the nature of a landscape or visual receptor's sensitivity by combining judgements about its susceptibility to change arising from the specific proposal with judgements about the value attached to the receptor. This includes combining judgements about matters such as the size and scale of the change, the extent of the area over which it occurs, whether it is reversible or not and whether it is short or long term in duration. The effects have been based on the different components of the development and identification of the receptors that will be affected by them (landscape receptors and visual receptors).

Most of the area for the new housing is relatively visually contained. There are, however, local views from Midhurst Road, from a footpath which runs alongside the road and from residential properties with Scotland Close, and potentially from the consented but unbuilt scheme (Scotland Close Phase 1). These visual effect are summaries in the Table below:

| Visual impact on existing receptors summary         | Duration<br>Permanent, long-term or short-term | Nature<br>Direct, indirect, secondary or cumulative | Significance<br>Substantial, moderate, slight or neutral (beneficial or adverse) | Notes  |
|---|--|---|--|--|
| <b>Visual Receptor</b>                              |  |   |  |  |
| <b>Public Highways and Transport (public views)</b> |  |   |  |  |
| <b>Midhurst Road</b>                                |  |   |  |  |
| Junction improvements                               | Permanent                                      | Direct  | Moderate Adverse   | New junction to be formed, allowing views into site  |
| <b>PRoW (public views)</b>                          |  |   |  |  |
| Footpath along Midhurst Road                        | Permanent                                      | Direct  | Substantial Adverse  | Planting proposed but residual adverse effects   |
| <b>Residential Properties (private views)</b>       |  |   |  |  |
| Scotland Close                                      | Permanent                                      | Direct  | Moderate Adverse   | Filtered and some open views likely from gardens and upper storey windows since these are visible from the application site.     |
| Scotland Park Phase 1                               | Permanent                                      | Direct  | Slight Adverse   | Filtered and some open views likely from gardens and upper storey windows since these will be visible from the application site. |

Visual Impacts on Midhurst Road, Junction Improvements and PRoW

Midhurst Road is one of the main roads that connects Haslemere to Midhurst to the south, Godalming to the north as well as Liphook to the west. This section of Midhurst Road is rural in character and defined with dense tree cover surrounding the narrow road and sits partly within a sunken lane. Whilst there are dwellings along Midhurst Road, these are relatively modest in size and well screened by nature of the road. The dense tree cover, partly sunken lane and steeply sloping field within the site, adjacent to Midhurst Road, provide a natural open landscape which acts as a natural buffer to any apparent built form as one approaches Haslemere. The existing dwellings to the east and west of Midhurst Road are not prominent and the sense of enclosure and being within the countryside is maintained until nearly 200m north of the junction of Midhurst Road, Courts Hill Road and Hill Road.

The vehicular access onto Midhurst Road would necessitate the widening of part of the road and the loss of boundary trees and vegetation to achieve the access and visibility splays. The applicants have outlined in their response to landscape issues raised by the Surrey Hills AONB Office, advising that loss of trees along Midhurst Road will result in a substantial change to the character of this section of the road, opening up views into the Site and of Red Court Woods. The applicant's response goes on to state that this is not necessarily detrimental as outlined below:

“The approach has been to establish the character of a high-quality entrance into an estate; an established landscape character type within the AONB. The estate railings, lodge house, parkland landscape, unlit access drive with a separated pedestrian cycle route all make a positive contribution to establishing this character. And so while the character may change the character is considered of a type and quality appropriate to the AONB. Nevertheless, as a belt and braces approach the scheme will also re-establish the enclosed green corridor of the lane. It is proposed to undertake advance tree planting, which will include semi-mature stock, planted in an area of ground that will remain unchanged and protected during construction. This will, once established, screen views into the Site to users of the lane, with the lodge remaining as a high quality landmark feature at the entrance. The traffic levels on the Midhurst Road are sufficiently high that the additional traffic accessing the Proposed Development will not result in a noticeable change to the aural environment of the lane.”

Currently, there are existing views through the boundary trees and vegetation into the site when traveling north along Midhurst Road and the adjacent PRoW. This is apparent in Appendix 1 of the Environmental Statement (Addendum to the Landscape and Visual Assessment (dated February 2023)). Viewpoints 3 and 5 of the VLIA provide glimpses of the open and undeveloped slope where the proposed access road and SANG carpark would be constructed. The Council disagree with the opinion of the applicant's landscape response whereby it considered that the loss of the trees along the site of the road is not detrimental and consider that that the proposal would significantly and adversely change the rural character of Midhurst Road.

As stated by the South Downs National Park Authority, the A286 Midhurst Road is a historic route and important experience, leaving Haslemere and entering SDNP - a gateway route into the National Park (one of the SDNPA's gateway signs being located a little to the south of the junction with the A287). Chapter 10 of the Environment Statement outlines that in the long term the design seeks to re-establish the enclosed character of the Midhurst Road through the creation of hedge banks and tree planting. It is proposed to use larger size plant stock around the entrance to reduce the time the landscaping will become effective mitigation. However, the transition from town to countryside would be significantly undermined by the increase in number of traffic movements and the significant engineering works whereby the narrow tree lined character of this route would be lost, resulting in a route into the site which would appear larger than Midhurst Road itself.

The character of this length of the narrow main road which is undisturbed by development and marks the start of the countryside beyond the built-up area of Haslemere, and it would not be possible to re-establish this key characteristic, resulting in a substantial adverse effect on the green sunken and enclosed character of Midhurst Road.

#### Visual Impacts on Scotland Close

The central northern field where the majority of the built development would be sited adjoins the defined edge of the settlement of Haslemere, along the site's northern boundary adjacent to the rear gardens of Scotland Lane. A planting buffer has been created to screen development from Scotland Close, along the site's northern boundary. However, it is likely that there would be filtered and some open views from gardens and upper storey windows of Scotland Close considering these are visible from the application site, which would result in a moderate adverse effect to the occupiers of Scotland Close.

#### Other receptors

The development consented at Scotland Lane WA/2020/1213, will also increase the visual importance of this undeveloped part of the AONB. The site would be clearly visible as residents transition in and out of the SANG land (and also from points when walking through the SANG) to the south that would be shared with this site. The loss of this space to housing would significantly and adversely impact on the future occupants appreciation of the surroundings within the AONB and countryside.

#### Conclusion - Landscape Effects

The application site lies within the AONB which is considered to have a high landscape value and high sensitivity. The proposed development will have a substantial adverse effect on the landscape character of the area where the new houses and required infrastructure will be built.

The main built development would be located on open rolling fields on high ground with its own intrinsic landscape value providing an attractive setting to Haslemere. The hills around the country town of Haslemere make an important contribution to its distinctive character. Some of the development would be on the highest point of the local landscape within the northern part of the site which is currently, open pasture land and does not contain any built form. Development would also be located to the north west part of the site on open pasture with a steep land gradient, whereby dwellings would be partly built into the slope at 2.5 storeys in height.

It is considered that the development would result in major development in the AONB that would adversely affect the landscape character of the local area and the AONB. Although the site is relatively visually contained there are local views into the site from the adjacent public right of way and longer more distant views from the surrounding landscape.

To the south of the proposed developed area, the existing woodland area would screen the development from the south. It is considered that this is a substantial area of woodland, much of which would become SANG and greenspace. Therefore, it would be expected that its protection and long-term retention set out within a Landscape and Ecological Management Plan would be ensured and continue to screen the proposed development in the future.

The proposed outline residential development would replace open fields on a plateau sitting above the developed area of Haslemere with substantial built form and associated infrastructure. Whilst the majority of the views of the site would appear to be more localised rather than far reaching, as a result of the screening surrounding the site, these views would still be in the public domain, including from the proposed SANG. The proposed development would have an adverse impact upon the intrinsic character and beauty of the countryside by virtue of the urbanising effect of the built form. The indicative plans submitted, comprises a quantum of development and a layout which would appear as a significantly built-up residential area.

The submitted LVIA draws comparisons to Scotland Park Phase 1 and the Inspectors comments in para 128 of the Appeal Decision. The LVIA states that Scotland Park Phase 2 has been designed by the same architects that designed Phase 1, using the same design principles and considers if the urban area of Scotland Park Phase 2 was designed in accordance with the design principles used within Scotland Park Phase 1, then it would be appropriate to the local area, ensuring that the character and amenity of the borough are protected.

Whilst Officers note that the site lies directly to the south of the developed area of Haslemere and to the south west of Scotland Park Phase 1, the verge of the developed settlement is clearly defined by a strong linear edge of Scotland Close that signifies an end to the developed area and the beginning of the open fields and blocks of woodland to the south, which conforms to the values of the AONB.



Although the site well contained, the undeveloped, open and rural nature of the site, in its elevated position makes an important contribution to the AONB. Visiting the site and reviewing the LVIA, it is of note that the site has high amenity value with no detracting features which devalue its AONB classification.

Officers are of the view that the proposed residential development would cause adverse harm to the distinctive open nature of the site and would erode this distinctive edge between the open countryside and developed area by the introduction of significant built form. Officers also have concerns that the proposed residential development has a poor relationship with the settlement boundary. It would appear detached from the developed area, and would have little visual association with the built environment of the developed area; and would not respond appropriately to the site's wider context being located in the AONB, causing further harm to the character and appearance of the countryside, contrary to Policies SP1, RE1 and RE3 of the Local Plan (Part 1) 2018 and paragraphs 176 and 177 of the NPPF.

#### Impact on the Setting of the South Downs National Park

South Downs National Park Office (SDNP) make no comments about the principle or detail of the proposed housing development but do object to the proposal. The SDNP is not convinced that the application fully demonstrates an understanding of the existing landscape, its role in contributing to the setting of the SDNP, and how the setting of the National Park would be conserved or enhanced and their consultation response comments expand upon this and include suggestions where improvements could be made.

A detailed response to this objection was submitted by the applicant to address each point raised. The SDNP maintain that parts of the application site comprise the setting of the National Park (southern part of the SANG and land adjacent to the A286 Midhurst Road). They advise that The LPAs consideration of the proposals would therefore be better informed by a comprehensive assessment of how the site contributes to the setting of the SDNP and how the proposals would conserve and enhance the setting in line with the SDNP's first purpose (to conserve and enhance the natural beauty, wildlife and cultural heritage of the area).

The SDNP maintain support for provision of nonvehicular connectivity to the National Park in line with the SDNP's second purpose to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public, and consider that it may be appropriate for the LPA to seek a contribution towards repair or upgrade works if permission were ultimately granted.

The SDNP advise that the A286 Midhurst Road is a historic route and important experience, leaving Haslemere and entering SDNP - a gateway route into the National Park (one of the SDNPA's gateway signs being located a little to the south

of the junction with the A287). The transition from town to countryside is likely to be significantly undermined by tree loss (the narrow, tree lined character of this route is not being replaced) and significant engineering works. The route into the site also appears larger than Midhurst Road itself. Overall the development's impact becomes far more overt and negative to users of Midhurst Road as a result of this design and engineering. This new road entrance onto the A286 is described as being designed to reflect the character of an entrance to a country park or estate. The SDNP consider a country park character would not be characteristic for the setting of the SDNP.

As such, the proposed access would have a detrimental impact on the setting of the South Downs National Park as a result of the tree loss adjacent to Midhurst Road and significant engineering works, contrary to Policy RE3 of the Local Plan Part 1 (2018) and paragraph 176 of the NPPF.

#### 14. Design and Impact on visual amenity

Policy TD1 of the Local Plan (Part 1) 2018, Policies DM1 and DM4 of LPP2, Policy H6 of the Haslemere Neighbourhood Plan and paragraphs 126 and 130 of the NPPF requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness.

##### Full planning application matters:

This hybrid application has the following matters submitted for full permission:

- Junction alterations at Midhurst Road to form a new access.
- One dwelling (gatehouse) located at proposed Midhurst Road access.
- Car parking facilities to serve proposed SANG.
- Scout facility (Use Class F).
- Forest School education facility (Use Class F).
- Circa 9.69 hectares Suitable Alternative Natural Greenspace (SANG).

There is concern regarding the junction alterations and new access into the proposed development and the impact on the area, however these concerns are addressed in detail in the Impact on the AONB section of this report and shall not be repeated here.

The proposed detached two-storey gatehouse would be located near the access onto Midhurst Road and would have a GIA of approx. 140.3m<sup>2</sup>. It would comprise a living/kitchen/dining room area, study, W/C and porch on the ground floor and three double-bedrooms, an en-suite and a bathroom on the first floor.

The importance of a gatehouse is its introduction to the wider site and signals what one can expect, i.e. the approach to a large country home. Concerns were raised through the consultation process regarding the urban and hardening appearance of the proposed retaining wall along the access road and adjacent to the gatehouse. The revised plans show a reduction in the retaining wall height by 0.5m, and includes a ramblers pavilion along the wall to lessen the impact of the wall on the entrance approach. The wall materials would include Bargate stone and brick, traditionally found across the area. Additional soft landscaping would be planting (fruit trees) to soften the wall. Overall, these amendments have addressed the above concerns regarding the harsh appearance of the retaining wall at the entrance to the site. However, it would still result in an urbanising feature when viewed with the new access road.

The gatehouse itself has been designed to appear as attractive landmark feature. It is a good example of a well-designed traditional arts and crafts movement style building of the late 19th and early 20th centuries. For example, the kickouts on the eaves, the dog/dragon tooth brickwork around the large and robust chimney stack, the brick course detail running around eaves of the building, the detailing around the arched windows and front door, and the relationship between the first-floor bay window, the way it intersects the eaves as well as the detailing below it to the ground floor window. Lastly, a strong feature is the boundary wall, which extends from eaves of the dwelling and curves around the perimeter of the plot. This incorporates the wall into the architecture of the dwelling. Simple forms and traditional techniques that have been developed for this element of the proposal are considered a positive design aspect of the scheme. Very high-quality materials and finishing would be expected, which could be conditioned in the event of planning permission being granted.

The Scout Hut would be located towards the eastern part of site, would be relatively low level and low key in appearance and set deep within the woods. The boundary landscaping would be managed to ensure that screening is maintained. The proposal includes a minor change in topography of site to facilitate its construction, however this mitigates the impact of building in the wider landscape. It is considered that the Scout Hut would be appropriate for its context and similarity to the gatehouse the materials would need to be controlled via condition, in the event of planning permission being granted.

The Forest School is also set deep within the woods. It is considered to be appropriate for its context. It would comprise a simple design and scale and make use of natural materials with subtle colours which respect the character and appearance of the setting. It is proposed to create two smaller buildings, one for the school and other for the associated toilets. It is considered that this is the most appropriate response to forest school setting, rather than one large building.

With regard to the provision of a SANG on the southern part of the site, given that this involves limited intervention and retains the existing landscape character, officers are of the view that this element of the development is acceptable.

#### Outline Planning Matters:

Design, layout, scale and landscaping are matters that are reserved for the main housing parcel and therefore do not fall to be considered under this application. However, it is important to consider whether, notwithstanding the harmful impact of the proposal on the countryside and AONB, the scheme could be provided on this site that reflect the design, scale and density of development in the locality.

An indicative layout plan, including landscaping, along with elevations, sections and illustrations has been submitted with the application which shows how the development could potentially be laid out.

The outline proposal has been amended and the changes are discussed in detail in the submitted Design and Access Statement Addendum. The amended Master Plan shows a reduction in size of the developable area of the overall number of units reduced from 124 to 111. This has come about as a result of concerns raised regarding the densely packed nature of the central area of development, where there was little public amenity space. The Parameter Plan illustrates that denser development would be focused closer to existing development of Scotland Close and also pulled away from periphery to provide a generous buffer. The principle of this approach is considered acceptable.

The Illustrative Master Plan has been informed by local urban pattern, built character, architectural style, construction detail and building materials. It includes 7 broad character areas reflecting the architectural vernacular and formal/classical forms of Haslemere and neighbouring small towns and villages. A key consideration which has been satisfactorily explored through the indicative layout is the creation of amenity areas, the links through to open spaces throughout site, and around the periphery of the built development and connections to the SANG. The indicative layout of parking spaces does demonstrate that a good variety of on-street and off-street parking as well as parking courtyards screened to the rear of development. The layout also details the provision of a 3-metre-wide footway/cycle link connecting to the application site to the Scotland Park Phase 1 site. The provision of this link is positive in terms of permeability

The Application is supported by a density study (appendix A of the Design and Access Statement), The density of the central area would now be 25 - 35 dwelling per hectare, which is not considered significantly high. The densities reduce to the east and west of the central field. This has been achieved by removal of the Park Lodge, an increase in the amenity area to the flats, the loosening of the street frontage to the central area and park edge, and the widening of the existing green

corridor to the west, and creation of a green finger connecting the Central Square to the parkland. This provides a total of four wildlife connections between the southern woodland and parkland and the 10m green buffer along the northern boundary and Scotland Close.

Concerns were raised by the LPA regarding how the proposed dwellings on the northwest slope could be achieved with the steep gradient of the land. The additional details and sections satisfactorily address the concerns raised by the Council regarding the levels of dwellings in the northwest of site and how this can be achieved. These details demonstrate how the dwellings could be provided taking account of the topography of the site and the relationship with the adjacent dwellings on Scotland Close. Building heights would be restricted 2.5 storeys in this location. It is considered that there is demonstrated an efficient use of space, and this would need to be assessed further at a detailed matters stage, if approval was forthcoming.

Overall, the Master Plan demonstrates that a scheme could come forward at the reserved matters stage achieve a site layout with a density of up to 111 dwellings which creates a safe, permeable and legible development.

### Trees

Policy NE2 of the LPP1 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Policy DM11 of the LPP2 seeks to retain and protect woodland, important trees, groups of trees and hedgerows and provide adequate separation between trees or hedgerows and the proposed development.

Policy DM11 of the LPP2 2023 goes onto say that where significant harm to existing woodland and important trees and hedgerows cannot be avoided, it should be adequately mitigated for, or, as a last resort, compensated for. Proposals which would result in the loss or deterioration of irreplaceable habitats or a detrimental impact on the landscape character of the area will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists. Paragraph 180 of the NPPF reflects this.

The proposal identifies verge/highway trees for removal. Currently the vegetative edge provides screening from the proposed access route and maintaining a verdant rural characteristic typical of country roads within the AONB. There are sizeable trees and of some age (50-100years) which would be lost within the required splay areas. These are of high quality and make a positive contribution to the surroundings. If the trees were removed to facilitate the access for development, then they would require significant sized replacement to create an instant mature 'feel' with associated maintenance provision.

Concerns were previously raised with the applicant regarding the lack of substantive connectivity with other existing wooded/treed areas to benefit wildlife, migration and

retention of linear features as feeding routes for such creatures as bats. It is noted that the amended proposal appears to have addressed these issues by creating space and greater separation.

Landscaping is a matter that is reserved and therefore does not fall to be considered under this application. However, it is worth noting that the proposed street planting the type of tree sizes proposed would not reflect the rural character of the trees beyond the site boundary that would be a greater benefit than the smaller ornaments. With such planting of short-lived tree types this would tend to amplify the urbanisation effects of development and would be out of keeping with the AONB. Paragraph 131 of the NPPF requires decisions to ensure that new streets are tree lined. Substantial sized trees would therefore be appropriate, bringing into the development a sense of rural character from outside. As outlined in the Design and Visual Amenity section, no objection is raised to the proposed densities, however if planning permission was forthcoming, appropriate layout and adequate space for substantial trees should be considered at the reserved matters stage.

It is considered that the proposed tree removal and the significant engineering works to Midhurst Road would have a permanent significant adverse impact on the landscape character contrary to Policy NE2 of the Local Plan (Part 1), Policy DM11 of the Local Plan (Part 2) 2023 and paragraph 180 of the NPPF.

## 15. Housing mix

The NPPF states that a local housing needs assessment should be made to determine the amount, type, size and tenure of housing needed and reflected in policy. Policy AHN3 of the Local Plan 2018 (Part 1) sets out that proposals will be required to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA). The West Surrey Strategic Housing Market Assessment 2015 (SHMA) sets out the likely profile of household types in the housing market area. The SHMA 2015 provides indicative requirements for different dwelling sizes.

In addition to the West Surrey SHMA, the published West Surrey SHMA: Waverley Addendum 2015 provides more specific information for the Borough. This includes indicative requirements for different dwelling sizes for both market and affordable housing. The housing consultation carried out in 2015 demonstrated an acceptance for building more smaller homes and using a housing mix similar to the data for Haslemere from the West Surrey Housing Market Assessment Waverley Addendum 2015

Policy H5 of the Haslemere Neighbourhood Plan states that new residential developments should provide a range of dwelling types and sizes to meet the needs of the neighbourhood area taking into account the most up-to-date evidence and

reflect the character of existing development in the surrounding area. The subtext of this policy states that Haslemere has a greater need for one-bedroomed dwellings than Waverley as a whole (Tables 1 and 2 in the Neighbourhood Plan).

The needs identified in the SHMA are shown in the table below:

| Tenure     | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4+ Bedroom |
|------------|-----------|-----------|-----------|------------|
| Market     | 10%       | 30%       | 40%       | 20%        |
| Affordable | 40%       | 30%       | 25%       | 5%         |

The proposal would provide the following indicative mix of dwellings on site:

| Tenure                 | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4+ Bedroom |          |
|------------------------|-----------|-----------|-----------|------------|----------|
| Market inc. self-build | 8 (11%)   | 19 (27%)  | 26 (37%)  | 18 (25%)   | 71 (64%) |
| Affordable             | 19 (47%)  | 12 (30%)  | 9 (23%)   | 0          | 40 (36%) |
|                        |           |           |           |            | 111      |

The development proposes a higher percentage of one-bed units than the SHMA indicates, with a slightly lower amount of larger (2 and 3+ bed) housing. Given the emphasis within the Haslemere Neighbourhood Plan (Policy H5) on the need for one-bedroom dwellings, this is considered to be appropriate. Overall, the scheme provides a good range of dwelling sizes for the market units. The mix and tenure of affordable units is assessed in the below section.

Any recommendation for approval would be subject to a S106 agreement to secure the housing mix.

## 16. Affordable Housing

Policy AHN1 of the Local Plan Part 1 (2018) states that the Council will require a minimum provision of 30% affordable housing on all housing development sites which meet the required criteria and the proposal accords with this 30% requirement. Policy H4 of the Haslemere Neighbourhood Plan seeks to provide sufficient affordable housing of the right type.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2016-2019. As a strategic housing authority, the Council has a role in promoting the development of additional affordable homes to meet local housing need, particularly as land supply for development is limited. Planning mechanisms are an essential part of the Council's strategy of meeting local housing needs.

The West Surrey SHMA 2015 indicates a high need for affordable housing in Waverley, with an additional 314 additional affordable homes required per annum. As at 23/03/2022 there were 1,301 households registered on the Council's Housing Register. The 2015 SHMA recommends that new affordable homes be provided in a mix of 70% rent and 30% shared ownership. In addition to this, the NPPF requires 25% of the affordable housing provision on each site to be for First Homes. A First Home is a discounted market sale product sold at a 50% discount and the sale price after discount must be no higher than £250,000. In practice, due to high property prices in Waverley, this means that First Homes will be 1 and 2 bed dwellings. The Government now also requires a minimum of 10% affordable home ownership across the site (the Council's guidance of 30% of the affordable housing to be home ownership equates to only 9%). The 10% affordable home ownership and 25% First Homes requirements take precedence over the Council's SHMA recommended tenure mix.

The Design Report Addendum includes an indicative affordable housing bed size mix, which indicates that 40 affordable homes would be provided (35% of total housing on the site), however the applicant has not advised which units are proposed for which tenure. Had this proposal been acceptable in all other respects, this is something that the Council would have explored further with a recommended mix from the Council's Housing Enabling Team (taking into account the considerations above) as set out below:

- The bed-size mix has more 1-beds and fewer 2-beds than the Housing Affordability Study recommends.
- No affordable tenure mix is provided.
- A full accommodation schedule showing tenure, type, bed size and rent levels of all affordable homes on the application site is required in order to be able to make a decision on whether the affordable housing offer meets the demonstrated needs and is acceptable.

The Waverley Housing Affordability Study 2021 is the Council's latest evidence of need. It advises that there is a demonstrated need in the different affordable tenures for affordable homes with a specified no. of bedrooms. In some tenures, there are restrictions in what can be provided (e.g. First Homes in Waverley will have to be 1-bed or 2-bed flats, due to the cap on the sale price of £250k after the 30% discount is applied). It is considered that the mix of bed sizes could be improved to align more closely with the identified need.

The Council's priority for rented housing is for social rents as reflected in our Affordable Homes Delivery Strategy 2022-25: Build More, Build Better, Build for Life, under Action BB2 which states 'delivery of social rent is considered first, in preference to Affordable Rent on all planning applications requiring affordable housing.' Therefore, the provision of social rather than affordable rents is recommended. Social rent is the most affordable tenure of all, equivalent to around



55% of the local market rent, and there is a pressing need to deliver this tenure to meet the needs of Waverley's lowest income households. This should be set out clearly in the S106 agreement in the event that permission is granted.

It should be noted that this is not a Rural Exception Site, so there is no policy reason to restrict occupation of the affordable homes on this site to households with a Haslemere connection.

The affordable housing is described in the Design Report Addendum as for local people. However, we would expect the affordable homes to meet a boroughwide housing need, and to be advertised via Waverley HomeChoice in the normal way, in line with our adopted Housing Allocation Scheme.

All market and affordable homes should meet the Nationally Described Space Standards, something that would be considered at the reserved matters stage in the event of permission being granted.

Whilst the principle of providing 35% affordable housing represents a benefit of the scheme, the lack of an agreed tenure mix and the lack of a completed legal agreement means that the proposal in its current form would conflict with Policy AHN1 of the Local Plan Part 1 (2018) and H4 of the Haslemere Neighbourhood Plan.

#### 17. Impact on Setting of Heritage Assets

Policy HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Policy DM20 of the LPP2 2023 relates to development affecting Listed Buildings.

Section 16 of the Planning (Listed Buildings and Conservations Areas) Act 1990 states that in considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraphs 199, 200, 201 and 202 of the NPPF are of particular relevance when considering the impact of a proposed development on the significance of a designated heritage asset, and outline great weight should be given to the asset's conservation.

The application is supported by a Built Heritage Statement (Chapter 7 of the ES) along with additional information within the ES addendum. The ES concludes that the development proposal would not harm the setting or appreciation of the significance of the listed buildings at Red Court, its curtilage listed structures, its historic garden, nor the significance of the listed buildings at Lowder Mill.

#### **Heritage Assets potentially affected:**

Grade II listed building – Red Court and associated curtilage listed structures

Grade II listed building – Houndless Water, Lowder Mill Road  
Grade II listed building – Stedlands Farm, Bell Vale Lane  
Grade II listed buildings – Lowder Mill - The Mill House and Former Mill Building

### **Significance of Heritage Assets:**

Red Court is a large two-storey house built in the late 19th century and designed by Ernest Newton. It is important as an early example of revival of classical 18th century style but with some Queen Anne touches remaining. It is one of several country houses built in the surrounding hills of Haslemere in the late 19th/ early 20th century. There are several structures on the property including the staff cottages and stables which due to their age (pre-1948), physical layout, past and present ownership and ancillary uses are considered to be curtilage listed. The heritage significance of the listed building is largely derived from architectural and historic interest associated with its physical fabric.

The application site historically formed part of the wider estate of Red Court and contributes to its tranquillity, remoteness and sense of enclosure. The experience of the heritage asset's is as part of a country estate with views of the surrounding landscape. The application site is therefore considered to form part of the setting of the heritage assets as it contributes to the wider setting and how the property is experienced as an isolated country estate with views of the surrounding landscape, despite its proximity to the centre of Haslemere. The degree to which the northern part of the application site contributes to the significance is considered to be reasonably low as it is part of a larger backdrop and does not form part of the wider landscape views towards the south downs. The southern part of the site (including the woodland) is considered to contribute to the significance to a greater extent, because it forms part of the main views from the house.

Houndless Water is a 17th century house which has subsequently been altered and extended. Its significance is largely derived from its architectural (visual aesthetic) and historic interest. The application site lies on higher land to the listed building with limited intervisibility and therefore, whilst forming part of its wider rural/wooded setting, its contribution is considered to be limited.

Stedlands Farm is a 16th century timber framed farmhouse of two builds, the roof at right being higher. It forms part of a small historic farmstead and therefore its significance is mainly derived from its architectural (visual aesthetic) and historic interest as evidence for farming practises in small woodland farmsteads. The southern section of the application site forms part of the wider rural/woodland backdrop and therefore forms part of its setting and contributes to its significance.

The Mill House is a painted brick and stone cottage formed of three parallel hipped roofs, with possible earlier 17th century timber framed core. The disused 18th century mill building to the south east of the mill-house is L-shaped with stone and red brick. Together with its leats system, the two buildings form a small mill complex whose significance is largely derived from architectural and historic interest associated with its physical fabric and evidence for past milling practises. The southern section of the application site forms part of the wider rural/woodland backdrop which is consistent with their setting in the 18th century and therefore contributes to its significance.

## **Assessment of Heritage Assets:**

The proposed housing would introduce development into a previously undeveloped area and alter the setting by changes to the skyline and introducing more light pollution, particularly during the winter and autumn months. Due to the proximity of the site some of the built form would be visible from the curtilage listed structures closest to the boundary. Overall, these changes would suburbanise the general character of the surrounding landscape, however, the proposed additional planting on the boundary would be a good level of screening on this boundary and the views (particularly in the winter months) would not impact on the historic or architectural significance of these buildings or their functional relationship as service accommodation to the main house. It would also have limited intervisibility with Red Court itself which would retain its feeling of being located within a spacious garden plot, its sense of privacy and the ability to appreciate views over the South Downs (provided the parameter plans showing density and building height are adhered to in the area of land immediately adjacent). Therefore, no harm is identified.

Due to the topography and woodland in between, the proposed housing, access, scout hut and forest school will not be visible from the other listed buildings. Therefore, no harm to these heritage assets is identified. The proposed SANG would introduce paths, SUDS, a community orchard and more trees on the southern field, opposite Lowder Mill and next to Stedlands Farm, however it would still give the appearance of an open field, therefore no harm is identified.

The proposed development is not considered to result in harm to the significance of the heritage asset and therefore is in accordance with Policy HA1 of the Local Plan Part 1, Policy DM20 of the Local Plan Part 2 and paragraphs 126, 130, 199, 200, 201 and 202 of the NPPF.

### 18. Impact on residential amenity

Policy TD1 of the Local Plan (Part 1) 2018 and Policy DM5 of the Local Plan Part 2 seeks to protect future and existing amenities for occupant and neighbours and ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development. Paragraph 130(f) of the NPPF relates to amenity.

Policy LRC1 states that proposals for new residential development will be expected to make provision for play space in accordance with the Fields in Trust (FIT) standard. For the size of the development proposed, the FIT Benchmark guidelines set out a requirement of an on-site Local Area of Play (LAP) and a Local Equipped Area for Play (LEAP). Policy TD1 of the Local Plan 2018 (Part 1) states that development should maximise opportunities to improve the quality of life, health and well-being of current and future residents. Specifically, these should be opportunities for:

- private, communal and public amenity space;
- appropriate internal space standards; and on site play space

### Existing Occupier Amenity

The proposal would share a boundary with the recently approved dwellings under construction to the northeast, known as Scotland Park Phase 1, along with the existing dwellings at Scotland Lane to the north and Red Court to the east. The outlook from the rear/side of these dwellings adjoining the boundary would be altered by the current proposal, with a housing estate replacing currently open green fields the impact of each of these existing occupiers is considered below.

### Scotland Close

Proposed outline dwellings would be located to the south and southwest of existing residential dwellings on Scotland Close. Due to the topography of the area the proposed dwellings in the northern central field would be at a higher land level than the existing neighbouring dwellings, whilst the proposed dwellings in the north-eastern field would be at slightly lower land levels that fall away steeply to the south west and north west. The indicative Master Plan and Addendum to the Design and Access Statement demonstrates that rear to rear elevation separation distances of approx. 31.4m – 56.4m can be achieved between the proposed dwellings and the dwellings on Scotland Lane. This would include a minimum 10m landscape buffer, which has been planted.

As the Neighbourhood Design Guide requires an overlooking distance between homes that exceeds 21m, the separation between Scotland Close and the proposed buildings exceeds this distance, as shown in the indicative plans, whilst also providing adequate amenity space for the future dwellings. In assessing the indicative plans, no concerns are raised regarding a loss of privacy, sunlight daylight or outlook, or any overbearing impact to the dwellings on Scotland Close.

### Red Court

Red Court is located to the east of the application site, with the property being set away from the boundary by approx. 58m. The proposed dwellings illustrated on the indicative Master Plan would be the 'earth house' which would be partly below ground level, and the self-build/custom bungalows at a maximum of 1.5 storeys. The indicative Mast Plan demonstrates that these dwellings could be set off the boundary by between approx. 10.5m – 17.5m. In assessing the indicative plans, no concerns are raised regarding a loss of privacy, sunlight daylight or outlook, or any overbearing impact to Red Court.

### Scotland Park Phase 1

Although not yet constructed and occupied, site clearance and condition discharge has commenced. It is likely that Scotland Park Phase 1 will come forward and therefore it is a material consideration. Scotland Park Phase 1 is located to the northeast of the application site. The illustrative Master Plan shows a permissive pedestrian route joining each site, along with proposed dwellings sited approx. 14m - 16m from the site boundary. The approved layout of Scotland Part Phase 1 shows buildings set back from the boundary by a similar distance and therefore no concerns are raised regarding a loss of privacy, sunlight daylight or outlook, or any overbearing impact to the future residents of the adjoining permitted scheme.

### Future Occupier Amenity

The proposed gatehouse is the only dwelling being considered under the full planning application element of this hybrid proposal. The gatehouse has been considered against the technical housing standards - nationally described space standard dated March 2015 (the national standard). The dwelling would measure approx. 140.3m<sup>2</sup> over the ground and first floor. This floor area would meet the minimum standard of 103m<sup>2</sup> for a three-bedroom, six-person dwelling over 2 floors as set out in the standard.

All bedrooms meet the national standards area and width requirements, and all habitable rooms would be provided with suitable outlook and privacy. There would also be generous private amenity space measuring approx. 14m in depth.

Included in the detailed matters is also the on-site SANG. This would provide an additional facility which both the future residents and the public could use. The SANG is discussed further in the report.

The remainder of the proposal relevant to future occupier amenity is in outline form, there are no floor plans, but there is indicative layouts and elevations/section plans to enable some consideration of the standard of occupation for future occupants.

The proposal would be required to provide:

- Local Area of Play and Local Equipped Area of Play
- Appropriate private gardens/ communal gardens for each dwelling/flat
- Adequate light and outlook for each dwelling
- Sufficient internal space to accord with Government Technical Housing standards – nationally described space standards (2015)

The indicative masterplan and Landscape Design strategy includes 3 LAPs throughout the main urban area, 2 LEAPs (to northwest and one in the south field), along with a large parkland area. It is currently unclear if the LEAPs are in the most appropriate locations. Neither are particularly overlooked by surrounding development to provide natural surveillance and the space in the northwest appears

hemmed in between Midhurst Road and the proposed access road. Whilst there appears to be adequate space to accommodate the required open space, further investigation would be required regarding the most suitable location at a detailed matters stage,

In addition to the amenity space provided as outlined above, the proposal includes an on-site SANG. This would provide an additional facility which both the future residents and the public could use. The SANG is discussed further in the report.

Overall, it is considered that the indicative proposal could provide sufficient amenity and play space to meet the needs of the proposed development and that sufficient distance between built form can be achieved to protect future residents' amenity.

### Noise and Disturbance Impacts

Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location by taking into account the 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. This includes, inter alia, mitigating and reducing to a minimum the potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life. This is reflected in Policy DM1 of the LPP2 which seeks to avoid significant harm to the health or amenity of occupants of nearby land and buildings, and future occupants of the development, including by way of an unacceptable increase in pollution, light, noise, dust, vibration, and odour.

It is considered that the proposed development would not generate any adverse noise conditions during the operational phase of the proposal. However, noise from construction is likely to have an adverse effect on surrounding receptors and consideration therefore needs to be given to mitigating and minimising those effects.

In the event that permission is granted, a condition to secure a Construction Environmental Management Plan, to ensure that construction activity is properly controlled so as not to adversely affect the occupiers of surrounding properties and habitats during this temporary period.

A lighting strategy has not been submitted at this outline stage. Therefore, it is not possible to assess any impact from obtrusive light and the potential impact on residential amenity. It should also be noted that in 2016 the National Park was designated as an International Dark Night Skies Reserve. Development outside of the National Park (even when in close proximity to existing sources of sky glow) can adversely affect sky quality within the DNS Reserve.

If the planning permission was forthcoming, a condition requiring submission and approval of a lighting strategy (including lighting during construction) would be required.

## 19. Effect on the SPAs

In light of the recent European Court of Justice ruling (Case C 323/17 - People Over Wind and Sweetman 2018) relating to the Habitats Directive, mitigation cannot be taken into consideration at screening stage. This judgement affects the way the Council approaches Habitats Regulations Assessments and therefore an Appropriate Assessment has been undertaken for the site.

The proposal comprises the creation of up to 111 residential dwellings. It lies within 5km of the Wealden Heaths II Special Protection Area and would result in a net increase in the number of people permanently living on the site.

The application includes the delivery of circa 9.69 hectares Suitable Alternative Natural Greenspace (SANG). The provision of SANG is part of a strategy to avoid an adverse effect on the integrity of the Wealden Heaths Phase II Special Protection Area (SPA), as described in the separate Information for Habitats Regulations Assessment report (IfHRA) submitted with the application. The proposal goes beyond the measures secured on part of the Site through the recent 'Phase 1' planning consent at Red Court.

The SANG proposal would include the permissive path, alongside additional pathways, a circular walk through mature woodland, parkland and grassland habitats, connected to on-site open space and existing public rights of way and the South Downs, along with enhanced green infrastructure.

The application includes a SANG Creation and Management Plan (chapter 9, appendix 9.3 of the ES) for the proposed area of SANG. In addition to the Detailed Landscape Plans (Planting Plans), additional plans have been provided within the planning Statement to highlight specific elements of habitat creation and management. The SANG is being applied for as part of the full planning application and also falls under a specific set of legal and policy requirements.

The information to support the Habitats Regulation Assessment contains sufficient information to undertake an Appropriate Assessment. The Council, as the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), have carried out the Appropriate Assessment.

It is acknowledged that the site is close to a large recreation ground (Haslemere War Memorial Recreation Ground) and there is availability of alternative recreational space (Black Down and Marley Common) in closer walking/driving proximity to the site than the Devils' Punch Bowl. However, given the uncertainty as to whether the development, in combination with other development, would cause a significant adverse effect on the integrity of the SPA, it is considered that in order for the development to comply with the Conservation of Habitats and Species Regulations 2017 and to avoid a likely significant effect upon the Wealden Heaths II SPA, that a S106 agreement is required as part of any subsequent planning approval to secure the proposed SANG and package of outlined mitigation measures in perpetuity.

As there is sufficient certainty that these measures will be effective and can be secured (the land outlined for the SANG is in ownership and control of the applicant), they can be taken into consideration when in carrying out the Appropriate Assessment. The Appropriate Assessment concludes that subject to securing the package of mitigation measures, the proposed development would not contribute to additional recreation pressure on the SPA and would therefore not have an adverse impact on the integrity of the SPA.

In order to secure the SANG delivery, it would be secured within the Section 106 Agreement. Without this in place, it is concluded that the proposal would result in a significant effect upon the SPAs and is therefore in conflict with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023, Policy H12 of the Haslemere Neighbourhood Plan, and the adopted Avoidance Strategy.

## 20. Biodiversity

Policy NE1 of the Local Plan (Part 1) 2018 states that the Council will seek to conserve and enhance biodiversity. Development will be permitted provided it retains, protects and enhances biodiversity and ensures any negative impacts are avoided or, if unavoidable, mitigated.

Policy DM1 seeks to not cause harm or damage to ecological assets; and avoid negative impacts upon biodiversity deliver the minimum biodiversity net gain of 10% as required by the Environment Act 2021.

Further, Circular 06/2005 states 'It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before planning permission is granted.'

Paragraph 8 of the NPPF relates to sustainable development, paragraphs 174 and 179 of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment in terms of, and amongst other matters, minimising impacts on and providing net gains for biodiversity; and paragraph 180 of the NPPF provides guidance regarding habitats and biodiversity when determining planning applications.

The NPPF paragraph 174(d) states that planning decisions should minimise impacts on and provide net gains for biodiversity and paragraph 179(b) states that plans should secure measurable net gains for biodiversity. Further, the Government set out its commitment to achieve Biodiversity Net Gain within its 25 Year Environment Plan, which will be mandated within the upcoming Environment Bill. The Environment Bill is likely to require all future schemes to deliver a mandatory 10% biodiversity net gain.

The Ecology chapter of the supporting Environmental Statement assesses the potential impacts of the proposed development on the wildlife of the site and the surrounding area. The application is also supported by an Ecological Survey Report (dated 18 November 2022), Biodiversity Net Gain (BNG) and Enhancement Strategy (dated 24 February 2023); along with a tree survey and protection, SANG Creation and Management Plan, Outline Landscape and Ecological Management Plan, Green



and Blue Infrastructure Plan, Landscape Design Strategy, and Information for Habitats Regulations Assessment (HRA).

The Proposed Development is located in an area of species-poor grassland of a kind that is common and widespread in the surrounding landscape and across lowland Britain. Habitats around the development area have greater ecological value, although they are largely not in good ecological condition: the UK's best habitats are usually those subject to traditional forms of management (coppiced woodland, grazed ancient pasture and heaths etc.), which has been absent from the site for some time.

The Surrey Wildlife Trust (SWT) has been consulted on the application and has provided a detailed consultation response, which the applicant has sought to address with a written response to the consultation and updated Survey Report and BNG and enhancement strategy. SWT required prior to determination:

- Submit up to date survey information for protected species and associated impact avoidance and mitigation proposals
- Badger mitigation strategy
- Further clarification of approach or presence / absence surveys for great crested newts
- Consult Natural England on appropriateness of the proposed Wealden Heaths avoidance mitigation
- Clarification of impact on deciduous woodland HPI
- Clarification of retention and protection of important hedgerow
- Clarification of impact on SNCIs Clarification of stated BNG values

In response to SWT the applicant has submitted updated surveys and ecology reports along with a detailed response to each point raised. On review of the further information SWT have provided a consultation response raising concerns with the proposal as outlined below.

### Wildlife Corridors

The proposed development would result in the removal of a section of trees alongside Midhurst Road. We have been made aware through comments on this application that this forms part of Haslemere's Ecological Network and is shown as a 'woody/vegetation' corridor (as illustrated on map 8, Appendix 3) of the Haslemere Neighbourhood Plan. Policy H12 of Haslemere Neighbourhood Plan states 'Haslemere's Ecological Network (the key elements of which are shown on Figures 8a and 8b) shall be maintained, protected, consolidated, extended and enhanced as appropriate to their existing designations and biodiversity status. Development that negatively affects these sites or fragments the network will not be supported unless appropriate mitigation is incorporated within the proposal'.

The submitted supporting documents have not appropriately demonstrated that the proposed development would not negatively affect and/or fragment this wildlife corridor, as such it is contrary to Neighbourhood Plan policy H12; details of appropriate mitigation for this particular aspect should be provided.

Furthermore, the proposed enhanced wildlife corridors within the residential area are partially fragmented by residential roads (in particular the most easterly of the three); if tree canopy cover can be maintained across these roads this may provide connectivity for arboreal species but would not be suitable for species such as badger or European hedgehog. Lighting associated with the residential dwellings and roads may also mean these corridors are not suitable for nocturnal species such as bats and hazel dormouse).

#### Requirement to submit up to date Information

Concerns were previously raised regarding the Ecology section of the Environmental Statement (Section 9.1) which summarises surveys for great crested newt, bats, reptiles, birds, badger and dormouse and notes that some update surveys are underway (bat activity, bat static detector, dormouse and reptile) with some update surveys having recently been completed (data search, UK habitat, badger, PRA of trees and birds) but the full reports have not all been submitted. It therefore remains that there is insufficient information.

#### Great crested newts

The applicant has advised Great crested newts were scoped out of the ecology assessment as there are no desktop records within 500m of the site; Surrey Amphibian and Reptile Group rated the probability of great crested newts being present as 'unlikely presence; the ponds closest to the site have poor or below average suitability for great crested newts; and the development footprint is within habitat of low suitability for terrestrial great crested newts (grazed and mown grassland).

However, the great crested newt HSI survey has not been updated since 2018. The above referenced Ecology Survey Report now includes a map showing 18 ponds within 500m of the proposed development site. The 2018 surveys included a Habitat Suitability Index assessment of 7 of these ponds (of which 2 were found to be below average suitability for GCN). No updated HSI survey, or surveys to assess the remaining 11 ponds appears to have been undertaken. The ecologist appears to have scoped out GCN due to a lack of records within 500m (although there is a record within 1km) and that a 2018 data search by the Surrey Amphibian and Reptile Group assessed GCN presence as unlikely. It is maintained that best practice (as per Natural England's Standing Advice) is for all ponds within 500m to be assessed for their suitability for GCN and that all suitable ponds (including those with below average suitability for GCN) should be subject to further presence/likely absence survey.

Without full survey information and/ or up to date ecological survey information the ecological consequences of the proposed development cannot be adequately considered.

#### Hazel Dormouse

The proposed development appears to affect suitable habitat for hazel dormouse. Suitable habitat for hazel dormouse exists locally and records and the 2018 survey indicate local presence. There is therefore a reasonable likelihood of hazel dormouse being present and adversely affected by the proposed development. It is understood

that an up-to-date survey for this species is currently underway but the above referenced Ecology Report notes only 1 survey visit has been undertaken and, therefore, this is currently incomplete with further survey visits in 2023 required.

the LPA has a duty to consider impacts to hazel dormouse when assessing applications and due to the lack of surveys the LPA does not have sufficient information on which to base a decision under Regulation 55(9)(b). The LPA cannot be sure that the applicant will be able to maintain the population at favourable condition status as the presence of the species is not known and therefore appropriate avoidance, mitigation and compensation measures cannot be determined.

### Badgers

The applicant has advised that Badgers are not likely to be adversely affected by the development as the latest survey found the setts are no longer in use and that the development would be more than 30m away from these setts. However, the survey information has not been provided. SWT advise that immediately prior to the start of development works, a survey of the site by an appropriately qualified and experienced ecologist should be undertaken within the proposed development boundary and a 30m buffer, to search for any new badger setts and confirm that any setts present remain inactive.

### Bats

The Ecology report states that 'Most of the mature trees (including those in the hedgerow to be removed) to be lost to facilitate the development were assessed to have low bat roosting potential.' However, further details, including whether any trees have moderate or high potential to support roosting bats have not been provided (although a Section of Table 5.1 has been redacted so this may contain the necessary information). Trees with moderate or high bat roosting potential should be subject to further bat survey in line with best practice prior to determination. Trees with low bat roosting potential can be soft felled following a precautionary approach for bats.

The proposed development would appear to result in works to trees which would result in loss or disturbance to active bat roosts where present. There is therefore a reasonable likelihood of bats being present and affected by the proposed development. Therefore a bat preliminary ground level roost assessment, undertaken by a suitably experienced ecologist in line with best practice guidance, would be undertaken (or submitted) prior to determination.

The Ecology Report also identified a number of bat species utilising the proposed site, including Barbastelle bats for which the site is assessed as being of up to regional importance. The impact of the proposed development on bats, in particular the importance of the wildlife corridor along Midhurst Road and the loss of a section of this to provide the access road on bats needs to be assessed prior to determination. Without this the ecological consequences of the proposed development cannot be adequately considered.

### Protected habitat - Lowland mixed deciduous woodland Habitat of Principle Importance

The lowland mixed deciduous woodland is a Habitat of Principle Importance. The SANG is proposed to be located in an area of HPI woodland, there will be some loss of habitat and increased visitor pressure, although it is acknowledged that there will be improved management of the retained woodland to improve its quality. The Applicant proposes three sperate LEMPs, main site, scout hut; and, forest School. This would secure appropriate management designed to improve the condition of the habitats for 30 years. Appropriate management arrangements can also be agreed via the S106.

The provision of LEMPs is supported, however, it is not clear what activities will be undertaken or associated with these areas, what the likely ecological impacts of these might be and whether any specific mitigation or compensation is required.

#### Protected habitat – Hedgerows

The retained hedgerow, which is located in the middle of the site is considered to be a Habitat of Principal Importance and the retained sections will be protected in line with Root Protection Zones (RPZ). Any retained trees will also be protected and detailed in the CEMP. However, SWT advise that the applicants response refers to a hedgerow in the middle of the site which is a Habitat of Principal Importance (HPI); note this is not the same as an important hedgerow so further clarification on whether this is the hedgerow previously referred to is required.

The applicants response also states that ‘The majority of the Hedgerow is shown on Plan 6046 / PL 10 as retained’. This implies that some of the HPI hedgerow will be lost; it is important that the amount of loss is quantified so that appropriate compensation can be undertaken. The information provided at this stage is insufficient in this regard.

#### Protected habitat – Site of Nature Conservation Importance (SNCI)

The applicant has advised that the proposed development would not have any direct impacts on the Blackdown and Valewood Park SNCI. It is outside of the project’s application boundary (and separated from it by more than 300m). Residents from the proposed new development may use the National Trust property, in accordance with National Trust’s open access policies. Furthermore, the provision of the SANG will minimise the visitor pressure on the SNCI given it provides an alternative green space for residents to visit.

#### Requirement to demonstrate a measurable biodiversity net gain

The applicant has confirmed that the development would deliver a biodiversity net gain of 35%. Net gain land used for the Phase 1 development was not counted in the calculations for the Phase 2 development. The Phase 1 scheme has a separate Wealden Heaths Mitigation Strategy. The SANG now proposed is an enhancement of the measures already secured. As no SANG is presently on the land, and the extent of the WHMS already secured is far smaller, no discounting is applicable. The habitat enhancement and management required to deliver the BNG is above and beyond the management required to provide the conditions suitable for the SANG function. Habitat work for SANG delivery is primarily related to opening up areas adjacent to the paths through woodlands. Management and enhancement for BNG goes beyond

this to include woodland management (coppicing, ride management, edge habitat management etc) across the whole woodland, new mixed scrub planting, enhanced SUDS features, hedgerow planting, grassland creation and enhanced management of retained grassland. Further details of the BNG delivery including additionality can be secured via a suitably worded planning condition

SWT therefore advise that should the LPA should secure the biodiversity net gain that has been identified in the biodiversity net gain assessment. This will be required prior to commencement.

### Biodiversity and Ecological Enhancements

Under section 40 of the NERC Act (2006), and paragraph 180 of the NPPF, biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF, the implementation of enhancements for biodiversity should be encouraged.

The applicants have submitted a BNG and Enhancement Strategy (dated 24 February 2023). This objectively shows that the development will achieve a habitats unit net gain of 35% and a hedgerow unit net gain of 24%, largely achieved through the management of woodland to restore it to good ecological condition, and the creation of new species-rich grassland.

In addition to the creation of a SANG and its long-term management, other enhancements would include:

- Provision of invertebrate, bird and bat boxes on dwellings and suitable trees and other suitable locations
- Provision of reptile hibernacula in suitable locations.
- Provision of hedgehog houses in suitable locations.
- Provision of hedgehog holes in the fences of residential dwellings.

To secure suitable measures for the management of the retained, enhanced and created habitats, a Landscape Ecological Management Plan (LEMP) would be secured by condition if planning permission was forthcoming, and the delivery of the SANG would be secured via S106.

The Local Planning Authority have carried out their duty of care under Regulation 9(3) of The Conservation of Habitats and Species Regulations 2017 to protect the species identified under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

The proposal would also retain existing habitat and introduce appropriate long-term management, which, in combination with the creation of new wildlife habitat, would enhance the biodiversity value of the site.

### 21. Highways Safety Access and Parking

Paragraph 110 of the NPPF requires development to promote sustainable transport modes, provide safe and suitable access, design streets in compliance with National

Design Code and any impacts from the development on the existing road network are effectively mitigated.

Paragraph 111 of the NPPF states that development proposals should not be refused on highways grounds unless a severe impact is demonstrated.

Policy ST1 of the Local Plan 2018 (Part 1) states that development schemes should be located where they are accessible by forms of travel other than by private car, should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use.

Policy DM9 of the LPP2 seeks to promote sustainable transport modes and patterns and provide safe and convenient access for all highway users.

Policy H7 of the Haslemere Neighbourhood Plan states that proposals for new housing should ensure that they are well and safely connected with the existing settlement, and provide for sustainable transport options.

Highways matters are dealt with in Chapter 12, Traffic and Transport, of the Environmental Statement. The application is supported by Transport Assessment (TA) (dated 21 June 2022) (appendix 12.1 of the Environmental Statement) along with highways plans. The ES has made an assessment of both the construction transport impacts and the fully occupational phase of the development, taking account of the magnitude of likely impacts on receptors, and the sensitivity of those receptors.

A package of revised documents was submitted by the applicant and a re-consultation was issued by a press notice and site notice (on 17 March 2023), and individual neighbour notification to the owners and occupiers of neighbouring properties and statutory consultees (on 14 March 2023). These included Appendix 2 of the Environmental Statement Addendum containing drawing numbers 7054-004 Rev B and 17054-024 Rev A (Sheets 1 to 8).

Further to the above submission for which a formal consultation was issued, the applicant submitted a further package of revised documents and plans on 5 April 2023 and two further revisions to highways plans 24 April 2023. This included a Stage 1 Road Safety Audit and subsequently revised highways plans (drawing numbers 17054 – 002 Rev F, 7054-004 Rev C and 17054-024 Rev D (Sheets 1 to 8).

The amended drawing numbers 17054 – 002 Rev F and 7054-004 Rev C in relation to the proposed access and the footpath connection at the junction of Scotland Land and Midhurst Road are considered to result in very minor changes and would not materially alter the proposed scheme. However, the amendments to drawing numbers 17054-024 Rev D (Sheets 1 to 8) are considered to result in a material alteration to the proposed scheme. These changes would include the removal of the proposed 30 MPH speed limit and proposed 30 MPH roundels along Midhurst Road,

alteration to the proposed pedestrian crossing, cut back of vegetation and construction of a footway. There has been insufficient time to carried out a public consultation on these amended highways plans received on 5 April 2023 and 24 April 2023, without an agreed extension of time in place.

Therefore, the Council has taken into consideration the previously submitted and publicly consulted on plans (17054-024 Rev A (Sheets 1 to 8)) in determining this planning application. It is considered that these plans, developed in absence of the updated Road Safety Audit and illustrating a reduction in speed limit to 30 MPH, result in an insufficient provision for off-site highways safety mitigation works to adequately accommodate the proposed development, contrary to Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and the NPPF.

### Access

Chapter 12 of the Environmental Statement briefly sets out the local highway network around the application site and the traffic survey data has been utilised to inform the design of the site access. One vehicular access into the application site is proposed at Midhurst Road, with a ghosted right turn lane and adequate visibility splays of 4.5m x 90m proposed. The design of the junction has been carried out having regard to the Design Manual for Roads and Bridges, Manual for Streets and the advice received from the Highway Authority. The access and street layout within the site has been designed to accommodate a large refuse vehicle in accordance with the Council specification (Waste and Recycling Guidance Notes. 4.43). A swept path analysis has been carried out to inform and design the street layout. The largest vehicle likely to require regular access to the Site is a refuse vehicle. Reference has been made to Waverley Borough Council's 'Requirements for Refuse and Recycling Provision on New Developments'.

In terms of pedestrian access, the site layout has been developed with a high degree of pedestrian permeability, with pedestrian access accommodated from Midhurst Road, Bell Vale Lane (through the SANG) and Scotland Lane. An existing public right of way (Footpath 597) is proposed to be diverted alongside Midhurst Road, to facilitate the site access. This is outlined in the Transport Assessment. The diversion is minor, and would still facilitate movement on a north/south axis alongside Midhurst Road. The footpath created would act as an enhancement over the existing, which is narrow, and directly adjacent to Midhurst Road.

The Site layout includes a pedestrian and cycle link to the consented Scotland Park Phase 1 development (WA/2020/1213) which provides access to Scotland Lane and on to Haslemere town centre.

As outlined above the highways safety improvements, developed in absence of an updated Road Safety Audit and illustrating a reduction in speed limit to 30 MPH, result in an insufficient provision for off-site highways safety mitigation works to

adequately accommodate the proposed development, contrary to Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and the NPPF.

### Trips

A number of traffic surveys and a detailed capacity assessment have been carried out to inform the TA. Trip rates have been established through the use of the TRICS database to establish a level of vehicular trips associated with the development proposals. This is summarised in Table 12.6 of Chapter 12 of the ES. The proposal is expected to generate 67 two-way car trips during the AM peak and 60 two-way car trips during the PM peak period. It is not considered that the proposed development will result in a significant increase in vehicular trips on the surrounding highway network. The Highway Authority considers that the proposal will not have a material impact on highway safety.

### Parking

The proposal includes two car parks for ramblers and walkers, the first adjacent to Midhurst Road (north of the new proposed access) and the second adjacent the Gate Lodge off Bell Vale Lane (south of the site) providing access to the National Trust's Black Down park.

The proposal seeks a total of 21 car parking spaces to serve the SANG / Scout Facility and Forest School, the SANG car park accessed immediately adjacent to the main site access from Midhurst Road. In addition, permission is sought for private car parking spaces for the one dwelling in detail.

The outline Master Plan demonstrates that car parking can be provided in accordance with the standards set out within both Waverley Borough Council's and Surrey County Council's adopted car parking guidance.

Electric vehicle charging points will be provided in accordance with the minimum standards set out within Surrey County Council's Vehicular and Cycle Parking Guidance.

Cycle parking will be provided in accordance with the minimum standards set out within Waverley Borough Council's Cycle Parking Guidance and Surrey County Council's Cycle Parking Guidance. As such secure cycle parking will be provided in accordance with adopted cycle parking standards

Lastly, refuse collection and servicing can be accommodated within the internal street layout and refuse collection can be carried out in accordance with the maximum refuse carry distances, for operatives and residents,

### Construction Phase



The construction process for the Proposed Development will be phased and is expected to take between 24 and 36 months. During construction, vehicles will enter and leave the Site from Midhurst Road (via the proposed Site access).

It is anticipated that the standard working hours for construction activities will be from 08:00 to 18:00 hours Monday to Friday and from 08:00 to 13:00 hours on Saturdays. There will be no noisy working on Sundays or Bank Holidays.

In order to carefully manage the construction process, a set of management measures will be prepared with the construction contractors and adopted as part of the Construction Transport Management Plan.

#### Additional Highways Mitigation and Contributions

As set out within the submitted TA a package of improvement measures has been developed that seek to maximise the use of sustainable transport, improve pedestrian links between the Site and Haslemere town centre and rail station and enhance road safety. The Highway Authority have also requested contributions as set out below:

1. A contribution of £32,600 towards the upgrade of the Rights of Way network within the vicinity of the site.
2. A contribution of £6,150 towards the monitoring of the Travel Plan.
3. Prior to the occupation of the 25th dwelling the developer shall pay to the County Council an index linked sum of £100,000 for the provision by the County Council of a Demand Responsive Bus Service.
  - A) To pay to the County Council four further index linked sums of £100,000, each payable upon the first, second, third and fourth anniversaries of the payment made pursuant to paragraph 1 above for the provision by the County Council of a Demand Responsive Bus Service.
  - B) The County Council shall provide:
    - (a) The Demand Responsive Bus Service using the contributions paid to it.
    - (b) The County Council shall monitor the usage of the Demand Responsive Bus Service annually to help inform the routing and timetable of the Bus Service.
    - (c) The County Council covenant that if the County Council shall not have expended or committed to be spent the Demand Responsive Bus Service Contribution within one calendar year from the date of the last payment made pursuant to paragraph 3(a) above, then the County Council shall utilise the monies towards other Passenger Transport initiatives within the vicinity of the site.

- (d) All financial contributions due to the Highway Authority shall be index linked using the prevailing Retail Price Index (RPI) from the payment date to the date of any resolution to grant planning consent.

The ES concludes that having considered the traffic impact and road safety implications of the development proposals it is concluded that the Proposed Development would not prejudice the operation of the neighbouring highway or the existing condition of road safety. It is concluded that any environmental impacts attributable to the development proposals are 'negligible'. Subject to conditions and an appropriate legal agreement to secure the abovementioned contributions, the Council would agree with the conclusions of the ES.

However, in the absence of an appropriate legal agreement to secure highway improvements, the provision of visibility splays and sustainable travel improvements, the proposal would result in an adverse impact on highway safety, and would fail to maximise opportunities for sustainable travel in conflict with Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and the NPPF.

## 22. Sustainability

Paragraph 154 of the NPPF outlines that new development should avoid increased vulnerability to the range of impacts arising from climate change. It should ensure that risks can be managed through suitable adaptation measures that can help to reduce greenhouse gas emissions, such as through its location, orientation, and design.

Policy CC1 of the Local Plan Part 1 relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, including measure that use renewable and low carbon energy supply systems, provide appropriate flood storage capacity, address issues of flood risk, provide high standards of sustainable design and construction with built-in resilience to climate change; or use green infrastructure and SuDS to help absorb heat, reduce surface water run-off and support habitat networks.

Policy CC2 seeks to promote sustainable patterns of development and reduce the level of greenhouse gas emissions. It sets out a number of strategies to achieve this which include measures to minimise energy and water use through the development's design, layout, landscape and orientation; ensuring that the development is designed to encourage walking, cycling, and access to sustainable forms of transport; incorporating measures that protect and, where possible, enhance the biodiversity value of the site.

Policy DM1 of the LPP2 seeks to avoid exacerbating climate change and damage to the environment caused by the emission of greenhouse gases.

The application is supported by the Climate Change and Greenhouse Gases document (chapter 8 of the ES) and the ES addendum. The addendum includes an additional cycle way and a revision to the Green and Blue Infrastructure parameter plan, which include a new wildlife corridor and additional swales, provide embedded mitigation in relation to the vulnerability of the Proposed Development to climate change.

The precise details in relation to the scheme and its sustainability credentials will be a matter for consideration at the reserved matters stage in relation to the outline proposal. However, the application is supported by a Sustainability and Energy Statement (dated 21 June 2022) and has assessed the proposed against Waverly's Climate Change and Sustainability SPD using the Climate Change and Sustainability Checklist (appendix B of the Design and Access Statement addendum).

The results of this review indicate that 77% of the measures outlined in the checklist have been demonstrated in the Outline Planning Application, 10% will be demonstrated at a later stage, and 3% cannot be demonstrated. 10% of the measures were deemed not applicable to the site. The measures that are yet to be demonstrated include ventilation system sizing, capacity of gutters, use of reclaimed or recycled materials, and incorporation of greywater recycling and rainwater harvesting measures. These elements will be demonstrated later in the project, with details being included in applications for Approval of Reserved Matters

The proposal outlines that all dwellings would be Certified Passivhaus standard which follows the "fabric-first" approach to demand reduction. Moreover, it is proposed to be the first scheme in Surrey to achieve 'Excellent' Building with Nature standards accreditation, and one of only a handful in the UK. All dwellings would exceed the governments proposed 2025 Future Homes Standard of 75% to 80% lower CO2 emissions, than compliance with current regulations (Part L1A 2013/2016) implies.

The scheme has been assessed for sustainable features such as photovoltaic panels solar panels (PV) and the most effective locations for applying them (63% of dwellings have been identified as priority potential).

Other key commitments include:

- Self-build 'earth house' will be Certified to PassivHaus Plus standard.
- Space heating systems will not use natural gas
- Low levels of air permeability based on a "build tight, ventilate right" approach
- Water consumption will be  $\leq 105$  litres/person/day.
- Low environmental impact construction materials will be utilised
- Electric vehicle charging points
- 6.9 ha of Suitable Alternative Natural Greenspace (SANG)
- enhancement in biodiversity

- Residential Community Association set up as part of the Management Company

Further to providing sustainable linkages and pathways through the site, a new cycling path is added to the south of the development area in support of the Waverley Borough cycling plan promoting cycling and alternative active travel options. The new cycleway will connect through the site offering an alternative to car transportation and a lower-carbon lifestyle.

Also proposed is the provision of appropriate SuDS system, highways improvements, sustainable linkages and pathways through the site and a new cycling path to increase opportunities for sustainable modes of transport and measures to enhance the proposed open space and the biodiversity of the site.

Following the implementation of the above measures, residual effects on future users of the Site and ecology, landscaping and planting reduce to Minor Adverse and Not Significant in EIA terms. In light of the above, it is considered that that the proposed development would be sustainable and in accordance in Policies CC1 and CC2 of the Local Plan (Part 1) 2018 and paragraph 154 of the NPPF.

### 23. Water infrastructure

Thames Water were consulted in relation to the application and in response identified an inability of the existing foul water network to accommodate the future needs of the proposed development, along with highlighting that upgrades to water network would be required beyond 50 dwellings. The proposed development should not outpace delivery of infrastructure, therefore Thames Water have suggested conditions to any permission that would restrict occupation on the residential units until network upgrades have been completed in accordance with an agreed housing and infrastructure plan. Such a condition is considered sufficient to address this issue.

### 24. Flood and Drainage

Paragraph 166 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and that schemes incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate. Paragraph 168 of the NPPF also goes on to say that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Policy CC4 of the LPP1 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed. In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate flood risk location, it would

not constrain the natural function of the flood plain and where sequential and exception tests have been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals. Policy DM1 of the LPP2 seeks to avoid an increase in flood risk.

Criteria (d) of site-specific policy SS1 of the Local Plan 2018 states that “built development should be focused on the parts of the site at lowest risk of flooding (Flood Zone 1).

The NPPF follows a sequential risk based approach in determining the suitability of land for development in flood risk areas, with the intention of steering all new development to the lowest flood risk areas. 3.6.2 NPPF’s relevant PPG (Flood Risk and Coastal Change, dated 6th March 2014) includes site ‘flood risk vulnerability classification’, which depends on the proposed usage (Table 2, Paragraph: 066 Reference ID: 7-066-20140306). This classification is subsequently applied to Table 3 (Paragraph: 067 Reference ID: 7-067-20140306) to determine whether the proposed development is suitable for the flood zone in which it is located, and; whether an Exception Test is required for the proposed development.

The application is supported by a Flood Risk Assessment (dated February 2023) (appendix 4 of the Environmental Statement (ES) addendum) and a Green Blue Infrastructure Plan (PL/07A). This is an update to the FRA (dated June 2022) in response to comments received from the LLFA, and supersedes the 2022 FRA in its entirety.

The application site is located predominantly in Flood Zone 1, with a small strip on the southern edge of the site in Flood Zones 2 and 3 (within SANG), which is land defined by the Planning Practice Guidance (PPG) as having a medium and high probability of flooding respectively. The SANG would be classified as water compatible. All buildings, roads and the vehicle access would be located within Flood Zone 1, which would be appropriate for development classed as ‘more vulnerable’ and ‘less vulnerable’. Therefore, officers are satisfied that the application has passed the Sequential Test to steering new development to areas of lowest probability of flooding.

EA groundwater mapping confirms that the site lies within an Outer Zone Groundwater Source Protection Zone and within a Principal Aquifer. The WBC SFRA’s confirm that there are no records of any non-fluvial flood events on the site.

The FRA concludes that there is limited potential to the proposed residential development of flooding from groundwater, very low risk of surface water flooding, no records of historic fluvial flooding incidents occurring on the development site’s location. There are no external sewer flooding events recorded in the region in which the site is located.

The FRA should be read in conjunction with the Proposed Drainage Strategy and Surface Water Drainage Layout and Details (appendix F of the Environmental Statement). This details surface water drainage and run-off measures proposed.

The Environment Agency (the EA) have reviewed the proposal and provided a consultation response (dated 28 December 2022). The EA have not been able to consider the revised FRA within in the consultation period. However, it is not considered that the revised FRA would materially affect the previous comments. The EA have previously advised that the application site partially lies within Flood Zones 2 and 3, which is land defined by the Planning Practice Guidance (PPG) as having a medium and high probability of flooding respectively. They understand that Bell Vale Lane is an existing right of way and there will be no changes under the proposed development, any built development located within this area would need to include an assessment of climate change. In accordance with Policy CC4 of the LPP1 and paragraph 167 of the NPPF, the proposed development will be acceptable, subject to conditions in relation to the development being carried out in accordance with the FRA and mitigation measures (all built development shall be within Flood Zone 1); and in accordance with the SANG Creation and Management Plan (ref 21/09-4B dated 22 June 2022) and the mitigation measures.

The proposed drainage network includes SuDS in the form of rain gardens, permeable paving, green roofs, swales, attenuation basins and a cellular storage tank. The network is split between an eastern and a western catchment. The western catchments collects surface water from a low point around the site access and discharges it to ground via infiltration from a cellular storage tank. The eastern catchment collects surface water for the remainder of the site and utilises a combination of lined swales and attenuation basins before discharging it at a restricted rate to the watercourse adjacent to the southern boundary of the site.

The network has been designed to contain the 1 in 100 year with a +25% allowance for climate change. Sensitivity testing has been carried out on the network which demonstrate no flooding up to the 1 in 100 year event with a +45% climate change allowance.

Following comments received from the Local Lead Flood Authority (LLFA), the drainage design has been altered by raising the level of the outfall by 150mm on the main attenuation basin in the south of the Site. All rainfall for low return period events (first 5mm) will be contained below the level of the outfall and allowed to infiltrate to ground.

Further to sustainable drainage design, an additional swale would be constructed within the grassland and conifer forest areas west of the site. The applicants propose a suitable SuDS (permeable paving and rain gardens) within the development parcel. With this, the applicant assessment that adequate capacity within the watercourse is

satisfactory. It will be necessary to carry out groundwater monitoring during the winter, but this could be conditioned if planning permission was forthcoming.

The County Lead Local Flood Authority (LLFA) has been consulted on the revised proposed drainage strategy and advised that they are satisfied that the proposed drainage scheme meets the requirements set out in the FRA ref: 332110731/2001 rev 1 (dated February 2023) and are content with the development proposed, subject to conditions in relation to the submission and approval in writing and, implementation and maintenance of the SuDs scheme.

## 25. Utilities

Policy ICS1 of the Local Plan Part 1 states that infrastructure to support new development must be provided. Owing to the size of the development, there would be additional pressures on existing utilities infrastructure. Drainage and water infrastructure have been discussed in the 'Flooding and drainage' and 'Water infrastructure' sections of this report. A Utilities Appraisal Report ref: 332110731/2000 Rev: 01 (dated February 2023) (Appendix 8 of the ES) has been submitted in support of this application.

The report confirms that Statutory Undertakers have been approached for records and drawings of utilities infrastructure close to the site, and made capacity enquiries (based on 130 units) to the undertakers to determine points of connection and to understand if there is a need to reinforce or upgrade any of the off-site utility networks. The report goes on to detail the existing infrastructure, diversion requirements and new connection activities.

There is extensive electrical infrastructure in close proximity to the site. The report advises that it is likely that two substations will be required on site and an area of 5.5m x 5.5m. A feasibility study (including available capacity for an LV connection) is underway.

In line with the building regulations, an all-electric led heating strategy along with one Electric Vehicle Charging Point per parking space per dwelling is assumed. Two 22kW rated chargers are proposed for use within the Scout Hut parking.

The site proposes an all-electric strategy for the development therefore no gas connections will be required to supply the proposed development.

Communication cables are distributed below ground along Scotland Lane and Midhurst Road. An overhead line has also been identified to the south of the southern site boundary adjacent to Bell Vale Lane. New fibre telecommunications could be provided to the site. Openreach would provide fibre to the premises free of charge. All necessary off-site upgrade works will be undertaken by Openreach at no cost to the developer. A connection to the Scout Hut will be required and Openreach should be contacted during the detailed design stage to progress this.

## 26. Accessibility

Policy AHN3 of the Local Plan Part 1 (2018) states that the Council will require the provision of new developments to meet Building Regulations M4 (2) Category 2 standard: “Accessible and adaptable dwellings” to meet the needs of older people and those with disabilities.

The supporting text to the policy states that this will be delivered through the implementation of planning permissions. As such, this will be picked up by the building control process if planning permission is implemented.

## 27. Contaminated Land

The application is supported by a Phase 1 Report Stantec Ltd Project Ref: 332110731/3500 Doc Ref: 332110731/3500/R001 May 2022, which has been reviewed by the Environmental Health Team. The conclusions of the report are accepted. This report identified an unknown waste burning area and former electricity substation. Due to the potentially contaminative activities reported in the area, the introduction of residential use to the site and in order to ensure compliance with Policy DM1 of the LPP2 and paragraphs 178 and 179 of the NPPF, it is considered that land conditions would be required if planning permission was forthcoming.

## 28. Archaeology

The significance of a heritage asset is defined in the NPPF under Section 16. Paragraph 197 of the NPPF provides guidance on determining applications, paragraph 203 of the NPPF describes the approach to be taken towards non-designated heritage assets and paragraph 205 of the NPPF also makes provision for the recording of heritage assets that are likely to be demolished or destroyed by development. Policy HA1 of the LPP1 seeks to protect heritage assets in facilitating and supporting the identification and review of heritage assets of archaeological significance. Policy DM24 of the LPP2 requires an initial assessment from any developer of the historic archaeological and landscape significance of the site, and where required, preservation of remains or features in situ, or the archaeological recording of the remains or features of the site to an appropriate level.

The application is accompanied by an acceptable desk based assessment that uses appropriate professional expertise to identify and assess the significance of any Heritage Assets with archaeological significance that may be affected, and the potential impact of the proposal on any such Assets, so enabling an informed decision to be made on whether further archaeological work is necessary.

The assessment has consulted all available sources including the Surrey Historic Environment Record in order to provide a thorough overview of the archaeological potential of the site and surrounding area. The report concludes that the site has a



moderate potential for archaeological remains from the prehistoric and a higher potential for the early medieval period and that further archaeological investigations may be required to clarify the nature extent and significance of any archaeology that may be present.

The results of the assessment are considered acceptable. A trial trench evaluation is required to be carried out on the site. The results of the evaluation will enable suitable mitigation measures to be developed for the site. These mitigation measures may involve more detailed excavation of any archaeological remains, but in the event of a find of exceptional significance then preservation in situ is the preferred option.

As the assessment results suggests that any archaeological remains that may be present will be of local rather than national significance it is considered that in this case it would be reasonable and proportionate to require that a condition of any outline planning permission be that any detailed planning application(s) to follow be accompanied by the results of a site-wide trial trench evaluation. This will provide for the opportunity to influence the design and logistics of the development and accommodate any Archaeological Assets worthy of preservation in situ within the detailed development proposal.

Therefore, there are no objections to the proposal, in accordance with Policies HA1 of the LPP1 and DM24 of the LPP2, and paragraphs 197, 203 and 205 of the NPPF.

## 29. Planning Balance

As the Council cannot demonstrate a five-year supply of deliverable housing sites, paragraph 11 (d) of the NPPF is engaged, as the policies which are most important for determining the application are out-of-date. However, as outlined in footnote 6 of the NPPF, the application site is located in the AONB, and the application of policies in the NPPF that protect areas or assets of particular importance does provide a clear reason for refusing the development proposed, as outlined in the AONB section of this report. Therefore, the tilted balance is disengaged.

The development would make a significant contribution towards delivering the Council's housing target. The proposal is a hybrid planning application that would deliver up to 111 residential units, of which 40 would be affordable. The proposal would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes and is a social benefit of the scheme which should be given considerable weight.

The level of affordable housing proposed exceeds the policy compliant 30% as set out in Policy AHN1 of the Local Plan (Part 1) 2018, however this is not currently secured via a Section 106 Agreement. Although the mix and tenure in relation to affordable housing has not been agreed, the over provision of affordable housing, if secured by appropriate obligation would attract modest weight. The site is well-located for local services and would allow residents to access them without reliance on a private car. The provision of new public open space, Local Areas of Play along with the education facilities and scouting facilities are also considered to be benefits

of the proposed scheme. Whilst the proposed pedestrian links are necessary to mitigate the impacts of the proposed development, they would nonetheless provide a benefit to the wider population.

The proposed development would give rise to economic benefits in the form of construction jobs and investment together with the long-term benefit of expenditure in the town by future residents.

The submitted NPPF Paragraph 177 Statement (dated June 2022) states that there would be vast economic benefits, including £1.9 million of GVA and circa £4.9m of CIL payments. Financial contributions arising from Planning Obligation would be required by the CIL Regulations to offset harm rather than provide a benefit and in that respect would not be a consideration. Similarly, there is no mechanism to ensure that the new homes bonus or tax revenue would be used to mitigate any impacts of the proposal, although is recognised as a benefit.

The applicants have put forward that the delivery of benefits including open space, environmental enhancements, and community facilities provision of the proposed SANG, along with the need for additional sites for new housing, should be considered as part of the case put forward for exceptional circumstances in allowing major development in the AONB as outlined in paragraph 177 of the NPPF (NPPF Paragraph 177 Statement (dated June 2022)).

Whilst the proposed SANG would provide benefits, in terms of the Habitats Regulations it is noted that the proposed SANG mitigation is suitably required to avoid adverse effects on SPA site integrity. However, the first aim should always be to avoid requiring mitigation in the first place. As such, it isn't a benefit to develop where you might have an effect on an SPA and so require SANG in the first place, especially when there may be alternative locations to pursue. The application outlines that the SANG could be used as a regional provision, enabling other development sites, restricted by the ability to provide SANG, to come forward. This has not been secured, furthermore whilst a strategic SANG may be of benefit it has not been demonstrated that it could not be provided elsewhere where it is not used to justify harm to the AONB.

The applicants have put forward that the scheme brings wide benefits to the community such as facilities for the Scouts, due to uncertainty around their current location The Council is still exploring alternatives with the Scout Group, and therefore there could be an alternative solution which would address this need.

The applicants NPPF Paragraph 177 Statement (dated June 2022) puts forward that the need for market and affordable housing must be afforded significant weight and is an exceptional circumstance. It is agreed that the need for market and affordable housing is afforded significant weight, however it is not considered an exceptional circumstance to allow major development and a detrimental impact to the most protected landscape classification. It should also be noted that whilst the Council can not demonstrate a 5 year supply, the shortfall is not so vast that it would justify an exceptional circumstance and harm to the AONB.

The Council accepts that further sites, including in countryside locations, would need to come forward to meet housing needs, however, these releases would come forward as part of the plan making process. As previously outlined, the site is not

allocated or identified as a site with development potential in any Development Plan Document, and fundamentally conflicts with the Local Plan (Part 1) or the Local Plan (Part 2) and has not been identified as a site with development potential. It is noted that the applicant considers that some of the allocations in LPP2 for the Haslemere are not deliverable within the remaining plan period, however LPP2 has been found sound by the Planning Inspectorate and has been subsequently adopted. In this case there appear to be alternative sites identified for Haslemere which can be explored to achieve the housing need for 'Development Sites in Haslemere', indicating that there are options with less harmful impacts on the AONB.

Whilst some of the above matters weigh in the scheme's favour, it is also important to consider the environmental impact in terms of assessing the impact on the character and function of the AONB and protecting and enhancing our natural environment as outlined in paragraphs 174, 179 and 180 of the NPPF. Giving great weight to conserving and enhancing the scenic beauty of the AONB.

The application site is a greenfield site that lies within the Surrey Hills Area of Outstanding Natural Beauty (AONB). It compromises some of Surrey's most outstanding and beautiful landscapes and are protected for the enjoyment of the nation. There is a great need to protect the site and undeveloped land from development. Therefore, great weight is afforded to the harm to the AONB. The proposal disregards the development's setting within the landscape. The development of undeveloped land fundamentally alters the landscape character against the Guidelines of the Surrey LCA and contrary to several local policies. The development proposals would have a permanent significant adverse impact on the landscape character. The proposal would introduce a quantum of development on a greenfield site, which would result in an urbanising impact detrimental to the landscape value and the intrinsic character and beauty of the AONB. The proposed access onto Midhurst Road would necessitate the widening of part of the road and the loss of boundary trees and vegetation and result in an increase in number of traffic movements. The significant engineering works, tree loss and vehicle movements would undermine the whereby the narrow tree lined character of this route would be lost which would undermine the rural character of this length of the narrow main road which is undisturbed by development and marks the start of the countryside beyond the built-up area of Haslemere. The site is located in the countryside beyond the existing settlement edge of Haslemere. The proposal would represent major development which would not conserve landscape and scenic beauty, and no exceptional circumstances or public interest have been demonstrated to justify or moderate the harm caused.

Officers acknowledge the social benefits that the proposal brings in terms of the provision of much needed housing and also affordable housing (the application includes the offer of a 35% provision) and the associated economic benefits of the construction process.

However, it is considered that the circumstances and benefits put forward would not represent exceptional circumstances for the purposes of paragraph 177. Furthermore, they would not outweigh the harm to the landscape and AONB in the planning balance. Accordingly, the material considerations in this application do not

indicate that the proposal should be determined other than in accordance with the development plan.

### 30. Conclusion

The site lies within the South Downs Area of Outstanding Natural Beauty and within the setting of the South Downs National Park wherein the Local Planning Authority is required to give great weight to conserving landscape and scenic beauty. The proposal would introduce a quantum of development on a greenfield site, which would result in an urbanising impact detrimental to the landscape value and the intrinsic character and beauty of the AONB. The proposed access onto Midhurst Road would necessitate the widening of part of the road and the loss of boundary trees and vegetation and result in increase in number of traffic movements. The significant engineering works, tree loss and vehicle movements would undermine the narrow tree lined character of this route would be lost which would significantly undermine the rural character of this length of the narrow main road which represents the transition from town to countryside, detrimental to the AONB and setting of the South Downs National. The proposal would represent major development which would not conserve landscape and scenic beauty, and no exceptional circumstances or public interest have been demonstrated to justify or moderate the harm caused. As such, the proposal is contrary to Policies SP1, SP2, RE1 and RE3 of the Local Plan Part 1 (2018), Policies DM11 and DM15 of the Local Plan Part 2 (2023), Policy H9 of the Haslemere Neighbourhood Plan and paragraphs 176 and 177 of the NPPF.

The ecological information submitted with the application fails to demonstrate that the proposed development would not negatively affect and/or fragment the wildlife corridors adjacent to Midhurst Road and within the northern central area of the application site. Additionally, the ecological information fails to demonstrate that there would not be a detrimental impact on protected species being great crested newts, hazel dormice and bat species, and Habitats of Principal Importance. The proposal is contrary to Policy NE1 of the Local Plan Part 1 (2018), Policy DM1 of the Local Plan Part 2 (2023), Policy H12 of the Haslemere Neighbourhood Plan and paragraphs 174 and 179 of the NPPF

In the absence of an agreed tenure mix and 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 fails to create a sustainable, inclusive and mixed community, contrary to Policy AHN1 of the Local Plan Part 1 (2018), Policy H4 of the Haslemere Neighbourhood Plan and paragraph 64 of the NPPF.

In the absence of an appropriate legal agreement to secure the delivery, maintenance and management of the onsite SANG, the proposal would have a likely adverse effect on the integrity of the Wealden Heaths Special Protection Area (SPA). The proposal conflicts with Policies NE1 and NE3 of the Local Plan (Part 1) 2018,

Policy DM1 of the Local Plan (Part 2) 2023, Policy H12 of the Haslemere Neighbourhood Plan, and the adopted Avoidance Strategy.

In the absence of an appropriate legal agreement to secure the contributions towards upgrading of the Rights of Way network within the vicinity of the site, the provision of funding in respect of the future monitoring of the Travel Plan, and the provision by the County Council of a Demand Responsive Bus Service, the proposal would fail to maximise opportunities for sustainable travel in conflict with Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and paragraph 110 of the NPPF.

It is also considered that in the absence of an updated Road Safety Audit and associated off site works there would be insufficient provision for off-site highways safety mitigation works to adequately accommodate the proposed development, contrary to Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and paragraphs 110 and 111 of the NPPF.

### Recommendation

That permission be REFUSED for the following reasons:

1. The proposal would fail to preserve and enhance the landscape and scenic beauty of the AONB and the setting of the South Downs National Park, and would result in major development that would harm the landscape character, without exceptional circumstances. The quantum of development would also harm the intrinsic character and beauty of the Countryside. The proposal would be contrary to Policies SP2, RE1 and RE3 of the Local Plan Part 1 (2018), Policies DM11 and DM15 of the Local Plan Part 2 (2023), Policy H9 of the Haslemere Neighbourhood Plan and paragraphs 176, 177 and 180 of the NPPF.
2. The ecological information submitted with the application fails to demonstrate that the proposed development would not negatively affect and/or fragment the wildlife corridors adjacent to Midhurst Road and within the northern central area of the application site. Additionally, the ecological information fails to demonstrate that there would not be a detrimental impact on protected species being great crested newts, hazel dormice and bat species, and Habitats of Principal Importance. The proposal is contrary to Policy NE1 of the Local Plan Part 1 (2018), Policy DM1 of the Local Plan Part 2 (2023), Policy H12 of the Haslemere Neighbourhood Plan and paragraphs 174 and 179 of the NPPF.

3. In the absence of an agreed tenure mix and 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 fails to create a sustainable, inclusive and mixed community, contrary to Policy AHN1 of the Local Plan Part 1 (2018), Policy H4 of the Haslemere Neighbourhood Plan and paragraph 64 of the NPPF.
4. The applicant has failed to enter into an appropriate legal agreement to secure the delivery, maintenance and management of the onsite SANG. The proposal would have a likely adverse effect on the integrity of the Wealden Heaths Special Protection Area (SPA). The proposal conflicts with Policies NE1 and NE3 of the Local Plan (Part 1) 2018, Policy DM1 of the Local Plan (Part 2) 2023, Policy H12 of the Haslemere Neighbourhood Plan, the adopted Avoidance Strategy and paragraph 180 of the NPPF.
5. In the absence of an appropriate legal agreement to secure the contributions towards upgrading of the Rights of Way network within the vicinity of the site, the provision of funding in respect of the future monitoring of the Travel Plan, and the provision by the County Council of a Demand Responsive Bus Service, the proposal would fail to maximise opportunities for sustainable travel in conflict with Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and paragraph 110 of the NPPF.
6. In the absence of an updated Road Safety Audit and associated off site works there would be insufficient provision for off-site highways safety mitigation works to adequately accommodate the proposed development, contrary to Policy ST1 of the Local Plan 2018 (Part 1), Policy DM9 of the Local Plan 2023 (Part 2), Policy H7 of the Haslemere Neighbourhood Plan and paragraphs 110 and 111 of the NPPF.

### **Informatives:**

1. The drawing numbers relevant to this decision are: 17054-002 Rev F, 17054-004 Rev C, 17054-24 Rev A (sheets 1 to 8), 17054-018 Rev C, 17054-026 Rev C, Flood Risk and Drainage Strategy Plans (ESA Appendix 4), SL202\_L\_X\_GA\_0\_01\_Rev A, SL202\_L\_X\_GA\_1\_01\_Rev A, SL202\_L\_X\_GA\_0\_02\_Rev A, SL202\_L\_X\_GA\_0\_03 Rev A, SL202\_L\_X\_GA\_0\_04, SL202\_L\_X\_GA\_0\_05, SL202\_L\_X\_GA\_0\_06, 6046 / PL 01, 6046 / PL 02A, 6046 / PL 04A, 6046 / PL 05A, 6046 / PL 06A, 6046 / PL 07A, 6046 / PL 08A, 6046 / PL 09A, 6046 / PL 10A, 6046 / PL 11A, 6046 / PL 12A, 6046 / PL 13A, 6046 / PL 14, 6046 / PL 20A, 6046 PL\_100A, 6046

PL\_101A, 6046 PL\_104, 6046 PL\_105, 6046 PL\_106, 6046 PL\_107, 6046 PL\_108 and 6046 PL\_109.

2. 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 2021.

Case Officer            Signed: Dylan Campbell            Date:

Agreed by Team or DC Manager.....Chris French.....  
Date: 02/05/2023

Time extension agreement in writing seen by signing off officer:

Yes                            No                            N/A

For Certificate of Lawfulness applications:            Use/Operations/Matter

Agreed by Legal services.....Date.....

Agreed by Development Manager or Head of Planning Services  
.....

This report has been agreed under the delegated authority by the Head of Planning Services.

Decision falls within ....(1q) of the Scheme of Delegation  
CF. (initialled by Authorising officer)

Copy to Policy for SPA or infrastructure contributions?           

Pass File to Enforcement           

Is there an extant Enforcement Notice in place for the same or similar development served no more than 2 years previously?           

Does this application need to be referred to the Secretary of State in line with Town and Country Planning (Consultation) Direction 2009?           

Notify Environmental Health Team of decision (send copy)           

Is this subject to a legal agreement?           

If yes, is there a signed copy on file?           

Notify Legal Services of decision if approval and if subject to legal agreement (send copy)

