

AREA PLANNING COMMITTEE
UPDATE SHEET 2 – 8 AUGUST 2018

Correspondence received and matters arising following preparation of the agenda

Item 7

WA/2018/0151

LONGDENE HOUSE, HEDGEHOG LANE, HASLEMERE

Amendments to the report

On page 27 in paragraph 3 should replace 'up to' with 'estimated' and read;
'Area A of the application site is included within the Draft Local Plan Part 2: Site Allocations and Development Management Policies document as a site allocation (Ref: DS 15: Longdene Field) for an estimated 25 dwellings.'

The date which the Council refused application WA/2016/1226 on page 29 of the agenda report should read 20/09/2016.

The appeal decision associated with WA/2016/1226 is attached as an appendix.

Amendment to conditions/informatives

The word general has been removed from recommended condition 23.

23. Condition

Full details of the proposed market housing mix shall be submitted to, and agreed in writing by, the local planning authority either alongside or prior to the determination of the first Reserved Matters Application. The housing mix shall be in accordance with the SHMA. The development shall be carried out in accordance with the approved market housing mix.

Reason

To ensure that the development meets the housing needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA) and to accord with Policies AHN1 and AHN3 of the Local Plan Part 1 2018. This is a pre-commencement condition as it goes to the heart of the permission.

Additional conditions/informatives

The following additional condition is recommended for the outline part of the scheme:

- 43. Condition
The development hereby approved shall not be first occupied unless and until a scheme for the provision of Electrical Vehicle Charging Points (EVP's) within the development has been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason
In the interest of air quality, in accordance with retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

The following informative is recommended:

- 16. The reserved matters application should take into consideration the design guidance contained within the Haslemere Design Statement.

Revised Recommendation

Recommendation A

That, subject to the consideration of any further representations by 22/08/2018 that raise further material consideration that have not yet been considered and subject to a Section 106 agreement to secure to secure contributions towards education, recycling provision, playing pitch improvements, off-site environmental improvements, SuDS and open space management/maintenance and conditions 1-10 inclusive, 12, 13, 15-22 inclusive, 24-30 inclusive and 32-42 inclusive in the agenda report and condition 43 on the update sheet published 08/08/2018, permission be GRANTED.

Recommendation B

That, in the event that the requirements of Recommendation A are not met within 6 months of the date of the resolution to grant permission, then permission be REFUSED.



Appeal Decision

Inquiry opened on 11 July 2017

Site visit made on 13 July 2017

by Ken Barton BSc(Hons) DipArch DipArb RIBA FCI Arb

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 September 2017

Appeal Ref: APP/R3650/W/16/3165974

Longdene House, Hedgehog Lane, Haslemere GL27 2PH

- The appeal is made under section 78 of the *Town and Country Planning Act 1990* against a refusal to grant outline and full planning permission.
- The appeal is made by Monkhill Limited against the decision of Waverley Borough Council.
- The application Ref WA/2016/1226, dated 6 May 2016, was refused by notice dated 20 September 2016.
- The proposal is a hybrid planning application for "redevelopment to provide up to 29 dwellings (net increase of 27 dwellings); demolition of 2 existing semi-detached dwellings, glasshouses and outbuildings; landscaping and highway works including alterations and extension to the existing access to Hedgehog Lane. Within this hybrid planning application:
 - (a) Outline planning permission (with Layout, Scale and Appearance reserved and Access and Landscaping for approval) is sought for the erection of up to 28 new dwellings (Class C3), including extension and alterations to existing access from Hedgehog Lane, demolition of 2 existing semi-detached dwellings, glass houses and outbuildings; and associated landscaping; and
 - (b) Full planning permission is sought for the change of use and refurbishment of Longdene House from office (Class B1a) to residential (Class 3) to provide a new dwelling.

Decision

1. The appeal is allowed and planning permission is granted for a hybrid planning application for "redevelopment to provide up to 29 dwellings (net increase of 27 dwellings); demolition of 2 existing semi-detached dwellings, glasshouses and outbuildings; landscaping and highway works including alterations and extension to the existing access to Hedgehog Lane. Within this hybrid planning application:
 - (a) Outline planning permission (with Layout, Scale and Appearance reserved and Access and Landscaping for approval) is sought for the erection of up to 28 new dwellings (Class C3), including extension and alterations to existing access from Hedgehog Lane, demolition of 2 existing semi-detached dwellings, glass houses and outbuildings; and associated landscaping; and
 - (b) Full planning permission is sought for the change of use and refurbishment of Longdene House from office (Class B1a) to residential (Class 3) to provide a new dwelling,

at Longdene House, Hedgehog Lane, Haslemere GL27 2PH in accordance with the terms of the application, Ref WA/2016/1226, dated 6 May 2016, subject to the conditions (Full Application and Outline Application) in the two schedules attached to this decision.

Preliminary Matters

2. The Inquiry sat for three days from 11 to 13 July 2017. An unaccompanied visit was made on 10 July to footpath 35 that runs roughly parallel to the northern site boundary. On 13 July accompanied visits were made to the site itself, footpath 35 and to Land Availability Assessment 2016 (LAA) sites 674, 714, and 557¹.
3. The Council's Decision Notice sets out five reasons for refusal. However, by the time the Inquiry opened the parties were generally agreed that;
 - (a) Reasons for refusal 2, relating to affordable housing, and 5, relating to infrastructure contributions, could both be addressed by s106 Obligations (signed Obligations have since been submitted);
 - (b) In respect of reason for refusal 3, drainage and flooding, a concern of some residents, an amended Flood Risk Assessment has been examined by the Lead Local Flood Authority which, as a consequence, has withdrawn its objection overcoming the reason for refusal; and
 - (c) Whilst not formally a reserved matter, the issue of satisfactory housing mix could be dealt with at reserved matters stage.²
4. The sole remaining reason for refusal states that "The proposal, as a result of the urbanising impact and harm to the landscape character, would cause material harm to the intrinsic character, beauty and openness of the Countryside beyond the Green Belt, the Surrey Hills Area of Outstanding Natural Beauty (AONB) and an Area of Great Landscape Value (AGLV). There are no exceptional circumstances in the public interest that would justify a major development in a designated AONB and it has not been demonstrated that the proposal could be developed outside the designated area."³
5. An appeal decision relating to a site at 35 Frensham Vale, Farnham (APP/R3650/W/16/3163124) was issued 4 days after the close of the Inquiry and a copy was submitted on behalf of the Appellant. The parties were given an opportunity to consider the decision and their comments have been taken into account.⁴
6. In addition, a report concerning proposed modifications to the Council's Local Plan Part 1 was considered at a meeting of its Executive Committee on 22 August 2017. The Committee resolved to approve the proposed modifications including increasing housing numbers. The parties were given an opportunity to comment on the report and resolution and again their comments have been taken into consideration. Whilst the decision was open to call-in by Members of the Overview and Scrutiny Committee, the Council confirms that the decision was not called-in within the relevant time period.⁵

¹ ID/10

² WBC/4A Paras 5.4, 5.5, 5.6, WBC/4B APP 12

³ WBC/4A Para 5.3, ML/4A App 2

⁴ ID/11, ID/12

⁵ ID/13

The Site and Its Surroundings⁶

7. The appeal site comprises Longdene House, a large Victorian building used as offices. The gardens are used by tenants, visitors and occupiers and there are fields beyond. Access is by a tree lined drive from Hedgehog Lane and there is on-site parking for office tenants and visitors.
8. The proposed development is split into 4 areas. Area A, to the north of the drive, is a field adjacent to the site access where outline permission is sought for 25 dwellings, the vast majority of the proposal. To the north-east of the House is a dwelling known as the Lodge, which does not form part of the scheme.
9. Outline consent is sought for the replacement of a pair of semi-detached cottages to the north-west of the House in Area B. Area C is the House itself where full planning permission is sought for change of use from office to residential to provide a single dwelling and a detached garage. To the east of the house is Area D which includes existing glasshouses. Outline permission is sought for the erection of one dwelling. The illustrative plan shows the fields within the red line area to the north, west and south of the house, but beyond the garden, as undeveloped.
10. Outside the site, to the north, footpath 35 runs roughly parallel to the site boundary. This area is currently open but outline planning permission (LPA Ref WA/2014/1054) has been granted for the erection of 135 houses to the north of the footpath. A section of the eastern site boundary, adjacent to Hedgehog Lane, abuts the developed area of Haslemere. The market town has a population of around 17,000. The railway station is some 800 metres, and the town centre approximately 1,300 metres, walk from the site.
11. The majority of Area A and all of Areas B, C and D are within the Surrey Hills AONB. Although the eastern part of the site is outside the AONB, it is within an AGLV which is a candidate for AONB designation. The indicative plan shows that a total of 14 additional dwellings would be located within the AONB, excluding Longdene House and the replacement cottages where built form already exists.

Effect on the Landscape Character of the Surrounding Area

12. The professional landscape witnesses agree that the proposal, particularly in Area A, would have a permanent adverse impact on the landscape character of the AONB. Where the experts differ is in the degree of any adverse impacts.⁷
13. The development in Areas B, C and D would primarily alter or replace existing built form in the AONB and would have no significant impact on, and so would preserve, the landscape character of the AONB.
14. The field in Area A has the appearance of a grazed paddock. The densely vegetated boundaries, and the topography, of Area A would effectively screen the site from its surroundings, as noted in a report by AMEC, regardless of whether or not it is described as urban fringe. Without double counting the local nature of the effect or any mitigation, views of any development in Area A would be very limited. Contrary to the view of the AONB Officer, there would

⁶ ID/2 Sect 2 WBC/4A & 4B App 4, WBC/3C Apps 4 & 6

⁷ ML/3A, WBC/5 Paras 2 & 3

be no change in views of the outfields of the House including from the AONB to the south and west. Indeed, other than from the drive to Longdene House, the Council could only identify one viewpoint of the Area A, from a gate alongside footpath 35. Even in winter, views would be heavily filtered drastically reducing the sense of development on both sides of the footpath and any adverse impact.⁸

15. Approximately 1.53 hectares of the AONB would be lost to development and some impact would be inevitable wherever development takes place within an AONB. Indeed, the Appellant accepts that there would be a materially adverse change in landscape character. However, the entire AONB covers around 422km² and the appeal site is on the very edge with part of the site being outside the AONB.⁹
16. Concern was expressed about the trees lining the avenue to the House, and surrounding Area A, coming under pressure for crown reduction and/or removal due to shading. However, although the area would be quite densely developed, the dwellings could be sited to minimise this. Another concern is the impact on people travelling along the drive to Longdene House who would be aware to some extent of development alongside the drive. A dense evergreen understorey flanks the drive, as well as trees. In addition, only the occupiers of the Lodge, the House, the semi-detached replacement cottages and the dwelling on Area D would use the private drive reducing any impact.¹⁰
17. The Council compares the appeal site with others in the vicinity in the AONB. Sturt Farm is differentiated from the appeal site as it is adjacent to, and on the same level as, the existing development to the north of footpath 35. There are a number of urbanising influences and the natural beauty is stated to be "severely denuded if not lost". The Appellant accepts that LAA sites 674, south-east of Haslemere Waste Water Treatment Works on Sturt Road, and 714, north of Haslemere Saw Mills on Sturt Road, have less evident scenic beauty, remoteness or tranquillity due to their positions next to a busy road and their visual relationship with the nearby settlement and Haslemere Saw Mill. Brownscombe House Hindhead Road, LAA site 557 which is in use as a care home, also rises above the busy road and is heavily vegetated.¹¹
18. Although these sites differ from the appeal site, all three would inevitably have some impact on the AONB. It is the nature and scale of that impact that would differ and which needs to be weighed in the balance.¹²
19. I conclude that due to the screening there would be a moderate adverse impact on the landscape character within the tightly drawn Area A with only slight adverse impacts beyond the red line application area.

Planning Policy

20. For the purposes of section 38(6) of the *Planning and Compulsory Purchase Act 2004* the development plan for the locality comprises the *Waverly Borough Local Plan (LP) 2002*. The most relevant policies in this case are C2 and C3. LP Policy C2 relates to Countryside beyond the Green Belt which the policy

⁸ ML/3A Sect 3, WBC/3C App 5 Viewpoints 4A & 4B, WBC/5 Paras 4-14

⁹ ML/3A Para 3.8-10, WBC/5 Para 17

¹⁰ WBC/5 Paras 18 & 21-23

¹¹ ID/10 & site visits

¹² WBC/5 Paras 24-26

- states should be protected for its own sake. The proposal would be contrary to LP Policy C2 as the site is within a defined countryside location and the scheme is not a type of development identified as being acceptable in the countryside.
21. However, the parties agree that LP Policy C2 is out of date, albeit part of the development plan. Its wording is not consistent with the NPPF, as the Council accepted in a letter dated 1 June 2017, although it recognises the intrinsic character and beauty of the countryside independently of landscape character or designations. It is not a policy for the supply of housing and so is not deemed out of date even if there is no 5 year supply of housing land.
 22. The Council accepts that further sites in countryside locations will have to come forward to meet housing needs but the Appellant agreed that these releases would come forward as part of the plan making process. Most importantly, the boundaries of the countryside were established in the context of meeting housing needs to 2006, rather than the current need. For this reason alone the conflict with C2 is fundamental, and sufficient in itself to be in conflict with the development plan as a whole. Consequently LP Policy C2 should only be afforded little weight.
 23. Turning to LP Policy C3, it includes two arms, C3(a) relates to AONBs, whilst C3(b) deals with Areas of Great Landscape Value (AGLV). C3(a) indicates that the primary aim of the AONB is to conserve and enhance the area's natural beauty. Development inconsistent with this will not be permitted unless proven national interest and lack of alternative sites have been demonstrated. These two exceptions have not been demonstrated and the proposal is in breach of C3. C3(b) states that strong protection should ensure the conservation and enhancement of the landscape character of AGLVs. As the AGLV in this case is a candidate for inclusion within the AONB increased weight should be given to this factor. The policy distinguishes between the protection to be afforded to the AONB and AGLV as required by NPPF paragraph 113. The Council maintains that LP Policy C3 is consistent with NPPF paragraph 115 and does not cover the same ground as paragraph 116.
 24. However, the Council is overriding the AONB designation elsewhere in the district in an attempt to meet housing need as was the case at Sturt Farm. Indeed, some 272 dwellings are proposed in the LP Part 2, and in the LAA, on sites in the AONB. Moreover, the lack of reference to major developments that are addressed in NPPF paragraph 116 is a significant difference. LP Policy C3 is out of date and should also be given little weight.
 25. Other material considerations are the *Draft Waverley Borough Local Plan Part 1* (DLP1), particularly Policies RE1 and RE3 that are intended to replace LP Policies C2 and C3 respectively. The emerging plan is at an advanced stage and it is accepted that it is likely to be found capable of being sound. Policies RE1 and RE3 have been through the hearing stage and there is no suggestion of any need for major modifications. These policies should be given moderate weight.
 26. The Surrey Hills AONB Management Plan is applied within Policy RE3. It identifies that the highest pressure comes from housing development and includes Land Use Policy 1. It echoes NPPF paragraph 115 and states "great

weight will be attached to any adverse impact that a development proposal would have on the amenity, landscape and scenic beauty of the AONB".¹³

27. The two most relevant paragraphs of the NPPF in this case are 115 and 116. Paragraph 115 affords AONBs the highest status of protection in relation to landscape and scenic beauty and requires decision makers to give it great weight. Important material considerations would be necessary to outweigh the great weight given to adverse landscape impacts.
28. The Council contends that in the local context the proposal would be a major development in the AONB for the purposes of the NPPF paragraph 116. The proposal is in outline and, although the red line area is large, the illustrative plans, backed up by conditions, show most of the development would be in Area A which is very small compared to the overall size of the AONB. The illustrative drawings show only 14 new dwellings within the AONB which would be an extremely low threshold for a major development. Little evidence was produced by the Council to support its view, despite efforts to do so. The Appellant by contrast produced 8 decisions that conclude that even appeals relating to as many as 38 units have not been considered major development. In the context of this case, I conclude that the proposal would not be major development.

Housing Need

29. The parties have agreed a *Housing Land Supply Statement of Common Ground*. The agreed base date for assessing 5 year supply is 1 April 2017. The Appellant accepts the requirement recommended by the LP Inspector of 590 dwellings per annum (dpa). This includes an uplift to reflect taking on 50% of Woking's unmet need. Indeed, since the Inquiry, a report to the Council's Executive Committee confirms the figure of 590 dpa. This would mean a minimum increase from 830 to 990, an uplift of 160 units or 19%, requiring further greenfield sites around Haslemere (147 dwellings over and above the existing LAA sites already identified). There is little justification for the Council's stance that a lower 'policy off' figure of 507dpa, also calculated by the LP Inspector, should be used until the Local Plan with a 'policy on' housing requirement is adopted despite knowing that an uplift would be necessary.¹⁴
30. Paragraph 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition. Where there has been persistent under delivery authorities should provide an increased buffer of 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition. The Government's aim is to "boost significantly the supply of housing".¹⁵
31. The table below indicates that for each of the last 8 years completions have fallen below, and in most years well below, requirements. The parties agree that in the first 4 years of the period from 1 April 2013 - 31 March 2017 1,048 dwellings were completed (262dpa). The Local Plan Inspector identifies a shortfall of 1,312 dwellings since 2013 compared with a shortfall at 1 April

¹³ WBC/5 Paras 55-57, WBC/3C App 10 p16

¹⁴ ID/3

¹⁵ CD1.1 Para 47

2016 of 830 dwellings. It is agreed that the Sedgefield method of dealing with the shortfall (meeting it within the current 5 year period) should be used in this case, as adopted by the LP Inspector.

	2009/10	2010/11	2011/12	2012/13	2013/14	2014//15	2015/16	2016/17
Requirement	250	250	250	250	519	519	519	519
Completions	186	141	120	230	143	242	342	321
Shortfall	-64	-109	-130	-20	-376	-277	-177	-198
Cumulative	-64	-173	-303	-323	-699	-976	-1153	-1351

32. Paragraph 035 of the Planning Practice Guidance (PPG) states "The approach to identifying a record of persistent under delivery of housing involves questions of judgement for the decision maker...there can be no universally applicable test...the assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is more likely to take account of the peaks and troughs of the housing market cycle."¹⁶
33. The LP Inspector refers to the recession suppressing housing completions over a number of years from around 2008. Prior to this Waverley's record was running ahead of a, lower, planned requirement. The LP Inspector has indicated that he intends to work on the basis of a 5% buffer. Notwithstanding this view, a number of appeal decisions, including APP/R3650/W/16/3163124, 3150558 and 3141255 have concluded that a 20% buffer should be applied, and an earlier decision has referred to a 'borderline case'. I have considered the evidence submitted in this case and conclude that, due in large part to the size of the cumulative shortfall, the buffer should in this instance be 20%. In any event whether the buffer is 5% or 20% is not determinative in this case as explained below.
34. Turning to supply, the NPPF requires there to be a reasonable prospect that sites would come forward within 5 years but does not require certainty. The Council maintain that there would be a total supply of 4,635 dwellings compared to the Appellant who maintains the total supply would be 3,132.
35. Applying a base requirement of 590 dpa, the requirement plus buffer would range between 4,475 and 5,114. On the Appellant's supply figures the 5 year housing land supply would be between 3.5 and 3.1 years. Based on the Council's supply figures the housing land supply would be 4.53 years with a 20% buffer and 5.18 years with a 5% buffer. Additional sites would be required to meet the uplift. This is against the background of the Council consistently over the last 8 years falling short of its supply requirement indicating that its figures are optimistic rather than reasonable and realistic. A step change is required.
36. Only if a 5% buffer is assumed and the Council's supply figures are accepted almost without question would a housing land supply figure of over 5 years be achieved. It would only take a reduction in supply of some 269 to reach the tipping point where a 5 year supply could not be demonstrated. Indeed, as recently as an appeal decision for Weyburn Works issued on 20 March 2017 the Council accepted a shortfall in the 5 year housing land supply.

¹⁶ ID/8

37. The sources of supply have been divided into a number of categories. One of these is LAA Sites Outside the Urban Areas. However, there is little evidence to identify these 'specific' sites. They are outside settlement boundaries and it is not disputed that a significant number are in the Green Belt or AONB but there is not enough evidence to enable any reliance on these sites. On this basis alone 416 units should be removed from the supply which confirms that the Council cannot demonstrate a 5 year housing land supply.
38. Further deductions should also be made. For LAA sites within Urban Areas some site specific evidence exists. However, some of the sites have had planning permission refused and there is no evidence of appeals or revised schemes. One site is occupied by a car dealership and so is not available. These 165 units should also be removed from the supply.
39. Two large sites with planning permission have been questioned. One of them, at Sturt Road Haslemere has permission for 135 dwellings. However, the developer confirms in a letter that the site would deliver 45 units by 31 March 2022 but that even this is dependent on a revised access being processed. 90 dwellings at least should therefore be deleted from the overall supply.¹⁷
40. An application for 1800 houses at Dunsfold Aerodrome has been called in by the Secretary of State. Whilst there is no reason to doubt that this strategic site would no longer be promoted it is likely that the call-in procedure will affect lead in times by around a year. This would result in a reduction in the 5 year supply.
41. A site at Milford Golf Course is in the Green Belt and must await allocation before it can be released. There is no planning application, the site is not available now and there is little realistic prospect of any delivery in the next 5 years. The 180 dwellings anticipated by the Council should be removed.
42. I consider that the Appellant's evidence is to be preferred to that of the Council, which is more optimistic than realistic. A 5 year supply cannot be demonstrated. At least 686 units should be deleted from the overall supply. Even with a 5% buffer the requirement would be 4475 and the supply would be 3794 giving a supply of 4.24 years.
43. In addition, in terms of affordable housing, the Council accepts that there is an acute need amounting to over 300 units net per annum. There is also a material need for new affordable housing in Haslemere with over 100 residents looking for affordable housing there.

Benefits

44. There are a number of benefits that need to be weighed in the planning balance. Firstly there would be the provision of 17 market housing units. As set out above there is a considerable housing need in Waverley. In addition to this, the remaining 10 units would be affordable dwellings for which there is an acute need in both the Borough and in Haslemere. Given the scale of need for both types of dwelling these benefits should be given considerable weight, even though the numbers might be relatively small and a larger scheme, like the 135 units at Sturt Farm, might have attracted even greater weight.

¹⁷ ID/3 App 2

45. The proposed development would also give rise to economic benefits in the form of construction jobs, albeit that some of the jobs might not be local, and investment together with the long term benefit of expenditure in the town by residents. There would also be the social benefits arising from the mix of tenures and types of houses.
46. Finally, the development would be in a sustainable location providing for alternative means of transport. It would be within walking distance of the railway station and town centre. Indeed, the site would be in very close proximity to the town centre, particularly for a site that is currently outside the settlement boundary, and much closer than for two of the LAA sites promoted by the Council.
47. Financial contributions arising from Planning Obligations 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 revenues would be used to mitigate any impacts of the proposal. These sums could not therefore be considered a benefit, despite the Council's Head of Finance calculating that £39,150 per annum would be received for 6 years.¹⁸
48. The parties agree that the provision of onsite space and ecological enhancements can be given moderate weight as environmental benefits.

Other Matters

49. The site is within 5km of the Wealden Heath II Special Protection Area. However, the parties maintain that no mitigation had been requested in this case as there is an overprovision of mitigation within measures for the adjoining Sturt Farm scheme (WA/2014/1054). An Ecological Assessment was submitted with the application as a result of which Surrey Wildlife raised no objection. The appeal site has been screened and the Council found it would not be EIA development. There is no reason to disagree with that conclusion.¹⁹
50. Local residents have expressed concerns about access on the narrow local roads, particularly during construction. However, a Transport Statement accompanied the application and has been assessed by the County Highway Authority in respect of net additional traffic generation, access and parking. It concluded that there would not be a severe effect on the safety and operation of the public highway and raised no objection, subject to conditions. There is little evidence to support an alternative conclusion despite photographs of local traffic problems.
51. Residents have referred to the wider planning history but each application should be determined on its own planning merits, which is how this appeal has been determined.

Planning Balance

52. The landscape character of the AONB would be preserved by the development in Areas B, C and D. There would be a moderate adverse impact on the landscape character within the tightly drawn Area A with only slight adverse impacts beyond the red line application area. These impacts must be given great weight but would be very limited in extent.

¹⁸ ML/4A App 1 p45

¹⁹ WBC/3C App 8, ID/2 Section 2, Insp Q Day 3, CD5.1

53. It is agreed that LP Policy C2, although part of the development plan, is out of date. Its wording is inconsistent with the NPPF, but most importantly the boundaries of the countryside were established in the context of 2006 housing needs rather than the current need. The Council accepts that further sites in countryside locations will have to come forward to meet more up-to-date housing needs albeit that these releases would come forward as part of the plan making process. Consequently LP Policy C2 should only be afforded little weight.
54. The parties disagree as to whether the tilted balance applies in this case. Relevant policies in the development plan, C2 and C3 are out of date but the Council maintains that the tilted balance in NPPF paragraph 14 is not engaged as there are specific policies which indicate that development should be restricted.
55. I have given great weight to the harm to the landscape character of the AONB. However, the extent of the harm would be limited to Area A visible from a point on the footpath, the field itself and views from the access drive.
56. Balanced against this are the benefits of both market and affordable units that are to be welcomed following many years of failing to meet targets. There would also be economic, social and environmental benefits as identified above.

Conclusion

57. Even if paragraph 115 is treated as restrictive, and the Council's view on the tilted balance is accepted, I consider that the benefits in this case would not be significantly and demonstrably outweighed by the limited harm the proposal would cause to the AONB. Consequently, the appeal should be allowed, subject to any conditions and planning obligations that would be necessary to make the scheme acceptable.

Conditions and Section 106 Obligations

58. In the light of my conclusion I have considered what conditions should be attached. In respect of the full permission scheme, suggested conditions 1 to 10 are unique as are suggested conditions 1 to 5 relating to the outline permission scheme. Full scheme conditions 11 to 27 are the same as outline scheme suggested conditions 6 to 22. Consequently comments will be made in respect of all the full scheme conditions and outline scheme suggested conditions 1 to 5.
59. Starting with the full permission scheme, suggested condition 1 is the standard time condition whilst condition 2 sets out the approved drawings in the interests of clarity. The topography of the site is important and condition 3 would require details of levels to be approved to safeguard the surrounding area. In the interests of highway safety conditions 4 and 5 relating to vehicular and cycling parking and turning should be attached, as should condition 6 that would require the change of use of Longdene House to residential prior to the first occupation of the dwellings permitted.
60. The sensitive location in the AONB would be safeguarded by condition 7 that would require approval of any external lighting, a concern of local residents. Conditions 8 and 9, requiring details of the proposed external facing, and hard standing, materials would be necessary for similar reasons as would condition 20 that would remove permitted development rights in respect of extensions.

61. The remaining conditions would be common to both full and outline schemes but are numbered as for the full permission scheme. A Construction Transport and Environmental Management Plan should be required by condition 11 to reduce inconvenience to highway users and local residents. Conditions 12 and 13 would ensure a sustainable drainage system and mitigate against any increased risk of flooding.
62. Safeguarding of ecology would be achieved by attaching conditions 14, 15 and 16. Condition 17 would require a pollution prevention strategy to protect shallow groundwater and potable water abstraction. The living conditions of local residents would be safeguarded by attaching conditions 18, controlling working hours, and 19 preventing the burning of materials on site. Condition 20 would ensure appropriate mitigation measures for the significance of any assets found, whilst condition 21 would safeguard amenity by requiring details of walls, fences, or other means of enclosure.
63. Conditions 22 to 27 inclusive would require a number of measures to safeguard trees and the character and appearance of the surrounding countryside.
64. Turning to the outline element of the application, suggested conditions 1 and 2 are standard time conditions and condition 3 sets out the approved drawings in the interest of clarity. Details of the housing market mix would be required by suggested condition 4 to ensure local needs are met in accordance with NPPF paragraph 50. Suggested condition 5 sets out parameters for the location of the proposed dwellings to ensure that the impact on the AONB reflects that considered at the Inquiry.
65. A bilateral S106 Agreement has been completed and deals with affordable housing and financial contributions towards playing pitches, playground provision, sports and leisure, and waste and recycling. The provision of 10 affordable dwellings would meet policy requirements and the tests in Community Infrastructure Levy (CIL) Regulation 122 and NPPF paragraph 204. The Officer's report to committee confirms that infrastructure providers have confirmed that the contributions sought have been justified and that none of the contributions would result in the pooling of more than 5 towards a specific piece of infrastructure. CIL Regulations 122 and 123 would therefore be met in this case.²⁰
66. A S106 Undertaking has been submitted in relation to an education contribution only. The greatest impact on demand for school places is from new housing developments. The education authority has set out its justification for additional Early Years and Primary provision and has identified projects to provide increased capacity. No contribution is sought for secondary school places as there is adequate capacity in the area. None of the projects identified has sought more than one or two contributions. The tests set out in CIL Regulations 122, and NPPF paragraph 204, would be complied with in this case.²¹

Ken Barton

Inspector

²⁰ ID/4A Sect 1, ID6A, ML/4A App 1 pp 43-45

²¹ ID/4A Sect 2 and Appendix 1, ID/5A

Schedule of Conditions Full Application

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The plan numbers to which this permission relates are:

078-PL-02	Existing Site Plan
074-PL-001 Rev. A	Location Plan
078-PL-017	Existing Block and Demolition Plan
079-PL-018	Proposed Blocks
078-PL-050	Existing Floor Plans Cottages
078-PL-051	Existing Elevations 1 Cottages
078-PL-052	Existing Elevations 2 Cottages
078-PL-053	Existing Glasshouse
078-PL-054	Existing Store 1
078-PL-055	Existing Store 2
1027.2.08	Semi-Detached Dwellings (Area B), Longdene House (Area C), Glasshouse/Outbuildings (Area D)
078-PL-020	Existing Basement
078-PL-021	Existing Ground Floor Plan
078-PL-022	Existing First Floor Plan
078-PL-023	Existing Second Floor Plan
078-PL-024	Existing Roof Plan
078-PL-025	Existing South Elevation
078-PL-026	Existing West Elevation
078-PL-027	Existing North Elevation
078-PL-028	Existing East Elevation
078-PL-030 Rev. A	Basement
078-PL-031	Ground Floor Plan
078-PL-032	First Floor Plan
078-PL-033	Second Floor Plan
078-PL-034	Roof Plan
078-PL-035 Rev. A	South Elevation
078-PL-036 Rev. A	West Elevation
078-PL-037 Rev. A	North Elevation
078-PL-038 Rev. A	East Elevation
078-PL-040	Garage Plans
078-PL-041	Garage Elevations

9172/01 Rev A	1/3	Tree Constraints Plan
9172/01 Rev A	2/3	Tree Constraints Plan
9172/01 Rev A	3/3	Tree Constraints Plan
9172/03	1/3	Tree Protection Plan
9172/03	2/3	Tree Protection Plan
9172/02	3/3	Tree Protection Plan
114543/9001		Development Area and Source Protection Zones Site Plan

The development shall be carried out in accordance with the approved plans.

- 3) No development shall take place until details have been submitted to, and approved in writing by, the local planning authority showing the existing and proposed ground levels of the site and proposed ground levels and finished floor levels of the development hereby permitted. The development shall be carried out in strict accordance with the approved details.
- 4) The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained for their designated purposes.
- 5) The development hereby approved shall not be first occupied unless and until the secure parking of bicycles within the development site has been provided in accordance with the approved plans. The approved facilities shall be provided and retained thereafter.
- 6) Prior to the first occupation of the dwellings hereby permitted, the change of use of the existing office (comprising 'Longdene House') to residential dwelling, shall have been fully implemented.
- 7) Prior to the first occupation of development, a detailed scheme of external lighting shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 8) Prior to the commencement of development, full details to include samples of all external facing materials shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 9) Prior to the commencement of development, full details to include samples of all hard surfacing materials shall be submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 10) Notwithstanding the provisions of the Town and Country Planning (Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions, alterations or outbuildings (as permitted by Classes A, B and E of Schedule 2) shall be constructed without the written permission of the local planning authority.

- 11) No development shall commence until a Construction Transport and Environmental Management Plan, to include details of:
- (a) parking for vehicles of site personnel, operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials;
 - (d) programme of works (including measures for traffic management);
 - (e) provision of boundary hoarding behind any visibility zones, including decorative displays and facilities for public viewing;
 - (f) HGV deliveries and hours of operation;
 - (g) vehicle routing;
 - (h) measures to prevent the deposit of materials on the highway;
 - (i) on-site turning for construction vehicles;
 - (j) measures to minimise noise (including vibration) generated by the construction process to include proposed method of piling for foundations, section of plant and machinery, and use of noise mitigation barrier(s);
 - (k) details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - (l) wheel washing facilities;
 - (m) measures to control the emission of dust and dirt during construction;
 - (n) a scheme for recycling/disposing of waste resulting from demolition and construction works;

has been submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented during the construction of the development.

- 12) Prior to the commencement of development, details of the design of a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The details shall include:
- a) A design that satisfies the SuDS Hierarchy and includes the results from the infiltration testing in the locations infiltration SuDS are proposed. The design should then discharge fully via infiltration, in the event that during the detailed drainage design stage it is found that not all surface water runoff can be managed by infiltration then a discharge offsite at 5l/s can be permitted as per the principles in "Longdene House Haslemere Flood Risk and Drainage Strategy Assessment for Option B Issue 4";
 - b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS;
 - c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (Pre, Post and during)-and follows the

principles stated in Longdene House Haslemere Flood Risk and Drainage Strategy Assessment for Option B Issue 4;

- d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite;
 - e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development;
 - f) Finalised drawings for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, their respective levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS Element and including details of any flow restrictions;
 - g) A management and maintenance plan that details maintenance regimes and responsibilities.
- 13) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to, and approved in writing by, the local planning authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.
- 14) Prior to the commencement of development, a reptile mitigation strategy and enhancement plan written by a suitably qualified ecologist, based on the outline recommendations of paragraphs 5.3.6, 5.7.7 and 5.7.8 of the submitted Ecological Assessment Report (dated May 2016, by Ecology Solutions Ltd), shall be submitted to, and approved in writing by, the local planning authority. The plan shall include:
- a) Appropriate detail on precautionary site working methods, in line with best practice, to avoid killing and injuring individuals;
 - b) Location of on-site translocation receptor areas;
 - c) Measures to enhance the on-site translocation area for reptiles completed in advance of translocation;
 - d) Clarification of appropriately costed ongoing monitoring and maintenance measures to ensure that the translation area provides secure effective refuge for the on-site reptile population for the long-term.
- The development shall be carried out in accordance with the approved details.
- 15) Prior to the commencement of development, details of dormouse impact mitigation and compensation measures shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 16) Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The Plan shall be based on the mitigation and enhancements and recommendations proposed within Section 5 of the above referenced Ecological Assessment report and should include details of the following

- (a) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal and measures to retain habitat connectivity with regards to dormice;
- (b) Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
- (c) Aims and objectives of management;
- (d) Appropriate management options to achieve aims and objectives;
- (e) Prescriptions for management actions;
- (f) Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity; and
- (g) Ongoing monitoring and remedial measures.

The development shall be carried out in accordance with the approved details.

- 17) Development shall not commence until a pollution prevention strategy has been submitted to, and approved in writing by, the local planning authority in consultation with Thames Water. The strategy shall detail the control measures used to minimise the impact of the development proposal to the local groundwater both during and after construction. The development shall be carried out in accordance with the approved details.
- 18) Construction works pursuant to this permission shall not take place other than between the hours 08:00 and 18.00 Monday to Fridays and between 08.00 and 13.00 on Saturdays. No works shall take place on Sundays or Bank Holidays.
- 19) There shall be no burning of waste or other materials on site during the construction process.
- 20) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 21) Prior to the first occupation of the dwelling hereby approved, details of all proposed screen walls or fences, together with other means of enclosure, including hedgerows to be retained at the site, shall be submitted to, and approved in writing by the local planning authority and such walls or fences or means of enclosure as may be approved by the local planning authority shall be erected prior to the completion or first occupation of the dwelling hereby approved, whichever is the earlier, and thereafter be retained.
- 22) No development shall commence, including any groundwork preparation, until a detailed, scaled Tree Protection Plan 'TPP' and related Arboricultural Method Statement has been submitted to, and approved in writing by, the local planning authority. These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Area

of trees shown to scale on the TPP including installation of service routings and site access. All works shall be carried out in accordance with the approved details.

- 23) No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures has been submitted to, and approved in writing by, the local planning authority. The supervision and monitoring shall be undertaken in accordance with the approved details. The scheme shall include details of:
- a) A pre-commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and personnel responsible for the implementation of the approved development; and
 - b) Timings, frequency and methods of site visiting and an agreed reporting process to the local planning authority.
- 24) Before work begins, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted to, and approved in writing by, the local planning authority.
- 25) Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to, and approved in writing by, the local planning authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations.
- 26) Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors;
 - (b) Loading and unloading plant and materials;
 - (c) Storage of plant and materials including demolition arisings; and
 - (d) Cement mixing.
- The spaces referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the local planning authority
- 27) No development shall take place until details of earthworks have been submitted to, and approved in writing by, the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Schedule of Conditions Outline Application

- 1) Details of the appearance, layout, and scale (hereinafter called "the reserved matters") shall be submitted to, and approved in writing by, the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 3) The plan numbers to which this permission relates are:

078-PL-02	Existing Site Plan
074-PL-001 Rev. A	Location Plan
078-PL-017	Existing Block and Demolition Plan
1027.2.04A	Landscape Masterplan (25 Unit Scheme)
1027.2.07	Land Adjacent to Main Access (Area A) 25 Unit Scheme
16-T001 07	Site Access Options – Scheme B
9172/03 2/3	Tree Protection Plan
9172/01 Rev A 2/3	Tree Constraints Plan
1027.2.04B	Landscape Masterplan

The development shall be carried out in accordance with the approved plans.

- 4) Full details of the proposed market housing mix shall be submitted to, and agreed in writing by, the local planning authority either alongside or prior to the determination of the first Reserved Matters Application. The development shall be carried out in accordance with the approved market housing mix.
- 5) Only up to 25 dwellings shall be provided in Area A; up to 2 dwellings shall be provided in Area B and up to 1 dwelling shall be provided in Area D, in accordance with Plan No. 1027.2.04B.
- 6) No development shall commence until a Construction Transport and Environmental Management Plan, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials;
 - (d) programme of works (including measures for traffic management);
 - (e) provision of boundary hoarding behind any visibility zones, including decorative displays and facilities for public viewing;
 - (f) HGV deliveries and hours of operation;
 - (g) vehicle routing;
 - (h) measures to prevent the deposit of materials on the highway;
 - (i) on-site turning for construction vehicles;
 - (j) measures to minimise noise (including vibration) generated by the construction process to include proposed method of piling for foundations, section of plant and machinery, and use of noise mitigation barrier(s);

- (k) details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
- (l) wheel washing facilities;
- (m) measures to control the emission of dust and dirt during construction;
- (n) a scheme for recycling/disposing of waste resulting from demolition and construction works;

has been submitted to, and approved in writing by, the local planning authority. The approved details shall be implemented during the construction of the development.

- 7) Prior to the commencement of development, details of the design of a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The details shall include:
- (a) A design that satisfies the SuDS Hierarchy and includes the results from the infiltration testing in the locations infiltration SuDS are proposed. The design should then discharge fully via infiltration, in the event that during the detailed drainage design stage it is found that not all surface water runoff can be managed by infiltration then a discharge offsite at 5l/s can be permitted as per the principles in "Longdene House Haslemere Flood Risk and Drainage Strategy Assessment for Option B Issue 4";
 - (b) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS;
 - (c) Evidence that the proposed solution will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events, during all stages of the development (Pre, Post and during)-and follows the principles stated in Longdene House Haslemere Flood Risk and Drainage Strategy Assessment for Option B Issue 4;
 - (d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite;
 - (e) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development;
 - (f) Finalised drawings for construction to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, their respective levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS Element and including details of any flow restrictions; and
 - (g) A management and maintenance plan that details maintenance regimes and responsibilities.
- 8) Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to, and approved in writing by, the local planning authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

- 9) Prior to the commencement of development, a reptile mitigation strategy and enhancement plan written by a suitably qualified ecologist, based on the outline recommendations of paragraphs 5.3.6, 5.7.7 and 5.7.8 of the submitted Ecological Assessment Report (dated May 2016, by Ecology Solutions Ltd), shall be submitted to, and approved in writing by, the local planning authority. The plan shall include:
- (a) Appropriate detail on precautionary site working methods, in line with best practice, to avoid killing and injuring individuals;
 - (b) Location of on-site translocation receptor areas;
 - (c) Measures to enhance the on-site translocation area for reptiles completed in advance of translocation;
 - (d) Clarification of appropriately costed ongoing monitoring and maintenance measures to ensure that the translation area provides secure effective refuge for the on-site reptile population for the long-term.

The development shall be carried out in accordance with the approved details.

- 10) Prior to the commencement of development, details of dormouse impact mitigation and compensation measures shall be submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.
- 11) Prior to the commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority. The Plan shall be based on the mitigation and enhancements and recommendations proposed within Section 5 of the above referenced Ecological Assessment report and should include details of the following:
- (a) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal and measures to retain habitat connectivity with regards to dormice;
 - (b) Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
 - (c) Aims and objectives of management;
 - (d) Appropriate management options to achieve aims and objectives;
 - (e) Prescriptions for management actions;
 - (f) Preparation of a costed work schedule for securing biodiversity enhancements in perpetuity; and
 - (g) Ongoing monitoring and remedial measures.

The development shall be carried out in accordance with the approved details.

- 12) Development shall not commence until a pollution prevention strategy has been submitted to, and approved in writing by, the local planning authority in consultation with Thames Water. The strategy shall detail the

control measures used to minimise the impact of the development proposal to the local groundwater both during and after construction. The development shall be carried out in accordance with the approved details.

- 13) Construction works pursuant to this permission shall not take place other than between the hours 08:00 and 18.00 Monday to Fridays and between 08.00 and 13.00 on Saturdays. No works shall take place on Sundays or Bank Holidays.
- 14) There shall be no burning of waste or other materials on site during the construction process.
- 15) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved by the local planning authority. The development shall be carried out in accordance with the approved details.
- 16) Prior to the first occupation of the dwelling hereby approved, details of all proposed screen walls or fences, together with other means of enclosure, including hedgerows to be retained at the site, shall be submitted to, and approved by the local planning authority in writing, and such walls or fences or means of enclosure as may be approved by the local planning authority shall be erected prior to the completion or first occupation of the dwelling hereby approved, whichever is the earlier, and thereafter be retained.
- 17) No development shall commence, including any groundwork preparation, until a detailed, scaled Tree Protection Plan 'TPP' and related Arboricultural Method Statement has been submitted to, and approved in writing by, the local planning authority. These shall include details of the specification and location of exclusion fencing, ground protection and any construction activity that may take place within the Root Protection Area of trees shown to scale on the TPP including installation of service routings and site access. All works shall be carried out in accordance with the approved details.
- 18) No development, groundworks or demolition processes shall be undertaken until an agreed scheme of supervision for the arboricultural protection measures has been submitted to, and approved in writing by, the local planning authority. The supervision and monitoring shall be undertaken in accordance with the approved details. The scheme shall include details of:
 - a) A pre-commencement meeting between the retained arboricultural consultant, local planning authority Tree Officer and personnel responsible for the implementation of the approved development; and
 - b) Timings, frequency and methods of site visiting and an agreed reporting process to the local planning authority.
- 19) Before work begins, cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted to, and approved in writing by, the local planning authority.

- 20) Prior to commencement of any works on site, details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to, and approved in writing by, the local planning authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations.
- 21) Prior to commencement of any works on site, demolition or other development activities, space shall be provided and clearly identified within the site or on other land controlled by the applicant to accommodate:
- (a) Parking of vehicles of site personnel, operatives and visitors;
 - (b) Loading and unloading plant and materials;
 - (c) Storage of plant and materials including demolition arisings; and
 - (d) Cement mixing.
- The spaces referred to above and access routes to them (if not existing metalled ones) to be minimally 8 metres away from mature trees and 4 metres from hedgerows, or as may otherwise be agreed in writing by the local planning authority
- 22) No development shall take place until details of earthworks have been submitted to, and approved in writing by, the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

APPEARANCES

FOR WAVERLEY BOROUGH COUNCIL:

Robert Williams of Counsel	Instructed by Waverley Borough Council
He called	
Andrew Cook BA(Hons) MLD CMLI MIEMA CEnv MID	Director, Pegasus Group
Rebecca Clarke BSc MSc MRTPI	Interim Principal Planning Officer, Waverley Borough Council
Matthew Ellis	Waverley Borough Council, Round Table Session on Housing Land Supply only
Lewis Jones	Waverley Borough Council, Round Table Session on Housing Land Supply only

FOR MONKHILL LIMITED:

Sasha White QC	Instructed by Bidwells
He called	
Colin Brown BSc Dip Landscape Design MA FLI	Principal, LanDesign Associates
David Neame BSc(Hons) MSc MRTPI	Director Neame Sutton Chartered Town Planners

INTERESTED PERSON:

Mr Pope	Local Resident
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DOCUMENTS

Core Documents

National Guidance

- CD 1.1 National Planning Policy Framework (2012)
- CD 1.2 Planning Practice Guidance (online)

Local Policy and Background Documents

- CD 2.1 Waverley Borough Council Local Plan (2002) and Proposals Maps
- CD 2.2 Local Plan Part 1: Strategic Policies and Sites 2016 – submission version
- CD 2.3 Local Plan Part 2: Non Strategic Policies and Sites – Issues and Options consultation version
- CD 2.4 Council's Parking Guidelines (2013);
- CD 2.5 Density and Size of Dwellings SPG (2003);
- CD 2.6 Vehicular and Cycle Parking Guidance (Surrey County Council 2012);

Housing

- CD 3.1 Five Year Housing Supply Statement (April 2017)
- CD 3.2 West Surrey Strategic Housing Market Assessment (2015)
- CD 3.3 West Surrey Strategic Housing Market Assessment: Waverley Addendum (December 2015)
- CD 3.4 Land Availability Assessment (2016)
- CD 3.5 Five Year Housing Supply (April 2016)
- CD 3.6 Five Year Housing Supply (July 2016)
- CD 3.7 Five Year Housing Supply (January 2017)
- CD 3.8 Troy Report: Housing Land Supply and Housing Trajectory Contextual Note (2017)

Drainage

- CD 4.1 Flood Risk and Drainage Strategy Assessment Issue 4 (update 2017)
- CD 4.2 Surrey County Council – Lead Local Flood Authority Letter dated 20 October 2016

Application Documents

- CD 5.1 Application Documents as determined
 - Application Forms and Covering Letter
 - Arboricultural Report
 - Archaeological Desk Based Assessment
 - Biodiversity Checklist
 - Desk Based Contamination Assessment

- Design and Access Statement
- Economic Report
- Ecology Report
- Environmental Impact Assessment Screening
- Framework Construction Logistics Plan
- Landscape and Visual Impact Assessment
- Planning Statement and Statement of Community Involvement
- Services Strategy
- Transport Statement

Relevant Appeal Decisions

- CD 6.1 APP/R3650/W/16/3150558 – Weyburn Works at Elstead Appeal Decision
- CD 6.2 APP/R3650/W/16/3163124 – 35 Frensham Vale, Farnham
- CD 6.3 APP/D3640/W/15/3028247 – Land south of 24-26 Kings Road and 6 & 9 Rose Meadow, Woking
- CD 6.4 APP/R3650/W/15/3141255 – Hewitt’s Industrial Estate, Cranleigh
- CD 6.5 APP/K1128/W/16/3156062 – Garden Mill, Derby Road, Kingsbridge
- CD 6.6 APP/V3120/W/16/3153209 - Land to the north of Lower Road, Chilton, Oxfordshire
- CD 6.7 APP/D3830/A/14/2211981 - 11 Chesterton Close, East Grinstead
- CD 6.8 APP/B1225/A/13/2198739 - Land at Prospect Farm, Swanage, Dorset
- CD 6.9 APP/Y9507/A/14/2220580 - Land at Under the Hill (aka) Barnfield), High Street, Selborne, Hampshire
- CD 6.10 APP/D0840/W/15/3139301 - Land to north of Moonfleet, School Hill, Mevagissey, Cornwall
- CD 6.11 APP/D0840/A/14/2218999 - Land off Cogos Park, Mylor Bridge, Cornwall
- CD 6.12 APP/J1860/A/14/2217413 - Land off Marlbank Road, Welland, Worcestershire
- CD 6.13 APP/G1630/W/15/3138954 - Land to the east of Butts Lane, Woodmancote, Cheltenham

Relevant Judgements

- CD 7.1 Suffolk Coast District council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) 10th May 2017 [2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC 410 (Admin)
- CD 7.2 R (Cherkley Campaign Ltd) v Mole Valley DC [2014] EWCA

- Civ 567, Richards, Underhill, Floyd LJ
- CD 7.3 (Aston v Aston v SSCLG) [2013] EWHC 1936 (Admin), Wyn Williams J.
- CD 7.4 R (The Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin), Lindblom J

Waverley Borough Council's Documents

- WBC/1 Council's Statement of Case
- WBC/2 Council's Opening Submissions
- WBC/3A Andrew Cook's Summary Landscape Proof of Evidence
- WBC/3B Andrew Cook's Landscape Proof of Evidence
- WBC/3C Appendices to Andrew Cook's Landscape Proof of Evidence
- WBC/4A Rebecca Clarke's Planning Proof of Evidence
- WBC/5 Closing Statement

Monkhill Limited's Documents

- ML/1 Monkhill's Statement of Case
- ML/2 Monkhill's Opening Submissions
- ML/3A Colin Brown's Landscape Proof of Evidence
- ML/3B Appendices to Colin Brown's Landscape Proof of Evidence
- ML/4A David Neame's Planning Proof of Evidence and Appendices
- ML/4B Housing Land Supply Technical Paper
- ML/5 Closing Submissions
- ML6 Additional Points in Response to the Council's Closing

Inquiry Documents

- ID/1 Pre-Inquiry Note
- ID/2 Statement of Common Ground
- ID/3 Housing Land Supply Statement of Common Ground
- ID/4 Summary of Section 106 Agreement and Unilateral Undertaking
- ID/4A Revised Summary of Section 106 Agreement and Unilateral Undertaking
- ID/5 Draft Unilateral Undertaking
- ID/5A Revised Unilateral Undertaking
- ID/5B Signed Unilateral Undertaking
- ID/6 Draft Deed

ID/6A	Revised Deed
ID/6B	Signed Deed
ID/7	Landscape Character Assessment Topic Paper 6
ID/8	Local Plan Inspectors Note on the five year land supply buffer
ID9	Justification for Infrastructure Contributions
ID/10	Schedule of Locations for Site Visit
ID/11	APP/R3650/W/16/3163124 – 35 Frensham Vale, Lower Bourne, Farnham
ID/12	Parties Comments on ID/11
ID/13	Correspondence relating to a report to the Council’s Special Executive on 22 August 2017.

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