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| A1 | <p>WA/2017/0512<br/> Concise Construction Ltd<br/> 21/03/2017</p> <p>Public Notice:<br/> Grid Reference:</p> <p>Committee:<br/> Meeting Date:</p> <p>Town:<br/> Ward:<br/> Case Officer:<br/> 8 Week Expiry Date<br/> Neighbour Notification Expiry Date</p> <p>Time extension agreed<br/> Extended expiry date</p> <p>RECOMMENDATION A</p> <p>RECOMMENDATION B</p> | <p><u>Alteration, extension, landscaping and improvement to existing access from Sturt Road to land to the rear of Sturt Farm, and the provision of Suitable Alternative Natural Greenspace (SANG); at land at Sturt Farm, Sturt Road, Haslemere, GU27 3SE</u></p> <p>Was Public Notice required and posted: Y<br/> E: 489012 N: 132310</p> <p>Joint Planning Committee<br/> 08/11/2017</p> <p>Haslemere<br/> Haslemere Critchmere and Shottermill<br/> Ryan Snow<br/> 19/06/2017<br/> 28/04/2017</p> <p>Yes<br/> 10/11/2017</p> <p>That, subject to conditions and a legal agreement to secure the SANG requirements and the implementation of the access proposed as part of this consent instead of the previous consented access being completed within 6 months from the date of this decision, permission be GRANTED.</p> <p>That, in the event that a Section 106 agreement is not completed within 6 months of the date of the resolution to grant planning permission, permission be REFUSED.</p> |
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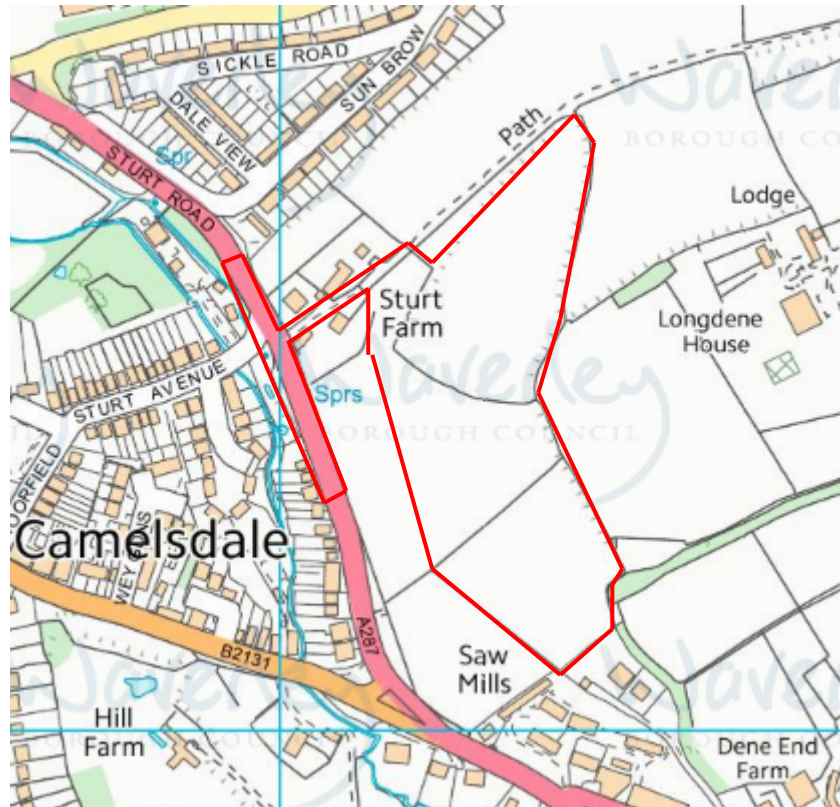
## Introduction

This application has been brought before the Joint Planning Committee at the discretion of the Head of Planning Services as it relates to development approved under WA/2014/1054, which granted outlines permission for up to 135 dwellings.

This planning application proposes alterations, extensions, landscaping and improvements to the existing access from Sturt Road to land to the rear of Sturt Farm. It should be noted that permission ref. WA/2014/1054 has both conditions and obligations under a Section 106 agreement requiring the approved access, located approximately 50m north along Sturt Road to be implemented. This application would not remove the requirement in permission ref. WA/2014/1054 to build out the approved access, should that permission be implemented. However, a separate application is under consideration by the Council ref. WA/2017/1346 which is an application made under Section 73 to vary Conditions 3, 18 and 24 of WA/2014/1054 (plan numbers, access and landscaping) and to remove Condition 26 (details of retaining wall) to reflect the revised access arrangements (access road proposed under this application (WA/2017/0512)).

As such, this current application must be assessed on the basis that the proposed alterations to the access at Sturt Farm would provide an alternative access to facilitate the consented scheme at Sturt Farm for 135 dwellings. An obligation within the legal agreement is recommended to ensure both accesses could not be implemented and the current application has been assessed on this basis.

Location Plan



Aerial View of Site



## Site Description

The application site is located to the east of Sturt Road, Haslemere. The site covers approximately 4.29 hectares and is situated approximately 800m to the south of the centre of the developed area of Haslemere.

It comprises the highway and verge at Sturt Road, the existing access track to serve Sturt Farm and an area of open countryside (rough grazing land) which rises from west to east. The existing access track runs between a cluster of residential buildings which are Grade II listed, with the exception of Sturt Farm which is a Building of Local Merit.

To the north are residential properties in Sun Brow and, to the east, the site adjoins open countryside which rises towards a highpoint at Longdene House.

There is a Public Footpath No.35 which runs along the existing access track and leads from Sturt Road to Hedgehog Lane to the north.

## Proposal

Planning permission is sought for the alteration, extension, landscaping and improvement to the existing access from Sturt Road to land to the rear of Sturt Farm and the provision of Suitable Alternative Natural Greenspace (SANG). The proposed access would serve development approved under WA/2014/1054.

## Planning permission WA/2014/1054

Planning permission WA/2014/1054 granted outline permission for the erection of up to 135 dwellings and associated development including hard and soft landscaping, access roads, public open space, dedicated woodland and permanent footways and the upgrading of the existing footpath to a pedestrian/cycle lane. The application sought approval for the access and landscaping only with all other matters reserved.

Vehicular access to the site would be taken from Sturt Road, to the immediate south of the application site. There would be pedestrian links out of the site to the public footpath. This consent required an area of Suitable Alternative Natural Green Space (SANG) be provided through the legal agreement, but the consent did not grant planning permission for this.

## Current scheme

It is proposed to provide a revised access road to serve the consented Sturt Farm development, planning ref. WA/2014/1054. It would comprise the alteration and extension to the existing access from Sturt Road to land to the rear of Sturt. The access would be broadly on the alignment of and forming an extension to the existing access which is between Sturt Farm House and Sturt Barns and would comprise a 5.5m wide carriageway with a 1.8m footway on the length of the northern and of the carriageway, and a 1.8m footway on the south side after the proposed provision of four dedicated off road parking spaces. The carriageway would be flanked by landscaping to the boundary with Sturt Farm Barn and open land to the southeast, in the form of new low walls, hedgerows and tree planting. Some re-grading works will be required to accommodate the proposed route of the new road. Disturbed ground either side of the road corridor would be re-instated and landscaped on completion. The proposed development includes improvements to Sturt Road comprising widening the existing junction, minor realignment of the carriageway and the provision of a new pedestrian crossing. The proposed access is intended as an alternative to that already consented and only one access route would be constructed.

It is proposed to change the use of an area of agricultural land to public open space to the east of the access for a Suitable Alternative Natural Greenspace (SANG). The need for the SANG was identified during the determination of the consented Sturt Farm development and its provision secured through the legal agreement attached to the planning permission prior to the commencement of that development.

A Zoning Plan has been submitted as part of this application. The elements of the application are referenced as follows:

- Area 1: Construction of an alternative access to the Sturt Farm development;
- Area 2: Change of use to SANG land for the Sturt Farm consent (WA/2014/1054);
- Area 3: Part of the Open Space in association with Sturt Farm consent (WA/2014/1054).





Area 1 as proposed



Masterplan for revised access and SANG





## Heads of Terms

The following matters are subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended):

1. Access: In respect of the Sturt Farm Development that only one access will be constructed and used (either the access subject to this application or the consented access under ref. WA/2014/1054) and once that access has been constructed the permission for the other access will no longer be capable of being implemented.
2. SANG: Details shall first be submitted to and agreed in writing by the Local Planning Authority in respect of the further information requested by Natural England in their consultation response dated 17/05/2017. These details shall include the following:
  - a) Finalised details of the chosen SANG Management Company (Natural England understand this to be The Land Trust) along with confirmed, completed lease agreement information in accordance with Section 3.3.3 (b) of the Section 106 associated with WA/2014/1054. The Arrangements for the delivery of the SANG' section 5.24 of the SANG Management Plan still currently does not confirm who will be responsible for managing the SANG.
  - b) 'Step-in' rights agreed in writing with an appropriate body should be included within the Management Plan if an alternative Management Company is used. Please note this is not required if the Land Trust are taking on the site management.
  - c) Finalised costs including capital and in perpetuity (not just yearly) management costs should be included and agreed with the Management Company.
  - d) A final, agreed layout of the SANG, including the circular walk position. We require confirmation of the final plan and assurance that the revised scheme will provide the required minimum 2.3 km circular walk.

## Relevant Planning History

|              |  |                     |
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| WA/2017/1346 | Application under Section 73 to vary Conditions 3, 18 and 24 of WA/2014/1054 (plan numbers, access and landscaping) and to | Under consideration |
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|              | remove Condition 26 (details of retaining wall) to reflect revised access arrangements proposed under WA/2017/0512 (amended description).   |                                |
| SO/2017/0003 | Request for Screening Opinion for the alteration and extension of the existing access from Sturt Road to serve the consented Sturt Farm development and the provision of substantial increase in public open space (including facilitating SANG)  | EIA not required<br>21/03/2017 |
| SO/2016/0011 | Request for Screening Opinion for proposed development of land at Longdene House for up to 29 dwelling, amended access points and increase in public open space   | EIA not required<br>05/10/2016 |
| SO/2016/0001 | Request for Screening Opinion for an alternative access road to serve the land to the rear of Sturt Farm  | EIA Required<br>19/02/2017     |
| WA/2016/2144 | Hybrid application: Full application for the alteration, extension, landscaping and improvement to existing access from Sturt Road to land to the rear of Sturt Farm, to serve development approved under WA/2014/1054; Provision of Suitable Alternative Natural Greenspace (SANG) to serve development approved under WA/2014/1054; Change of use to public open space to provide potential additional SANG; Change of use, extension and alterations to office building to provide 1 dwelling with the erection of a detached garage: Outline application, with access and landscaping to be determined, for the erection of up to 13 dwellings following demolition of 2 dwellings, glasshouses and outbuildings. | Withdrawn<br>26/10/2016        |

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| WA/2016/1342 | Alterations and extension to existing access from Sturt Road to the land to the rear of Sturt Farm to serve the development recently approved under ref. WA/2014/1054, including associated landscaping.  | Withdrawn<br>22/08/2016                                    |
| WA/2014/1054 | Outline application for the erection of up to 135 dwellings together with associated development including hard and soft landscaping, access roads, public open space, dedicated woodland and permanent footways and the upgrading of existing footpath to a pedestrian/cycle link (PROW No. 35). | Full Permission<br>11/06/2014                              |
| SO/2013/0012 | Screening Opinion Land at Sturt Road, Haslemere Request for Screening Opinion for up to 150 residential units.  | Screening<br>Opinion Given<br>24/12/2013 –<br>requires EIA |

#### Planning Policy Constraints

- Countryside beyond the Green Belt – Outside of Developed Area
- Surrey Hills Area of Outstanding Natural Beauty (AONB) (part of site)
- Area of Great Landscape Value (AGLV)
- East Hants Special Protection Area 5 Km Buffer Zone
- Wealden Heaths II Special Protection Area 5 Km Buffer Zone
- Footpath No. 35 (to the north of the site)
- Sturt Farmhouse – Grade II Listed Building
- Upper Barn – Grade II Listed Building
- Granary and shed to south of Sturt Farmhouse – Grade II Listed Building
- Sturt Farm Barn – Building of Local Merit
- River bank within 20m (to the south west of Sturt Road)
- Potentially contaminated land
- Section 106 (regarding land at Sturt Road)
- Gas Pipe Line

## Development Plan Policies and Proposals

Saved Policies of the Waverley Borough Local Plan 2002: C2, C3, C7, D1, D2, D4, D5, D6, D7, D8, D9, RD9, M1, M2, M4, M5, M14, HE2, HE3 and HE15.

Draft Local Plan Part 1 Strategic Policies and Sites 2016 Policies: RE1, RE3, TD1, NE1, NE2, NE3, SP1, SP2, ICS1, LRC1, HA1, ST1, CC1, CC2, CC3 and CC4.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The adopted Local Plan (2002), therefore remain the starting point for the assessment of this proposal.

The National Planning Policy Framework (NPPF) is a material consideration in the determination of this case. In line with paragraph 215 due weight may only be given to relevant policies in existing plans according to their degree of consistency with the NPPF. The report will identify the appropriate weight to be given to the Waverley Borough Local Plan 2002.

The Council is currently in the process of replacing the adopted 2002 Local Plan with a new two part document. At the examination in June/July 2017 the Inspector indicated that modifications will need to be made to the Plan for it to be found sound and invited the Council to submit a list of these proposed modifications. The Council's Executive Committee has endorsed the modifications to be submitted to the Inspector and these are now subject to public consultation. All representations on the proposed modifications will be taken into account by the Inspector before he issues his written report. It is considered that substantial weight can now be given to the policies where no modifications are proposed and significant weight can be given to those policies where modifications are proposed.

Other guidance:

- The National Planning Policy Framework 2012 (NPPF)
- The National Planning Practice Guidance 2014 (NPPG)
- Land Availability Assessment (2016)
- West Surrey Strategic Housing Market Assessment (2015) and Addendum (2015)
- Five Year Housing Supply (2017)
- Open Space, Sport and Recreation (PPG17) Study 2012

- Statement of Community Involvement (2014 Revision)
- Council's Parking Guidelines (2013)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Surrey Design Guide (2002)
- Haslemere Design Statement (2012)

#### Consultations and Haslemere Town Council Comments

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| County Highway Authority                         | No objection subject to conditions  |
| Haslemere Town Council                           | Objection – the proposed access will have a detrimental impact on the setting of the listed buildings and as such, is in conflict with Policy HE3 of the Waverley Borough Council 2002 Local Plan.  |
| Natural England                                  | No objection - Having reviewed this application and received additional correspondence from the applicant, Natural England remove their objection to this application and consider that there will be no significant adverse impacts on designated sites from this development.   |
| Surrey County Council Lead Local Flood Authority | No objection, subject to conditions   |
| Surrey Hills AONB Officer                        | <p>The proposed SANG lies within the AONB while the access proposals lie within the AGLV proposed in the Waverley Local Plan 2002 as being treated as within the AONB.</p> <p>The studies and proposals relating to the proposed SANG have addressed the site being within the AONB in a sensitive manner. It is also considered that the informal nature of the proposals would have minimum interaction with the existing landscape character. The Council will need to satisfy itself that sufficient resources are provided for the long term</p> |

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|  | <p>maintenance of the SANG in a suitable way.</p> <p>Given that permission has already been granted to construct a new access road, it is considered that the current proposal to enlarge and adapt the existing access drive nearby would be no worse from an AONB aspect.</p> |
| County Archaeologist                                       | The current proposals are unlikely to threaten significant archaeological remains and no archaeological concerns are raised.  |
| Environmental Health (Noise and other potential nuisances) | No objection.   |
| Environmental Health (Potentially contaminated land)       | No identified significant issues, no action required.   |
| Historic England   | On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions.   |

### Representations

In accordance with the statutory requirements and the “Reaching Out to the Community – Local Development Framework – Statement of Community Involvement – August 2014” the application was advertised in the newspaper on 07/04/2017, site notices were displayed around the site 07/04/2017 and neighbour notification letters were sent on 23/03/2017.

65 letters of representation have been received. 61 letters raising objection, 3 expressing support and 1 making general comments on the following:

### Objections:

- Proposal would result in the inevitable loss of amenity to the properties along the eastern side of Orchard Close.
- Object to the proposed parking on Sturt Road that will create issues of overlooking, noise, fumes and glare from headlights that will



significantly affect the amenity of our properties – a solid acoustic screen may mitigate this issue.

- The footpath that links Sturt Avenue with Sturt Road needs further consideration.
- Site adjacent to Flood Risk Zone 2 and sits upon an aquifer – drainage concerns.
- Significant harm to the settings of the Listed Buildings.
- Traffic implications.
- Inadequate roads and infrastructure to deal with the proposed development.
- Concerns regarding the disposal of dog waste as a result of the SANG.
- The proposed development through the old Sturt Farm enclave would destroy all that the Council's Officers Report sought to conserve as part of WA/2014/1054.
- Application refers to whether an EIA is required but this is only relevant to EIA requirements and not to assessing a planning application which may identify other aspects to consider.
- A separate confidential report details comparative viability should be available for public examination.
- The proposed access will not improve the access to the four existing dwellings at Sturt Farm as they will have to contend with a large number of cars, delivery vans and refuse trucks.
- There is no public benefit to offset the harm caused to the heritage assets.
- The proposed SANG should be properly considered in the context of the approved application WA/2014/1054, their suitability or otherwise being part of the existing requirement to provide SANG.
- Concerns over the accuracy of the agent's completion of the application forms.
- Many material planning considerations would be flouted if this application were allowed.
- The proposal would cause detriment to the tranquil setting created by the studios habitation within the historic barn at Lower Barn by constant traffic noise.
- Traffic noise, pollution and vibration would damage the fabric of the Listed Buildings.
- There no case to demonstrate the public benefit of the alternative access.
- The proposal would render any music production at Lower Barn impossible due to traffic noise and several livelihoods are at stake if this plan goes ahead.

- The proposal would cause harm to the character and beauty of this setting and the listed buildings.
- Impact on biodiversity.
- Impact on residential amenity to surrounding properties.
- Flooding concerns.
- Vehicles parked in the existing garages at Sturt Farm House will have to go directly onto the proposed access, with poor visibility.
- Safety issues for pedestrians walking along the footpath.
- Viability report contains inconsistencies, unsubstantiated assertions and inaccuracies.

#### Support:

- Improvement to the scheme from a road safety aspect providing better sighting along Sturt Road.
- Improved public footpath would make it easier and safer for users of that footpath.
- Less of an impact on the Listed Buildings.
- Using the existing road is far better than the original plans in terms of topography, natural access and efficiency.
- It is clear to see that using the existing access will have significantly less impact on our stretch of Sturt Road than the consented one.
- There is a need for more housing.

#### General Comments:

- Sturt Farm is situated above an aquifer.

#### Determining Issues

- Principle of development
- Loss of agricultural land
- Impact on the Countryside beyond the Green Belt and Impact on the Landscape Character and Designated AONB & AGLV
- Design
- Impact on residential amenity
- Heritage Impacts
- Trees
- Highways, including impact on traffic and parking
- Public Rights of Way
- Flooding and Drainage

- Archaeology
- Effect on the SPAs
- Biodiversity and compliance with Habitat Regulations 2010
- Accessibility and equalities Act 2010, Crime and disorder and Human Rights Implications
- Pre Commencement Conditions
- Working in a positive/proactive manner
- Public Benefits of the Proposal
- Third Party Representations

### Planning Considerations

#### Principle of development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. The NPPF states that, as a core planning principle the intrinsic character and beauty of the countryside shall be recognised. Policy C2 of the Local Plan states that building in the countryside, away from existing settlements will be strictly controlled.

#### Loss of the agricultural land

The NPPF states that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This sentiment accords with Policy RD9 of the Local Plan which states that development will not be permitted which would result in the loss or alienation of the best and most versatile agricultural land unless it can be demonstrated that there is a strong case for development which overrides the need to protect such land.

The fields included within this scheme for the provision of SANG do not form part of any agricultural holding. It is evident on site that the area is not currently in use for agricultural purposes. As such, the proposal would not result in the fragmentation of an agricultural holding. Furthermore, Natural England does not classify the land to be of high agricultural value. As such, the proposal would not result in the loss or alienation of the best and most versatile agricultural land. No objection is therefore raised to the loss of the agricultural field and its impact on any agricultural holding, subject to securing the SANG through a section 106 agreement.

## Impact on the Countryside beyond the Green Belt and Impact on the Landscape Character and Designated AONB & AGLV

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 17 of the NPPF 2012 sets out that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. These 12 principles are that planning should: inter alia take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Waverley Local Plan Policy C3 is the relevant development plan policy for determining planning applications in the AONB. Inter alia, the policy includes the following relevant statements on the AONB. “The primary aim of designation is to conserve and enhance their natural beauty. Development inconsistent with this primary aim will not be permitted unless proven national interest and lack of alternative sites has been demonstrated.”

Policy RE1 of the Draft Local Plan Part 1 state that the intrinsic beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

Policy RE3 of the Draft Local Plan Part 1 states that new development must respect and where appropriate, enhance the distinctive character of the landscape in which it is located.

The Surrey Hills AONB Management Plan 2014 – 2019 has been formally adopted by all the constituent planning authorities and the Surrey Hills AONB Board following public consultation. It is therefore a material planning consideration. The following policies are relevant to the determination of this application.

Policy LU1 – In balancing different considerations associated with determining planning applications and development plan land allocations, 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.

Policy LU2 – Development will respect the special landscape character of the locality, giving particular attention to potential impacts on ridgelines, public views, tranquillity and light pollution. The proposed use and colour of external materials will be strictly controlled to avoid buildings being conspicuous in the landscape.

Policy LU3 – Development proposals will be required to be of high quality design, respecting local distinctiveness and be complimentary in form, setting and scale with their surroundings, and should take any opportunities to enhance their setting.

The Surrey Hills AONB Management Plan 2014-2019 emphasises the significant development pressures and threats to which the Surrey Hills are subjected to and states, being so close to London and other urban areas means there are significant development pressures on the Surrey Hills landscape. These pressures are expected to increase and justify especially stringent controls of development. The cumulative effect of many, often small, developments over decades and centuries would reduce the landscape and scenic beauty of the Surrey Hills and spoil it for future generations. These and other pressures and threats outlined in Section 1.8 are considered to justify the policies below for strict controls of development in this most sensitive of landscapes.

The site is located within the Countryside beyond the Green Belt outside any defined settlement boundary, is partially within the Surrey Hills AONB and is entirely within the AGLV. The Surrey Hills AONB designation encompasses the eastern part of the application site where the provision of SANG is proposed and a small section of the proposed access.

The Surrey Hills AONB Officer has been consulted as part of this application. It is considered that the proposals relating to the proposed SANG have addressed the site being within the AONB in a sensitive manner. The Surrey Hills AONB Officer also considers that the informal nature of the proposals would have minimum interaction with the existing landscape character.

Landscaping works would be required to mark out a circular walk route with waymarkers. Pathways would be laid out to avoid any steep inclines. Signage and interpretation boards are also proposed throughout the SANG with details to be agreed under condition. The planting of species-rich grassland, trees and shrubs is proposed and access points to the SANG will be provided from an existing public footpath, one of these will provide access for any machinery such as mowers.

The proposed change of use to provide SANG would result in the formalisation of natural open countryside. The proposed footpaths, signage and other activities associated with a recreational area would result in a change in character of the area. However, any changes would be of a modest scale and would have a limited impact on the surrounding character. As such, the proposed change of use would have limited prominence in the broader landscape and would not cause material harm to the Countryside and would not fail to conserve or enhance the landscape character and natural beauty of the AONB and AGLV.

In terms of the alternative access, the proposal would utilise an existing access, although it would result in its formalisation by way of its widening, regrading and resurfacing. The topography of the site results in the access being set on significantly lower land levels than the adjoining land to the north east. It should be noted that only a small section of the proposed access would be located within the designated AONB.

The Surrey Hills AONB Officer considers that given that permission has already been granted to construct a new access road, the current proposal to enlarge and adapt the existing access drive nearby would be no worse from an AONB aspect.

An obligation in the Section 106 agreement is recommended to ensure only this access or the consented access is implemented and not both. The access proposed as part of the extant scheme involves the excavation of a bank between Sturt Road and the site. Whilst the proposal would involve some regrading of land to provide level access, this will not be on the same scale and as such, the impact on the landscape would be less than the extant scheme.

Therefore, the proposed changes to the access would have limited prominence in the broader landscape over the approved scheme and would not cause material harm to the Countryside. Furthermore, the proposal would conserve the landscape character and natural beauty of the AONB and AGLV.

### Design

The NPPF attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness. Policies D1 and D4 of the Local Plan 2002 accord with the NPPF in requiring development



to have high quality design and to be well related in size, scale and character to its surroundings.

Paragraph 56 of the NPPF 2012 states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 57 of the NPPF 2012 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Paragraph 58 of the NPPF 2012 states that local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

The Haslemere Design Statement (2012) states that where new development is proposed, imaginative solutions should be found, to achieve higher density without undermining the character of the existing area, and goes on to say that care must be taken to ensure that any new development sits well in the street-scene and the form of any new development must be appropriate for the site in which it sits.

Regarding the proposed extensions and alterations to the access, the existing access track is partly existing paved and gravelled and would require the formalisation of the hard surfacing and provision of footpaths, road markings, lighting etc. The existing access road runs from the east side of the carriageway to the north east between Sturt Farm House and The Granary extending 110m from Sturt Road. The proposed access road would be broadly on the alignment of and forming an extension to the existing access and comprise a 5.5m wide carriageway with a 1.8m footway on the south side after the proposed provision of 4 dedicated off-road parking spaces. The carriageway would be flanked by landscaping to the boundary with Sturt Farm Barn and open land to the south east, in the form of new low walls, hedgerows and tree planting. The small parking area would be provided containing 4 parking spaces to the south side of the access road. It is proposed to undertake some re-grading works to accommodate the proposed route of the new road with distributed ground to either side of the road corridor to be reinstated and landscaped on completion.

Whilst it is noted that the proposed works to the access would formalise it and change the character and appearance of the area, the design together with the proposed materials are considered to be appropriate in terms of their impact on visual amenity.

Furthermore, the proposed change of use to form SANG would have a limited impact on the surrounding character and is considered acceptable in terms of their impact on visual amenity.

The proposals are therefore considered to accord with Local Plan Policies D1, D4 and the NPPF in this regard.

#### Impact on residential amenity

The NPPF identifies that within the overarching roles that the planning system ought to play, a set of core land use planning principles should underpin both plan-making and decision making. These 12 principles include that planning should seek to secure a good standard of amenity for all existing and future occupants of land and buildings. These principles are supported by Policies D1 and D4 of the Local Plan and guidance contained within the Council's SPD for Residential Extensions.

The proposed alterations and extensions to the existing access track to serve the consented scheme of 135 dwellings would change the character of the area significantly and would result in an increase in vehicle movements close

to the cluster of dwellings around Sturt Farm. This would result in an increase in noise and disturbance to the amenities of the adjoining properties. In addition, the proposed change of use of agricultural land to Public Open Space to be used as Suitable Alternative Natural Greenspace (SANG) to serve the Sturt Farm development (ref. WA/2014/1054) would result in an increase in vehicle movements through the access road to access the SANG and the proposed parking spaces to serve them.

Concerns have been received from third parties with regard to the increase in vehicle movements and the likely impact on neighbouring residential amenity, including the use of Lower Barn as a music recording studio. Officers note that the use of Lower Barn as a music recording studio is ancillary to the residential use of the dwelling at Upper Barn. Whilst it is accepted that the proposal would result in change to the character of the area, it is considered that this is not an unusual relationship within a residential area and the proposed access would not impact on the amenities of these properties to such an extent as to warrant refusal of the application. The Council's Environmental Health Officers have also considered the potential noise impact of the development, and raise no objection on these grounds.

The operational development itself, both from the access and SANG would not impact on these residential properties by reason of loss of light, outlook or visual intrusion.

A condition is recommended to ensure the lighting is appropriate and does not unacceptably impact on these residential properties.

As such, the proposal would be acceptable in respect of its impact on the amenities of neighbouring occupiers in accordance with Policies D1 and D4 of the Local Plan 2002.

#### Heritage Impacts

The statutory test for the assessment of proposals affecting listed buildings and their settings is contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering applications which affect Listed Buildings, Local Planning Authorities must 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.

Policy HE3 of the Local Plan 2002 state that development should preserve or enhance the character and setting of Listed Buildings and Buildings of Local Merit.

Policy HE3 outlines that where development is proposed that will affect a listed building or its setting, high design standards will be sought to ensure that the new development is appropriate and compatible in terms of siting, style, scale, density, height, massing, colour, materials, archaeological features and detailing.

In this instance, consideration is given to the impact of the proposal on the setting and special architectural merits of the adjacent Grade II Listed Buildings (Sturt Farmhouse, Upper Barn, Granary and shed to south of Sturt Farmhouse) and the Buildings of Local Merit (Sturt Farm Barn) in accordance with Local Plan Policy HE3.

Paragraph 128 of the NPPF states that 'Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Paragraph 129 of the NPPF states that 'Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

The definition of 'heritage asset' in the NPPF includes listed and locally listed buildings. The site lies adjacent to Listed Buildings which are considered to be designated heritage assets and a Building of Local Merit which is considered to be a non-designated heritage asset.

The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be historic. Significance derives not only from a heritage assets physical presence, but also from its setting.

Paragraph 133 states that 'Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Policy HA1 of the Draft Local Plan Part 1 seeks to ensure that the significance of the heritage assets within the Borough are conserved and enhanced to ensure the continued protection and enjoyment of the historic environment.

The significance of Sturt Farm and its agricultural buildings (now in residential use) lie in the survival of the complex and the continued opportunities to recognise, understand and appreciate the agricultural character of the collection of historic buildings and their spatial arrangement. Despite the separation of ownership of the buildings and the conversion of the agricultural buildings to domestic use, the arrangement and its relationship with the land continues to be perceptible. The farm complex and its immediate setting are in contrast to the suburban arranged development to the north and west. The significance of the farm lies in the fact it is separate from this later residential development and acts as a reminder of the historic relationship between the town of Haslemere and the surrounding countryside. The type of dwellings and their functions do contrast between settlement and countryside. The essential characteristic is the dispersed nature of rural farm dwellings and a close spatial relationship with their associated ancillary buildings.

The proposed change of use from agricultural land to the provision of a SANG would be located to the east of the site a significant separation distance from Sturt Farm and the other Listed Buildings / Building of Local Merit. Due to this separation distance this element of the proposal would not cause harm to the significance of the heritage assets and would preserve their setting.

The Council's Heritage and Design Officer has been consulted as part of this current application. It is considered that the increased width and formalisation of the access road will dilute the setting of the historic farm complex and reduce the ability to recognise and appreciate the relationship between the buildings that form the farm complex. Although there has been a change to the character of the historic farmyard through the erection of private boundaries and the creation of parking areas this has not been so intensive that an appreciation of the space as a historic farmyard has been lost. The relationship between the buildings can be perceived and this is due to the private nature of the collection of residences. The number of vehicular movements is low and the subtle relationship between surfaces lends the space a relaxed and informal character. The proposal to widen the existing access road to the point where several of the buildings are squeezed will change the character of the space considerably. The result will be a formal and suburban road arrangement that will dilute the setting of the Listed Buildings and the Building of Local Merit to a point where their relationship as a single farm complex will not easily be recognised.

The extant scheme was considered to cause less than substantial harm to the significance of the heritage assets because of the increased suburbanisation of the area and the provision of a suburban junction and access road which would cause harm to the setting of the Listed Buildings and Building of Local Merit. This proposal would also cause less than substantial harm to the significance of the heritage assets and would not preserve their setting. The less than substantial harm identified would be greater than that of the extant scheme, as whilst the suburbanisation from the proposed dwellings would be similar, the access would directly cut through the middle of the farm complex resulting in a further dilution of their setting.

Paragraph 134 of the NPPF 2012 outlines that in considering development that may result in less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including the possibility of securing its optimal viable use. Only where the benefits are found to outweigh the harm to the designated heritage asset should the development be approved. The test in respect of Buildings of Local Merit in respect of paragraph 135 of the NPPF is also relevant, which also requires the benefit to be weighed against the identified harm.

Officers are therefore of the view that as there would be some harm to the setting of the heritage assets as a result of the proposed development, the proposal cannot be said to meet the statutory tests of Section 66 of the



Planning (Listed Buildings and Conservation Areas) Act 1990 of preserving or enhancing the heritage assets and their settings.

In light of the above, and the guidance contained in the NPPF, the public benefits of the proposal will be considered within the 'Public Benefits of the Proposal' section later on in this report.

### Trees

The NPPF 2015 states that planning permission should be refused for development resulting in the loss or deterioration of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development clearly outweigh the loss.

Policy D7 of the Waverley Borough Local Plan 2002 broadly support the aims of the NPPF stating that the Council will protect significant trees and groups of trees and hedgerows through planning control.

It is noted that the proposed access would result in the loss of young trees and hedging currently within/bounding the properties on the west of the existing properties along the access. However, it is considered that none of these trees are of a size or form that makes them a significant material constraint on proposed development. The proposed planting (plan no. 1027.03A) is considered to provide reasonable mitigation to this impact.

No concerns are raised with regard to the enabling of greater public use of the land and the formalisation to provide SANG. This element was accepted in principle as part of application WA/2014/1054.

### Highways, including impact on traffic and parking

The National Planning Policy Framework 2012 outlines that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

Paragraph 32 states: "All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and

- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

The Transport Statement dated February 2017 which accompanies the application assesses existing transport conditions in the area and assesses the impact of the proposed development.

It is proposed to carry out alterations and extensions to the existing access from Sturt Road to the land to the rear of Sturt Farm to serve the development recently approved under ref. WA/2014/1054, including associated landscaping.

The access will be broadly on the alignment of and forming an extension to the existing access and would comprise a 5.5m wide carriageway with a 1.8m footway on each side and the proposed provision of 4 dedicated off-road parking spaces. The width of the approved access was also 5.5m. The carriageway would be flanked by landscaping to the boundary with Sturt Farm Barn and open land to the south east, in the form of new low walls, hedgerows and tree planting. A small parking area would be provided containing 4 parking spaces to the south side of the access road to serve the SANG. Some re-grading works will be required to accommodate the proposed route of the new road with distributed ground to either side of the road corridor to be re-insulated and landscaped on completion. The development also includes widening the existing junction, minor realignment of the carriageway and the provision of a new pedestrian crossing point.

The Highway Authority has visited the site and assessed the proposed access arrangement on highway safety and capacity grounds. The Highway Authority is satisfied that that the proposed access arrangement is suitable to serve the previously consented development (ref: WA/2014/1054). The Highway Authority note that this proposal would require the minor realignment of Sturt Road, to the south of the proposed site access, utilising a small strip of the area of hardstanding which is used for parking. Provision for parking on this area of hardstanding will be retained and the Highway Authority has agreed with the applicant that the proposed works will include formalising this area with marked parking bays and dropped kerbs to improve access to the parking bays.

In light of the above, The County Highway Authority has undertaken an assessment of the application as a whole and in terms of the likely net

additional traffic generation, access arrangements and parking provision is satisfied that the application would not have a severe impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no objections subject to conditions.

Concerns have been raised with regard to the visibility splays afforded to the users of the garage at Sturt Farm House when driving onto the proposed access. As stated above, the Highway Authority considers the proposed access arrangements to be acceptable. Furthermore, the details of any boundary treatment either side of the existing garage at Sturt Farm House can be controlled by condition and have been recommended as part of this report.

The NPPF 2012 supports the adoption of local parking standards for both residential and non-residential development.

The Council has adopted a Parking Guidelines Document that was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Development proposals should comply with the appropriate guidance as set out within these documents.

The applicant submits that guidance on SANG provision from Natural England indicates that there should be 1 car parking space required for every 2 hectares of SANG, but that parking will not be required for sites of less than 4ha. A total of 3.55ha of SANG is required to serve Sturt Farm, for which no parking is required as it is less than 4ha in size and the residents it serves live next to the SANG. Notwithstanding this, a total of 4 spaces are proposed as part of the alternative access road. Natural England has considered this proposal and raises no objection. The Council have no guidelines for parking for SANGs and consider this level to be appropriate.

Concerns have been raised with regard to the loss of parking outside Sturt Farm House. Sturt Farm House is served by a double garage located to the north of the dwelling. The occupants have stated that they are also able to park in front of this garage. The submitted plans demonstrate that the area to the front of the garage is under the ownership of the applicant. This is an informal parking space and the occupants of Sturt Farm House could only park here with the permission of the owner, which could be withdrawn at any time. As such, whilst the loss of a space is a negative element of the scheme, this is given limited weight. It is further noted that there is parking for 2 cars in the garage and so the under provision for this property in relation to Waverley's guidance amounts to 0.5 spaces. This is not a significant shortfall.

In light of the above, it is considered that the proposal would accord with Policies M2 and M14 of the Local Plan 2002.

### Public Rights of Way

Policy M4 of the Local Plan requires developments to include safe, convenient and attractively designed pedestrian routes linking to existing or proposed pedestrian networks, public open space, local facilities and amenities or, public transport.

Policy LT11 of the Local Plan states that the Council, will seek to ensure that deemed rights of way are safeguarded, protected and enhanced to encourage their use.

Public Footpath 35 runs adjacent to the northern site boundary. The plans submitted in support of this application show that the footpath would continue along the proposed access to the site to serve the proposed residential scheme approved under WA/2014/1054 and the SANG proposed as part of this application. The Countryside Rights of Way Officer has been formally consulted on the application but has not provided any comments. They were also consulted on application WA/2016/1342 and raised no objection to the proposal. As such, it is considered that there would be no objection in respect of the impact of the development on footpaths and the proposal would accord with Policy M4 and LT11 of the Waverley Borough Local Plan 2002 in this regard.

### Flooding and drainage considerations

Paragraph 100 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 of the NPPF states that the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant.

Policy CC4 of the Draft Local Plan Part 1 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 floor 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.

Decisions on planning applications relating to major developments should ensure that SuDS for the management of run-off are put in place, unless demonstrated to be inappropriate. Under these arrangements, Local Planning Authorities should consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

The NPPG states that whether SuDS should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. SuDS may not be practicable for some forms of development. New development should only be considered appropriate in areas at risk of flooding if priority has been given to the use of SuDS. When considering major development, SuDS should be provided unless demonstrated to be inappropriate. Whether a SuDS system is appropriate to a particular development proposal is a matter of judgement for the Local Planning

Authority and advice should be sought from relevant flood risk management bodies, principally the LLFA.

The site is located within 20m of a river bank (to the south west of Sturt Road). The site is also located in flood zone 1 and as such, there is not an unacceptable risk of flooding. It should be noted that the SANG and Open Space in Area 2 and 3 will drain naturally to ground as no additional non-permeable hard surfacing or buildings are proposed.

The applicant submits that the alternative access road would result in a reduction in hard surfaced area in comparison to the consented scheme. The altered and extended access will increase the area of hardstanding by 640sqm over the existing situation. The consented access road comprises 840sqm of hard standing. As such there is a reduction in 200sqm of hardstanding. It is therefore considered therefore that the proposal would reduce the amount of run-off from the site in comparison to the consented proposal WA/2014/1054. The County Lead Local Flood Authority (LLFA) has been consulted as part of the application process and raises no objection subject to conditions.

As such it is considered that the development is not at risk of flooding, will not result in an increased flood risk off-site and provides appropriate measures for draining.

#### Archaeological considerations

Paragraph 128 of the NPPF sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Policy HE15 of the Local Plan requires proposals for large scale developments (over 0.4 hectares) not in an area already defined as of High Archaeological Potential, the Council will require that an archaeological

assessment is provided as part of the planning application, and the same provisions as in Policy HE14 (b) (c) and (d) will apply.

The areas impacted upon by the proposals have been previously disturbed to some extent and this is the case for the majority of the route of the proposed new access route. As such, significant archaeological remains are unlikely to be impacted upon by this proposal. The proposed SANG area is to remain largely untouched and so any archaeological deposits that may exist in this area will remain preserved *in situ*. It is considered that the current proposals are unlikely to threaten significant archaeological remains and as such, there are no archaeological concerns in this instance. The proposal is therefore considered acceptable in this regard.

#### Effect on the SPA

The site is located within the Wealden Heaths and East Hants 5km SPA Buffer Zones. It is proposed to change the use of the land in area 2 from agriculture to SANG. SANG is required in order to mitigate the impact of increased human activity on European protected areas and the nearby Special Protection Area (SPA). SANG must meet a number of criteria set by Natural England and 8ha of land must be provided for every 1,000 of new population generated by new development. The applicant submits that the change of use is required in order to ensure that the 135 homes in the Sturt Farm permission (permission WA/2014/1054) can be delivered to help meet housing need.

Part 3.3 of Schedule 2 of the Section 106 agreement for the Sturt Farm development sets out the requirements for the provision of SANG to serve the approved 135 homes. Part 3.3.2 (c) requires that planning permission is obtained to use the land as SANG prior commencement of the Sturt Farm Development. The SANG land is defined in the S.106 as follows:

- Be for unrestricted public use and access for recreation and amenity.
- Be an area of land measuring 3.53 hectares.

It is considered that the proposed SANG meets these criteria. The area of proposed SANG would be 3.55 hectares which exceeds the requirement of 3.53 set out in the Sturt Farm S.106. It does not require car parking as it is adjacent to the Sturt Farm development and does not exceed 4ha. There would be access points from the Sturt Farm development to provide unrestricted access and a circular path would be provided.

Natural England consider that there will be no significant adverse impacts on designated sites from this development. No objection to the use of the land as SANG has been raised, subject to further information being submitted to meet the requirements within the SANG Management Plan. This would be secured through the section 106 agreement.

In light of the above, Officers take the view that the provision of SANG is acceptable in this instance and an appropriate assessment is not required.

#### Biodiversity and compliance with Habitat Regulations 2010

The NPPF requires that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for then planning permission should be refused.

Surrey Wildlife Trust has been consulted as part of this application and raise no objection subject to a condition requiring the applicant to undertake all the recommended actions in The SANG Management Plan contained within the Proposals for the Delivery of an area of Suitable Alternative Natural Greenspace (SANG) document by Ecology Solutions Ltd dated October 2014 including the proposed conservation management regime.

Surrey Wildlife Trust note that concerns have been raised with regard to a badger sett being located within the application site. It is considered that while this sett is unlikely to be affected by the proposed access from Sturt Road onto the site, its likely location would place the sett within the proposed SANG and it could be adversely affected by SANG works or the use of the SANG with its resultant anthropogenic effect. They therefore advise that a proposed badger survey is required to help inform the design of the SANG to avoid it adversely affecting legally protected badgers. A condition has been recommended to require the undertaking of a badger survey prior to the commencement of development.

#### Accessibility and equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.



### Pre Commencement Conditions

“Pre commencement condition” means a condition imposed on the grant of permission which must be complied with: before any building/ other operation/ or use of the land comprised in the development is begun.

Article 35 of the DMPO 2015 requires that for any application for planning permission, the Notice must state clearly and precisely the full reasons, in the case of each pre-commencement condition, for the condition being a pre-commencement condition.

Where pre commencement conditions are justified, these are provided with an appropriate reason for the condition.

### Development Management Procedure (Amendment) Order - Working in a positive/proactive manner

In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of paragraphs 186-187 of the NPPF. This included:-

- Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
- Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be registered;
- Have suggested/accepted/negotiated amendments to the scheme to resolve identified problems with the proposal and to seek to foster sustainable development.
- Have proactively communicated with the applicant through the process to advise progress, timescales or recommendation.

### Environmental Impact Assessment

On 4<sup>th</sup> July 2016, the Secretary of State, pursuant to Regulation 5(7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015), issued a screening opinion (ref: SO/2016/0001) to the applicant that the proposal for an alternative access road to serve land to the rear of Sturt Farm would not constitute EIA development within the meaning of the Regulations.

## Public Benefits of the Proposal

The applicant has submitted information that seeks to expand on material already submitted, including the Design Statement submitted on the 6th June 2017 and the Heritage Statement which accompanied the original application. This information comprises:

### Plans

- Aerial Overlay of Permitted Sturt Farm Access (078/PL/61A);
- Aerial Overlay of Proposed Access (083/PL/62);
- Masterplan Extract – Alternative Access (17117/SK12B) – 132 Units;
- Sketch Section A-A (17117/SK13B);
- Sketch Section B-B (17117/SK14B);
- Masterplan Extract – Permitted Access (17117/SK15B) – 121 Units; and
- Aerial View from the South (17117/SK16B) – showing land affected by consented access;
- Proposed Cut and Fill for Access Road with Retaining Wall and Bank Option – Fairhurst - (114456/2004A).

### Report

- Addendum Heritage Statement by Purcell.

This information seeks to demonstrate that significant public benefits would arise from the approval of the proposed access, when set against the permitted scheme. These benefits comprise; the impact on Landscape and Streetscape, Heritage, Delivery of Housing, Design and Speed of Delivery, SANG and Highways and Construction.

In terms of the impact on Landscape and Street Scene, the proposed access works with the existing landscape and topography would not require the clearance of significant areas of existing vegetation or the removal of the existing retaining wall on Sturt Road. The submitted drawings demonstrate that the proposed alternative access would not open-up views into the new development at this location, as the permitted access would. As such, it is considered that the overall impact of the development upon the character of the area is greatly reduced. Having assessed the impact on landscape character and visual amenity earlier on in this report, Officer agree that the overall impact of the development as a result of this current proposal would be reduced.

In terms of Heritage impacts, an updated Heritage Report has been submitted and concludes that, the permitted access would have a Medium Adverse

effect on the adjoining heritage assets. In comparison with the permitted access, the proposed access would have a low beneficial impact. The report finds that when viewed against each other the impact of the alternative access is considerably less than that of the permitted access. Officers disagree with the findings of this report for the reasons set out in the heritage section above and conclude that the less than substantial harm identified would be greater than that of the permitted scheme.

With regard to the delivery of housing, design and speed of delivery, the applicant seeks to argue that the 135 dwellings approved under WA/2014/1054 cannot be delivered to the full extent and only 121 dwellings could be delivered. This is in comparison to this proposed scheme which could deliver 132 dwellings. The two layouts (drawing nos. SK12B and SK15B) compare the design implications of the two access options. These plans include the requirements for the placement of surface water attenuation installations which are required to comply with the relevant Flood Risk Assessment assumptions and planning conditions imposed under WA/2014/1054. Officers consider that the plans demonstrate that the use of the proposed access would allow the site to accommodate 11 additional units, 4 of which would be affordable homes. This increase in deliverable units is a significant benefit that must be weighed in the balance when determining this application.

Example layout plan using consented access



Extract showing consented access serving the 121 unit masterplan

Example layout using proposed alternative access



Extract showing alternative access serving the 132 unit masterplan

In addition to the above, the applicant states that early approval of the proposed access would accelerate the build programme for Sturt Farm (permission WA/2014/1054) as it involves significantly less infrastructure works than the permitted route. Officers agree that the proposed access has the potential to be delivered faster than the extant access.

The applicant has put forward that the proposed SANG is a planning benefit weighing in favour of the scheme. Whilst this is a benefit, the SANG could come forward without the amended access and as such, it is given limited weight in relation to the public benefits to outweigh the harm caused to the designated and non-designated heritage assets.

Finally, it is put forward that the Framework Construction Management Plan submitted as part of this application provides a comparison in terms of the work needed and disruption which will be necessary to implement the two alternative access options. It goes on to identify the benefits which would come as a result of the proposed access. The approved access would require the closure of the road and the existing access would need to be utilised during the early stages which would alter the character of the existing road in any case. In contrast, the construction of the proposed access requires only limited short term traffic management on Sturt Road and no substantial earthworks, thereby not only minimising disruption during the construction phase, but also significantly accelerating the delivery of new housing. Whilst Officers consider that the character of the existing road would be altered during construction, this would be temporary and as such, only limited weight can be afforded to this benefit. It is, however, agreed that there would be less disruption to road users during the construction phase as a result of the proposed access.

Officers have carefully assessed the benefits of the proposed access put forward by the applicants. In this instance, it is considered that there would be a greater amount of less than substantial harm to the significance of the heritage assets over the extant scheme. These would be outweighed by the public benefits in terms of preserving the character of the landscape, minimising traffic disruption and delivering 11 additional units, 4 of which would be affordable homes and delivering the overall scheme more quickly. As such, it is considered that the proposal would be in accordance with Policies HE3 of the Local Plan 2002 and paragraphs 128, 129, 131 and 132 of the NPPF 2012. Paragraphs 133 and 134 of the NPPF would be invoked.

### Third Party Representations

Third party representations have been received stating that the Council should not assess planning applications that seek to amend an approved scheme without good reason. Under the Town and Country Planning Act 1990 (as amended) it is open to an applicant to submit valid applications to the Council seeking to amend an approved permission. The Council must assess the applicant that is in front of them on its merits and cannot refuse an application on the basis that permission has already been granted. It is for Officers to assess the proposal against material planning considerations and make a recommendation.

Concerns have been raised relating to the fact that the submitted viability information is confidential and is not made accessible to the public. Any viability information that is submitted to the Council that includes commercially sensitive information must remain confidential. This information is sent on to independent financial consultants so that it can be scrutinised and the Officers can be advised accordingly.

Third party representations have been received on a number of technical matters. On technical matters the Council consults with the relevant statutory consultees for advice and takes this into account as part of the overall decision making process.

### Conclusion

Planning permission is sought for the alteration, extension, landscaping and improvement to existing access from Sturt Road, to land to the rear of Sturt Farm, and the provision of Suitable Alternative Natural Greenspace (SANG); to serve development approved under WA/2014/1054.

In forming a conclusion, the NPPF requires that the benefits of the scheme must be balanced against any negative aspects of the scheme.

The proposed extension and alterations to the existing access track and the change of use to provide SANG would have a limited impact on the surrounding character of the area. Therefore, the proposal would have limited prominence in the broader landscape and would not cause material harm to the Countryside and would conserve the landscape character and natural beauty of the AONB and AGLV. It is considered that this proposal would be an improvement over the consented access in terms of its impact on landscape character.

The proposal would not result in the loss or alienation of the best and most versatile agricultural land, and would not result in the fragmentation of an agricultural holding so as to seriously undermine the economic viability of the remaining holding.

The County Highway Authority has assessed this application and conclude that the access and highway improvements put forward would be sufficient to accommodate this increase in traffic.

The proposal has demonstrated, subject to control by way of planning conditions that in terms of flood risk the development would be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere.

It is acknowledged that the consented scheme would result in the delivery of a substantial level of both market and affordable housing approved at outline stage. However, the alternative access would allow for the provision of 11 additional residential units at Sturt Farm, 4 of which would be on site affordable homes over what could be delivered with the extant access. This would contribute significantly towards housing in the Borough. The proposal would allow for the greater provision of onsite affordable housing, an important consideration which weighs in favour of the scheme.

The proposal includes provision for a SANG intended to avoid any likely significant effects upon the Wealden Heaths SPA and enables the delivery of the new homes.

The proposal would cause less than substantial harm to the significance of designated heritage assets (including statutory Listed Building and Building of Local Merit). The test set out within Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 has not been met, however, in accordance with the NPPF guidance, any harm identified must be weighed against any public benefit. It is considered that the identified harm is considered to be outweighed by the public benefits of the proposal namely; preserving the character of the landscape, minimising traffic disruption and the delivery of additional housing over the extant scheme, that this scheme would achieve.

In accordance with paragraph 134 of the NPPF 2012 the proposed development would result in less than substantial harm to designated heritage assets, and it is considered that this harm would be outweighed by the public benefits of the proposal.

Officers consider that the adverse impact in terms of heritage would not significantly and demonstrably outweigh the benefits of the scheme

particularly the delivery of housing having regard to the immediate need for additional housing and the lack of alternative deliverable sites to achieve the level of housing that is required, when assessed against the policies in the NPPF taken as a whole.

Officers consider therefore that this scheme could be supported subject to the inclusion of appropriate conditions and the conclusion of the appropriate legal agreement.

### **Recommendation A**

That permission be GRANTED subject to the following conditions:

#### 1. Condition

The plan numbers to which this permission relates are 083/PL/001, 083/PL/02, 083/PL/06, 083/PL/14, 083/PL/63, 083/PL/64, 083/PL/65, 078/PL/61A, 083/PL/62, 17117/SK12B, 17117/SK13B, 17117/SK14B, 17117/SK15B, 17117/SK16B, 114456/2004A, 71171027.5.02, 1027.5.03A, 1027.5.04 and 02 Rev K. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

#### Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

#### 2. Condition

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre commencement condition because it goes to the heart of the permission.

#### 3. Condition

Prior to the commencement of development the following details shall be submitted and approved in writing by the Local Planning Authority:



- a) A SuDS design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.
- b) Evidence that the proposed solution will effectively manage the design storm events (+Climate change allowance).
- c) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.
- d) Finalised drawings read for construction to include: a finalised drainage layout detailing the location of SUDS elements, pipe diameters, 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 controls.
- e) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite.
- f) Details of how the Sustainable Drainage System will be protected and maintained during the construction of the development.
- g) Details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetime of the systems shall be submitted.

#### Reason

To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site in accordance with paragraphs 100-103 of the NPPF. This is a pre-commencement condition because the details go to the heart of the permission.

#### 4. Condition

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.

#### Reason

To ensure the Sustainable Drainage System is constructed as proposed in accordance with Policies D1, D4 and D12 of the Waverley Borough Local Plan 2002.

#### 5. Condition

Prior to commencement of the development approved under reference WA/2014/1054, the proposed alterations and extensions to the existing Sturt Farm access onto Sturt Road shall be constructed in general accordance with the approved drawings and subject to the Highway Authority's technical and safety requirements. Once provided, the access and visibility splays shall be permanently retained to the satisfaction of the Local Planning Authority.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of Waverley Borough Council's Local Plan 2002.

#### 6. Condition

No development shall commence until a Construction Transport 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
- (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

has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.

#### Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy M2 of Waverley Borough Council's Local Plan 2002. This is a pre-commencement condition because it goes to the heart of the permission.

#### 7. Condition

The landscaping scheme shall be carried out strictly in accordance with plan no. 1027.03A. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

#### Reason

In the interest of the character and amenity of the area in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition because it goes to the heart of the permission.

8. Condition

No construction works or deliveries shall be carried out at the site except between the hours 08:00 - 18:00 Monday to Friday, 08:00 - 13:00 Saturday and not at any time on Sundays, Bank or Public Holidays.

Reason

In the interest of the amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

9. Condition

No development shall commence until a further badger survey by a qualified ecologist is undertaken to assess current badger status on the site and to provide mitigation proposals to demonstrate how the proposed development could proceed without adverse effect to legally protected badgers, is 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

To ensure that protected species under schedules 1 and 5 of the Wildlife and Countryside Act 1981 are not endangered in accordance with Policy D5 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition because it goes to the heart of the permission.

10. Condition

Prior to the commencement of development, details of any external lighting to be erected on site shall 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 the neighbouring residential amenities of the area, in accordance with Policies D1 and D4 of the Waverley Borough Local Plan 2002. This is a pre-commencement condition because it goes to the heart of the permission.

Informatives

1. The Highway Authority has visited the site and assessed the proposed access arrangement on highway safety and capacity grounds. The Highway Authority is satisfied that that the proposed access arrangement is suitable to serve the previously consented development (ref: WA/2014/1054). Any reserved matters application for the residential development should include this alternative access arrangement. It should be noted that this proposal would

require the minor realignment of Sturt Road, to the south of the proposed site access, utilising a small strip of the area of hardstanding which is used for parking. Provision for parking on this area of hardstanding will be retained and the Highway Authority has agreed with the applicant that the proposed works will include formalising this area with marked parking bays and dropped kerbs to improve access to the parking bays.

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 186-187 of the National Planning Policy Framework 2012.

### **Recommendation B**

That, in the event that a Section 106 agreement is not completed within 6 months of the date of the resolution to grant planning permission, permission be REFUSED.