

A1 WA/2017/0277
M Shaw
16/02/2017

Erection of extensions to existing hotel and spa buildings together with the erection of new buildings in 4 phases together with associated parking and demolition of existing extension and outbuildings. ; - Phase 1 Erection of roof to open courtyard area; Phase 2 New wedding/conference building; Phase 6 Extension to existing gym and spa building; Phase 7 Extensions to provide a restaurant and bedroom wing; and associated works (amended description) at Lythe Hill Hotel, Petworth Road, Haslemere GU27 3BQ (as amended by plans and additional information received 25/08/2017, 21/12/2017, 09/11/2018 and 10/12/2018)

Committee: Joint Planning Committee
Meeting Date: 06/02/2019

Public Notice: Was Public Notice required and posted: Yes
Grid Reference: E: 492481 N: 132474

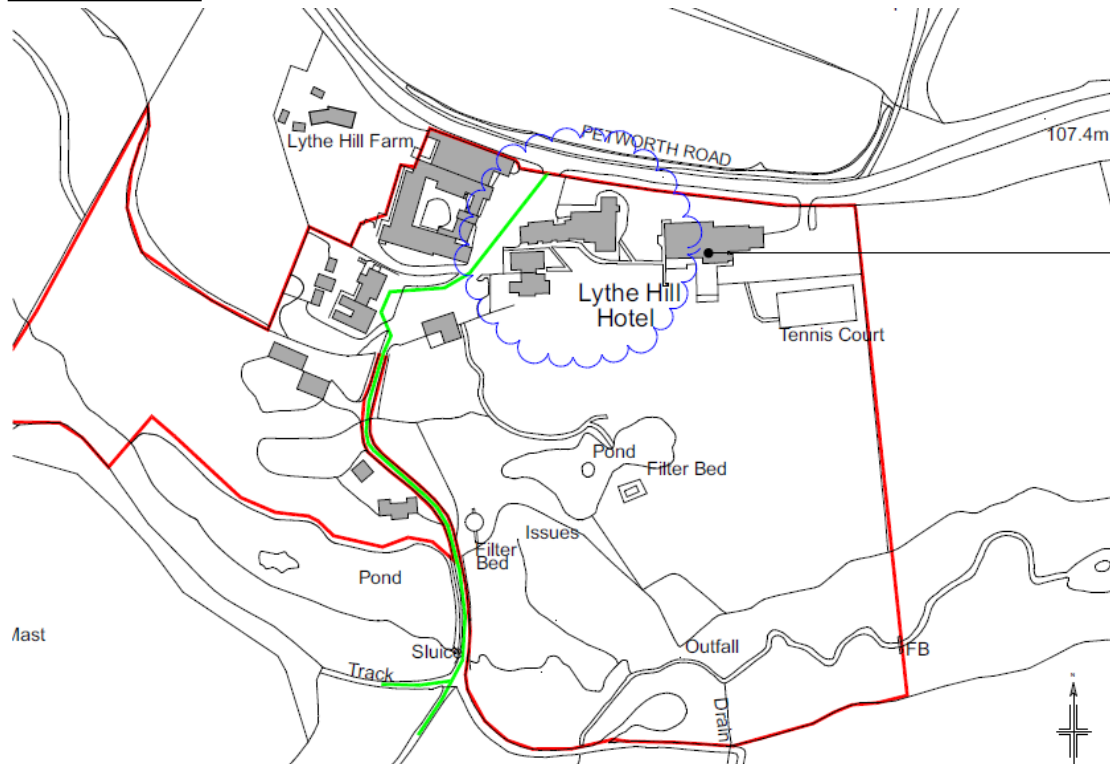
Parish: Chiddingfold
Ward: Chiddingfold and Dunsfold
Case Officer: Rachel Kellas
Expiry Date: 17/05/2017
Time Extended Date: 13/02/2019
Neighbour Notification Expiry Date: 24/03/2017
Neighbour Notification
Amended/Additional Expiry Date: 11/01/2019

RECOMMENDATION That permission be REFUSED

Introduction

The application has been brought before the Joint Planning Committee because the proposal, in the judgement of the Chief Executive after consultation with the Development Manager and the Southern Area Committee chairman, is considered to potentially have a significant planning impact beyond the Area in which the site is situated. This is having regard to the potential economic benefits of the proposal having regard to the size of the hotel and the extensions planned.

Location Plan



Site Description

The application site measures 6.3 hectares and is located on the south side of the B2131 Petworth Road. Lythe Hill Hotel is located circa two kilometres to the east of Haslemere. The main buildings lie towards the top of a slope and a public right of way passes centrally through the site. The main building on site comprises a Tudor Grade II* Listed Building which contains the hotel's restaurant and bedrooms. Other buildings on site include the Lythe Hill Spa which fronts Petworth Road on the eastern end of the site. There is further accommodation contained in a courtyard building. There is parking on site on various areas of hard standing. The area is rural in character and surrounding land uses comprise a mix of low density residential development, agriculture, equestrian and woodland.

Proposal

Permission is sought for the re development and extensions to the existing facilities at Lythe Hill Hotel. The proposal is shown on the following master plan:

Proposed master plan:

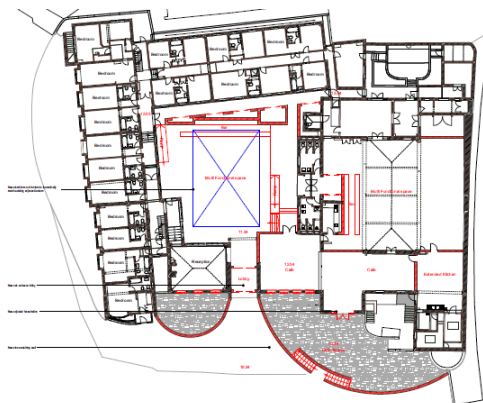


The proposal comprises 4 phases of development. The existing buildings subject of this application (courtyard, tudor building and spa) have a combined existing floor area of 3,254sqm, and the proposed development would result in a total floor area (for the 4 proposed phases) of 7,381sqm amounting to an increase of 4,127 or 127%.

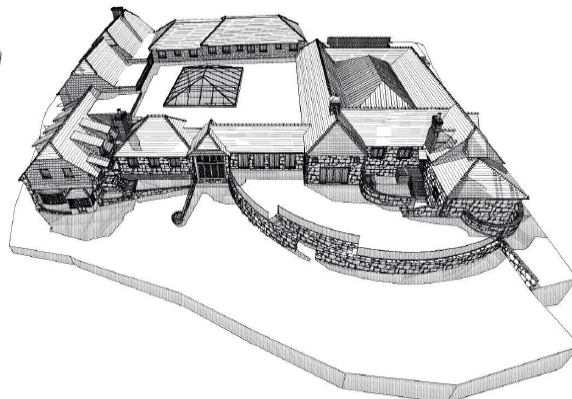
- Phase 1 : Courtyard Extension

Infill of existing courtyard buildings on western side of site. The proposed floor area would measure 2, 520 amounting to 17% increase.

Proposed ground floor:



Visual of proposed:

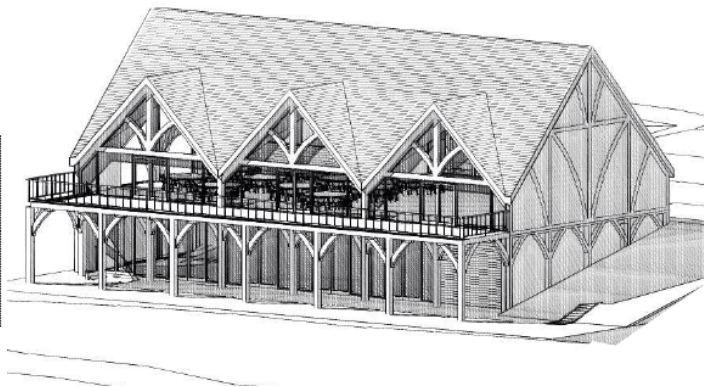
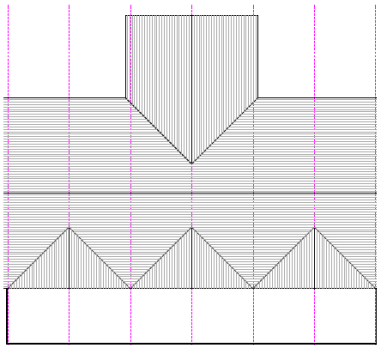


- Phase 2 : New barn-style conferencing/wedding venue

This new dual purpose building would be positioned on an existing tennis court to the east of the Grade II * listed building. The building would be two storeys in height with a dual pitched roof, gable elements and a balcony on the southern side. The construction of the building would be set into sloping ground. The floor area of the building would measure 1,126sqm.

Proposed roof plan:

Visual of proposed:

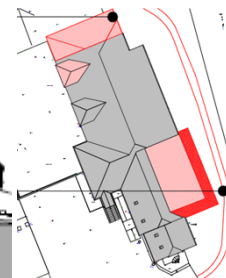


- Phase 3: Extension of existing gym, pool and spa

Extension to an existing building, which is used as a gym and spa building. The main element of the extension would be at below ground level, and the extensions would include the addition of 3 x treatment rooms and a larger gym/studio. The additional floor area would measure 1,014sqm amounting to a 99% increase.

Proposed rear elevation:

Block plan:



- Phase 4: Extension of existing bedroom wing and restaurant

The extension would provide a new L-shaped bedroom block and restaurant. The extension would be up to 3 storeys in height and would be constructed in dark-stained timber, with horizontal weatherboard cladding including 75

bedrooms (with a net gain of 61 bedrooms due to the loss of existing bedrooms) and restaurant.

Proposed floor plan:



Visual of proposed:



Other supporting elements comprise:

- An external pool to the rear of the hotel building
- Removal of overhead cables in western part of the site
- Hard standing comprising western portion of existing lower car park to be removed and re planted
- Provision of grasscrete events parking
- Extension of existing road through woodlands to create a through road for site circulation for internal services only
- Accessible surfacing to path network within grounds
- Provision of ramp approx. 1.8m gradient to east of wedding/conference venue
- Provision of multi level terrace, and gym terrace to rear of hotel restaurant and gym/spa
- Provision of turning circle within site, to provide drop off area for focal point and hotel

The proposal has been amended from the original submission. The original submission also included proposals for a manager's house, a temporary wedding marquee, a classic car garage and eco pods. The form of phase 4 (bedroom & restaurant extension) has also been amended from the original submission.

Heads of terms

The applicant has agreed to enter into a legal agreement to secure the following Section 278 works and Section 106 infrastructure contributions:

- Re-profile the earth embankment on the south side of Petworth Road in order to improve the visibility splay in the leading traffic direction from the western (main hotel) access (condition).

- Complete highway safety works on Petworth Road comprising provision of anti-skid on the eastbound approach to the main hotel access, improved signage and road markings, and trimming back of overhanging vegetation on the north side of Petworth Road (condition).
- Pay to the County Council £4,600 for the future monitoring and auditing of the Travel Plan (S106 agreement)
- Pay to the County Council £15,000 for drainage and surfacing improvements to Public Footpath No. 508 and Public Bridleway No. 41 (S106 agreement)

Relevant Planning History

WA/2017/0278	Listed Building Consent for erection of extensions following demolition of existing extension together with the demolition of curtilage listed outbuildings.	Pending Decision
WA/2017/0918	Listed Building Consent for the re-location of existing internal panelling; removal of one modern external door and one modern internal door and wall.	Listed Blg Consent Granted 27/07/2017
WA/1997/0310	Erection of building containing swimming pool, changing and ancillary facilities for mixed use as additional hotel ancillary facilities for hotel guests and members.	Full Permission 27/01/1998
WA/1996/0989	Construction of a pitched roof over part of existing outbuilding.	Full Permission 27/08/1996
WA/1996/0161	Erection of building to house swimming pool, changing rooms and ancillary facilities. (Renewal of WA90/1909).	Full Permission 25/03/1996
WA/1992/1389	Change of use and alterations from restaurant, bar and kitchens to hotel bedrooms. Construction of replacement roofs (renewal of WA87/1757).	Full Permission 10/12/1992
WA/1991/1245	Conversion of staff flat and offices to provide four additional hotel bedrooms. Construction of dormer windows and external staircase.(Renewal of WA86/2100)	Full Permission 16/10/1991
WA/1990/1909	Erection of building to house swimming pool, changing rooms and ancillary facilities (as amplified by letters dated 25/1/91 and 31/1/91 and plans received 1/2/91).	Full Permission 18/02/1991

WA/1987/1757	Change of use and alterations from restaurant, bar and kitchens to hotel bedrooms. Construction of replacement roofs,	Full Permission 11/01/1988
WA/1986/2100	Conversion of staff flat and office to provide four additional hotel bedrooms. Construction of dormer windows and external staircase	Full Permission 03/02/1987
WA/1980/0095	Demolition of single storey building and erection of two storey building to provide 7 first class guest rooms, staff bedroom and hotel office	Full Permission 02/06/1980

Planning Policy Constraints

- Green Belt, outside any defined settlement
- Surrey Hills Area Outstanding Natural Beauty & Area of Great Landscape Value
- Listed Building Grade II
- Heritage Feature (ornamental pond)
- Footpath (runs through centre of site)
- Site of Nature Conservation Importance (Lythe Hill Copse)
- Ancient Woodland (Lythe Hill Copse)
- Wealden Heaths II Special Protection Area 5km Buffer Zone
- Potentially contaminated land
- Gas Pipe Line
- Section 106 agreement (pursuant to WA/1997/0310 restrict external member use of SPA building and prevents separate sell off from hotel)

Development Plan Policies and Guidance

The development plan and relevant policies comprise:

- Waverley Borough Local Plan, Part 1, Strategic policies and sites (adopted February 2018): SP1, SP2, ST1, EE1, LRC1, RE2, RE3, TD1, HA1, NE1, NE2, CC1, CC2 and CC4
- Farnham Neighbourhood Plan (made May 2017): N/A
- Waverley Borough Local Plan 2002 (retained policies February 2018): D1, D2, D4, D7, HE1, HE3, HE5, LT4, LT7, M5
- South East Plan (saved policy NRM6): N/A

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

Other guidance:

- National Planning Policy Framework (2018)
- National Planning Practice Guidance (2014)
- Land Availability Assessment (2016)
- Infrastructure Delivery Plan (2012)
- Climate Change Background Paper (2011)
- Open Space, Sport and Recreation (PPG17) Study 2012
- Statement of Community Involvement (2014 Revision)
- Strategic Flood Risk Assessment (2015/2016)
- Viability Assessment (2016)
- Cycling Plan SPD (April 2005)
- Council's Parking Guidelines (2013)
- Vehicular and Cycle Parking Guidance (Surrey County Council 2012)
- Waverley Local Plan Strategic Highway Assessment (Surrey County Council, 2016)
- Surrey Hills Management Plan (2014-2019)
- Employment Land Review (2016)
- Council's Economic Strategy 2015-2020
- Haslemere Design Statement (2012)

Consultations and Town/Parish Council Comments

<p>Campaign to Protect Rural England</p>	<p>Amended plans – objection:</p> <ul style="list-style-type: none"> • Reiterate our objections to the scale of these proposals and their current form, on account of the adverse impact they would have on the Green Belt, the AONB and the Grade 2* Listed Building <p>Original submission - object:</p> <ul style="list-style-type: none"> • Proposals would not preserve the openness of the Countryside or conserve and enhance its natural beauty. • Proposals would cause harm or substantial harm to the significance or setting of the Grade II* Listed Building • Significant cumulative impact from all phases • Site of new guest car park corresponds to an area of designated ancient woodland which has been completely cleared
<p>Chiddingfold Parish Council</p>	<p>Amended plans – object:</p> <ul style="list-style-type: none"> • Could only support 4 of the 8 phases • Concerned about the impact of vastly increased traffic movements • Investigation warranted into construction of car park

	<p>on an area of designated ancient woodland that has been cleared</p> <p>Additional response dated 14 March 18: Object –</p> <ul style="list-style-type: none"> • Scale and mass of accommodation block far too big overall • Represents inappropriate development in the AONB • View of the back of Grade II* Listed Building would be lost • Concerned about works carried out without consent
Council's Agricultural Consultants (Reading Agricultural Consultants)	<p>Object -</p> <ul style="list-style-type: none"> • In the absence of mitigation proposed by the applicant consider that the proposal is contrary to NPPF paragraph 182 and Local Plan policy D2 • Proposed development, in particular the erection of a wedding/conference venue immediately adjacent to Barfold Farm would have a materially detrimental impact on the equestrian training and breeding activities as part of the business Cortium Sports
Council's Air Quality Officer	No objection subject to condition to secure electric vehicle charging points
Council's Environmental Health (Contaminated Land) Officer	No significant issues identified
Council's Environmental Health (noise)	<p>Amended scheme – no objection subject to conditions.</p> <p>Original proposal – insufficient information on how noise impact would be limited.</p>
County Highway Authority	<p>The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a severe impact on the safety and operation of the adjoining public highway, subject to:</p> <ul style="list-style-type: none"> • Conditions • S106 Payment to secure monitoring and auditing of travel plan, and drainage and surfacing improvements to Public Footpath No. 508 and Public Bridleway No. 41 • S278 works to include the provision of visibility

	<p>splays for the modified eastern (spa) access, and a scheme to include re profiling of the each embankment on the south side of Petworth Road to improve visibility from the western (main hotel) access and associated works</p>
<p>Haslemere & District Chamber of Trade & Commerce</p>	<p>Support proposal:</p> <ul style="list-style-type: none"> • The injection of capital on the scale that the project envisages represents a massive vote of confidence in the area with substantial potential to underpin local business growth • Enhance Haslemere’s potential as both a destination town and a gateway to the many attractions of the South Downs • Increase footfall in Haslemere • Create job opportunities for local people at hotel and in other businesses • Provide new high standard leisure and restaurant facilities • Provide new high standard leisure and restaurant facilities
<p>Haslemere Town Council</p>	<p>Amended plans - support proposal:</p> <ul style="list-style-type: none"> • This development is a much needed amenity to the Town • Many residents require “weekend facilities” having commuted all week • A 5* complex as proposed by Lythe Hill is exactly what is required • The Haslemere “dining experience” lacks when compared to Farnham, Petersfield and Godalming • Haslemere need increased employment opportunities for its residents, this development would be the largest employer in the area and give both the skilled and unskilled workforce an opportunity to find secure employment and thus spend locally <p>Original submission – support:</p> <ul style="list-style-type: none"> • Development would provide a destination venue for Haslemere • Pleased to learn of the number of jobs that would be created
<p>Historic England</p>	<p>Amended plans – no objection although has concerns regarding the application on heritage grounds:</p>

	<ul style="list-style-type: none"> • Do not object to the principle of development although raise concerns regarding its quantum and size • Harmful impacts could be capable of further mitigation • The amendments to the design go some way to addressing Historic England concerns and reduce the degree of visual impact caused by the proposals; although they do not break down the massing of the L-shaped block as suggested. • The harm to the significance of this important Grade II* listed heritage asset has been mitigated, although not removed. <p>Original proposal – concerns regarding the application on heritage grounds:</p> <ul style="list-style-type: none"> • Proposals would cause some further additional harm to the significance of the grade II* listed building over and above the current development on this site. • If your authority is content that the viability appraisal is robust and the development necessary, we consider that the issues and safeguards relating to the design of the scheme
Lead Local Flood Authority (Surrey County Council)	<p>Amended plans response: No objection subject to conditions. Satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted.</p> <p>Original response: object – insufficient information</p>
Natural England	<p>Additional response - Natural England do not consider that an Appropriate Assessment is required for this application or that it will result in an adverse effect on site integrity.</p> <p>Original response - No objection in respect of European sites (Wealden Heaths Phase II SPA) and Devils Punch Bowl Site of Special Scientific Interest)</p>
Surrey Hills AONB Planning Advisor	<p>Amended plans response : Object –</p> <ul style="list-style-type: none"> • Substantial building mass of new accommodation block together with restaurant, wellness centre and spa

	<ul style="list-style-type: none"> • Any improvement of the hotel facilities should be confined to the general area of existing development including the staff accommodation being suitably refurbished • No business plan or quantifiable economic case appears to be available to demonstrate that the proposed level of development in the vicinity of the existing buildings or that the spread of development is the minimum for the longer term viability of the hotel • Whilst the removal of the extension to the car park and re planting are welcomed it is noted the plans label this as being independent of the application. Recommended that this be the subject of a planning condition. • The LPA should satisfy itself that the amount of parking would be sufficient. Would appear that the proposed events parking may need to be used quite frequently which would be a manifestation of excessive development being proposed. <p>Original submission: object –</p> <ul style="list-style-type: none"> • Proposed scale and spread of development would have a significant visual and adverse impact that would fail to protect, conserve or enhance the Surrey Hills AONB • The case for the proposed level and form of development would need to be extremely weighty to override the great weight within national and local AONB policies to be attached to conserving landscape and scenic beauty in addition to any other possible policy conflict and material planning considerations.
Surrey Wildlife Trust	<p>No objection subject to conditions and securing a landscape ecological management plan:</p> <p>Impact on protected species - No objection subject to conditions to secure compliance with the mitigation, compensation and enhancement actions set out in the submitted bat survey report and further conditions to secure precautionary working measures, a sensitive lighting management plan</p>

	<p>Impact on protected habitats (Habitat of Principal Importance Deciduous woodland, Ancient Woodland and Site of Nature Conservation Importance) –</p> <p>The proposed development is therefore likely to have a direct adverse impact on the designated woodland through compaction of root zones as well as loss of ecological buffer at the woodland edge.</p> <p>Standing Advice also states “Development must be kept as far as possible from ancient woodland, with buffer area maintained between the ancient woodland and any development boundary”. The Standing Advice goes on to recommend a minimum 15m buffer between development and ancient woodland stating that “larger buffers may be required”.</p> <p>Recommend that a Landscape and Ecological Management Plan be submitted prior to commencement, incorporating a Woodland Management Plan are provided to provide details of 15m buffer and enhanced woodland management, as detailed above, in order to comply with the statutory and policy obligations of the NERC Act, the NPPF and Standing Advice.</p> <p>Recommend the development only in accordance with an appropriately detailed Construction and Environment Management Plan (CEMP) detailing how above referenced protected habitats and species, including Ancient Woodland and wetland features, will be protected from any adverse impacts as a result of construction.</p>
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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 03/03/2017 and 21/12/2018, site notices were displayed around the site, and neighbour notification letters were sent on 23/02/2017, 22/01/2018 and 11/12/2018.

56 letters (49 of which were in relation to the original submission), have been received **expressing support** for the following reasons:

General:

- Welcome improvement to local amenities and helping the hotel to prosper.
- Great ideas
- Haslemere lacks a high quality restaurant and hotel space
- Local amenities will benefit.
- Local am-dram groups would be able to utilise the new facilities.
- Great venue that needs upgrading.
- Benefits to the social life of the town.
- Greater hotel provision in the local area
- Provision of quality restaurants in Haslemere should be supported.
- The area needs a good spa
- Current lack of facilities in the area, particularly a four or five star hotel and quality restaurants.
- Increase to the opportunities and reputation of Haslemere

Economic:

- New job opportunities
- Financial benefit to Haslemere.
- Improved trade for local shops.
- Much needed boost for business
- Good to see local investment
- Bringing in of people and money to the town.
- Tourist attraction
- Opportunity for apprenticeships.
- Increased membership sales.
- The hotel will be able to grow into one of the best in Surrey
- Provision of jobs.
- Local tourist economy boost.
- Investment in local economy
- History of residential conversion so investment in commercial premises welcome

Design:

- Clever design taking into account highways and light pollution issues.
- Creation of a 'destination'
- External improvements are very good.
- The spa is in need of refurbishment.
- The proposal will fit comfortably into the rural location.
- Strong design

Listed Building:

- The preservation of the listed building is commendable.

Highway safety:

- Improved visibility splays and road safety signage useful.

29 letters have been received (of which 22 were received in relation to the original submission) **raising objection** on the following grounds:

Green Belt

- Application lacks justification of need for works.
- Increased development in the Green Belt
- Harm to the open views
- Planning Authority is willing to grant permission for the developments without regard to the Green Belt or AONB.
- Inappropriate Green Belt development
- No very special circumstances.
- Very special circumstances do not exist.
- Classic car store would be of no or very little benefit when weighed against Green Belt policy.

Impact on Listed Building:

- Alterations to Listed Building being done without planning permission.

Highways:

- Increased risk of accidents.
- Staff will need better public transport connections.
- Lack of suitable public footway will result in danger to pedestrians and cyclists
- Significant increase in traffic volumes
- Petworth Road is already very busy
- Depth of vegetation to be removed not sufficient
- Who will be responsible for maintaining the road markings.
- Increase in accident potential
- Need for road widening.

Design and landscape impacts:

- Bandstand seating area should not be increased in size.
- Volume of the increase is substantial.
- Light spillage harm to the AONB
- Substantial footprint and scale of the development is unacceptable
- Design would harm the AONB
- Impact on the unique area of Black Sky
- Within this sensitive area no further development should be allowed similar to that at Old Thorns in Liphook.
- Harm to AONB/AGLV
- Light pollution
- No information re. waste storage provision

- Sewerage system requires updating.
- Previous refusal for charity polo events on green belt grounds.
- Drawings do not include sufficient detail to assess design, they are more appropriate to an outline application.
- Light pollution creation.

Impacts on Neighbours:

- Noise impacts from events
- Application ignores impact on neighbours.
- Noise from the balcony needs strict policing.
- Light pollution from large floodlights throughout the night and early morning.
- Impact on the horses that reside in the adjacent stables
- Restriction on hours of use should be implemented.
- Detrimental impact on neighbouring property values.
- No mention of the access rights for High Barn Farm
- A proper management plan should be submitted to ensure no impact on neighbouring access.
- Outlook from Lythe Hill Park harmed.
- Noise generation is already unacceptable at certain times
- Permanent wedding venue and marquee are in totally the wrong place

Impacts on trees and woodland:

- Substantial felling has already occurred.
- No evidence of plan to replant
- Harm to protected woodlands
- Proposal would result in the wholesale massacre of mature trees

Harm to animal welfare and to equestrian/leisure (polo) activities at Barfold Farm:

- amplified music and firework displays;
- excessive noise into the late hours and early mornings disturbing the Thoroughbred polo horses;
- guests of Lythe Hill Hotel walking around the grounds with flashlights disturbing horses;
- general disturbance to the horses causing distress and putting grooms at risk;
- proximity of firework displays to the stable yard which cause distress to the horses;
- the distress and disturbance is particularly harmful to the welfare of newborn and young foals and the broodmares; and disruption to the training and exercise regime of the elite competition horses.
- Stables and loose boxes are close by to the proposed site

- Excessive noise would disrupt sleep patterns of horses.
- High value competition horses need to be rested.
- Impact on the competitiveness of these prized horses.
- Noise will interrupt their sleep patterns.
- Position of the venue constitutes real risk to Cortium Sports activities
- Cortium have not been contacted

Loss of biodiversity/wildlife:

- Many species of birds that live in the area will be harmed.
- Harm to wildlife

Economic concerns:

- Less suitable conditions for horses likely to impact the business.
- Resulting security risk to adjacent business.
- Contribution to the local economy is a gross overstatement.
- Why is the new dwelling in phase 8 required?
- The previous owners were profitable after fees and costs which leads to confusion surrounding the economic justification for the build.
- The Council are not economic experts and therefore cannot make a call on the business plan.
- The proposed business plan and ensuing development is not essential for continued operation of the hotel.

Flooding:

- Flood risk will be increased
- Increased size of facility would result in more risk from flooding.
- Sewerage needs to be addressed.
- Runoff into the nearby river must be controlled as it is an SNCI

Application Process:

- Amendments do not constitute any material change.
- Government Policy dictates that applications should not be with decision makers more than 1 year.

Noise:

- Impact of noise and intensification of use detrimental to safety and wellbeing of equestrian activity and the health and safety of staff.
- Noise impact assessment fails to address issues raised.

General:

- Current works being done and nothing is being done about it
- Council turning a blind eye to multiple breaches of planning control.

- Local infrastructure cannot cope
- Intrusion onto neighbouring site from Council Enforcement Officers without prior notice despite works at the hotel going on unenforced.
- Contrary to policies within the NPPF 2012 and the 2002 Local Plan.
- Amended plans do not contain sufficient detail
- Breaches of planning occurring at the hotel
- Planning Authority are allowing the hotel to pursue its plan without proper and due regard for the impact of these activities on the community and neighbours.
- Unjust and unfair process.
- Incorrect application of Policy

7 letters have been received making general observations.

Submissions in support

In support of the application the applicant has made the following points:

- The impetus behind the development to improve the economic viability of the hotel to ensure its longevity
- By altering and scaling back the proposed “master plan”, therefore, it is considered that the scheme will become more viable, yet with a reduced level in the “spread of development” from that proposed by the original application.
- With a programme of repair and refurbishment, and with expansion, the hotel has the potential to attract businesses and to operate and trade profitably
- Opportunity to preserve current level of employed staff, but also to secure more employment, enabling an increase in this number to the equivalent of 100 employees – 96 fulltime members of staff and 8 part-time members.
- If the development at the site were not to go ahead, the hotel will have to be closed as it is simply not sustainable, which would put in jeopardy the jobs which are currently in existence at the hotel.
- The proposed extension to the existing Tudor Building, the Grade II * Listed building, is confined to the later additions to the main dwelling, and does not affect the historic central core of the building.
- The scheme will not prejudice the amenities of neighbours and other users of the area
- The benefits from the proposals will outweigh any harm to either the Historic asset or the wider countryside setting
- The “harm” is outweighed by the benefits of the development and that the application should be supported

Planning Considerations

Principle of development in the Green Belt

The site is located within the Green Belt outside any defined settlement area. Policy RE2 of the Local Plan (Part 1) 2018 outlines that the Green Belt will continue to be protected from inappropriate development. Inappropriate development will not be permitted unless very special circumstances can be demonstrated.

Certain forms of development are considered to be appropriate, and will be permitted provided they do not conflict with the exceptions listed in paragraphs 145 and 146 of the NPPF.

Local planning authorities are required to give substantial weight to any harm which might be caused to the Green Belt by the inappropriate development.

- Phase 1 Erection of roof to open courtyard area;

This element of the proposal involves extensions to an existing building located on the Petworth Road frontage. The extensions would infill the existing square shaped building. The overall height, and external parameters of the building would not be altered. The proposal would result in a floor space of 2,520sqm which amounts to a 17% uplift over and above the existing floor area of 2,151sqm. Whilst the building has been previously extended, the previous extensions to the building have been of a relatively modest scale. Given the position and form of the extensions, and the proposed use of glazing within the central courtyard area, these would not amount to disproportionate extensions, and could in isolation be appropriate Green Belt development.

- Phase 2 New wedding/conference building;

This element of the proposal relates to a new detached two storey building, on the eastern portion of the site. The erection of a new building within the Green Belt would not meet any of the exceptions set out in paragraph 145 of the NPPF. The proposed building, by virtue of its size and scale, would materially impact on openness. The proposal therefore amounts to inappropriate development for which there must be Very Special Circumstances in order to outweigh the harm.

- Phase 3 Extension to existing gym and spa building;

This element of the proposal relates to extensions both at ground level and basement level, the overall height of the building would remain unchanged. The proposed floorspace of 1,938sqm would represent an increase of 1,014sqm or 110% over original (924) sqm.

Notwithstanding that the additional bulk proposed is focused at lower ground floor, cumulatively the extensions to this building are significant in scale and would be disproportionate to the original building. The increased size and bulk would have a materially greater impact on openness and would amount to inappropriate development in the Green Belt.

- Phase 4 Extensions to provide a restaurant and bedroom wing

The existing building has a footprint of 1,192sqm. Significant extensions are proposed to the rear of the building to provide an L shaped bedroom block together with an expanded restaurant. The proposed footprint is 4,218 sqm amounting to an increase of 254% and would provide an additional 75 hotel rooms. The depth, and bulk of the building would also be significantly extended. The scale of the extensions would therefore be disproportionate in scale and would result in a greater impact on openness. The proposed extensions would amount to inappropriate development in the Green Belt. The applicant's case for Very Special Circumstances are considered later in the report.

- Overall Green Belt conclusions

Whilst the individual components of the scheme have been considered above, it is also necessary to consider the proposal as a whole. The proposal does involve the re development of Previously Developed Land, however, collectively, the proposal would result in a significant increase in built form, a greater spread of development across the site and would have a materially greater impact on openness. The proposal would therefore amount to inappropriate development in the Green Belt.

Paragraph 144 of the NPPF states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The applicant has put forward a number of potential Very Special Circumstances for consideration. These are considered in more detail later in this report.

Landscape and visual impacts

Policy TD1 of the Local Plan 2018 (Part 1) requires development to be of high quality design and to be well related in size, scale and character to its surroundings. Retained Policies D1 and D4 of the Local Plan 2002 are attributed substantial and full weight respectively due to their level of consistency with the NPPF 2018.

The site is also located within the AONB and AGLV. Policy RE3 of the Local Plan (Part 1) 2018 sets out that new development in the AONB must respect and where appropriate, enhance the character of the landscape in which it is located. The policy goes on to state that for AGLV, the same principles for protecting the AONB will apply, whilst recognising that the protection of the AGLV is commensurate with its status as a local landscape designation.

The Surrey Hills Management Plan 2014 – 2019 sets out the vision for the future management of the Surrey Hills AONB by identifying key landscape features that are the basis for the Surrey Hills being designated a nationally important AONB.

Paragraph 172 of the NPPF 2018 states that “great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.” Further, Paragraph 172 also states that planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

For the purpose of Paragraph 172 of the NPPF, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

The proposed development, whilst it contains a number of elements to the proposal, primarily relates to the redevelopment and extensions to an existing hotel, albeit the extensions are of a significant scale. The proposal is closely focused around existing development and involves the redevelopment of Previously Developed Land. There would remain some scope for additional landscaping within the site. For these reasons, for the purposes of paragraph 172 of the NPPF the proposal is not considered to amount to major development in the AONB.

As officers are satisfied that the proposal would not result in major development within the AONB, in accordance with Paragraph 172 of the NPPF 2018, there is no need to consider whether the proposed development would be in the public interest for the purposes of paragraph 172 of the NPPF. The key consideration, as set out in Policy RE3, is whether the proposed development would respect and, where appropriate, enhance the character of the landscape in which it is located.

The site lies within the Surrey County Council Landscape Character Assessment Landscape Character Area 'Landscape Type WW: 'Wooded Low Weald'. This landscape area is characterised as being predominately lowland with undulating topography rising up to meet the greensand hills to the north. The area includes significant amount of tree cover, including ancient woodland, tree belts, and large mature hedgerow trees such as Oaks. The Historic landscape pattern is associated with woodland management, grazing of animals, farming and industrial activity.'

In terms of the site itself the landscape comprises a mixture of open lawn, ornamental shrub planting, native and ornamental trees, car parking and built form, together with dense predominantly native woodland, some of it ancient woodland. The character is therefore of a rural wooded character.

There has been a previous erosion of the site's wooded character, through the removal of woodland to make way for the main car park. Whilst the proposal includes part restoration of this area, this would not override the previous change in character.

The submitted landscape and visual impact appraisal indicates that there will be beneficial changes to the landscape character as a whole due to the introduction of new woodland planting and an improvement in the condition of the landscape of the hotel grounds. Officers agree that there is the potential for improvements to the landscape through better management and additional planting. However, the extent of the additional woodland planting proposed is fairly limited relative to the extent of built form proposed.

The main existing buildings lie towards the top of a slope.

The public views of the site that would be most affected by the new development would be from users of the public right of way which runs along the access drive through the middle of the site and provides clear vantage points of the areas where development is proposed. Consequently, the proposed development would be very readily visible to walkers and has the potential to impact upon public views.

The public right of way continues on to the south where other public rights of way exist. From these routes to the south, views would be limited to glimpsed views, through vegetation and woodland, with the potential for views reducing the further south travelled. There would be some views into the site from Petworth Road; however, views of the new development would largely be obscured by existing built form. The topography of the site is such that the extensions to the hotel and the new wedding/conference venue would not appear prominent in views from Petworth Road.

The elements of the scheme which would have the greatest landscape and visual impacts would be the proposed new accommodation block and the new wedding/conference venue.

The proposed new accommodation block would introduce a substantial building mass into this protected landscape and towards the top of the slope in a highly visible location from the public footpaths running through the site. The new bedroom wing represents a significant extension increasing the depth of built form further south within the site considerably by 37m. The bedroom wing would be set down in height from the existing hotel, this is achieved by utilising the drop in land levels as the site falls away to the south of the hotel. The south and east elevations of the accommodation would be of two storeys however, as the topography of the site falls away the block would effectively appear 3 storeys in height when viewed from the rear. Large gable ends and dormer windows within the roof form contribute to the 3 storey appearance of the building.

The proposed depth of the building necessitates a large central flat roof that may be capable of being seen from higher ground. The flat roof would draw attention to the disproportionate additions to the building, and the resultant bulk. The accommodation block would appear excessive in scale and would visually dominate the site, and the surrounding landscape.

The wedding and conference building would have a traditional barn style appearance featuring gable roof elements and a balcony and be focused on

an existing tennis court. This element of the proposal would therefore result in a significant increase in built form, in a relative open part of the application site. The building is set back from Petworth Road, and is set away from the public right of way which runs through the site. Given the open nature of the site, there would nonetheless be some views visible of the building from the public right of way. The bulk of the wedding/conference building would be partially set into the landscape which would minimise the overall prominence of the building, particularly when viewed from the front (north). The barn style appearance is of an architectural style which is considered to be compatible with its rural surroundings, and the existing buildings on site subject to the use of high quality materials. These matters however do not override the concerns in relation to the visual impact as a result of the introduction of a significant two storey building within a rural location. The in combination impact of this building, together with the other elements of the proposal is considered to result in a harmful visual impact.

The roofing over of the courtyard and the two extensions to the proposed gym/spa and wellness centre would have no material landscape impact.

Whilst there is some further spread of development, including extensions to the existing car park, and the laying of grass crete for temporary events parking within the northern parts of the site, the majority of the proposed built form is contained within the northern part of the site, where the existing buildings located and nearer to the main road (Petworth Road).

The proposed temporary events parking south of the new accommodation block would be a further physical manifestation and spread of development arising from the proposed level of development.

With the added level of development, even with a scheme to require a sensitive lighting strategy, it is inevitable that there would be a material increase in lighting from the site. Lighting would be required to facilitate the movement of visitors to and from the wedding/conference venue, on the terrace areas to the rear of the hotel, and to the car parking areas within the southern areas of the site.

There would be some potential additional impacts on tranquillity as a result of additional noise from visitors and movements within external areas of the site. This would particularly be the case late into the evening when weddings or other special events finished and background noise levels are quiet. Whilst there are some opportunities for management to mitigate these impacts, in practice it would be difficult to avoid noise from many people celebrating, possible music and other amplification together with voices and banging of car doors in the temporary car parks. As the application site is currently in

operation as a hotel, and some temporary events can already take place, it is important to note that there are already noise impacts which can affect the tranquillity of the site. As such, the additional impacts of the proposed development would result in some limited additional harm; however, with mitigation and careful management this is unlikely to be significant.

The proposal would have foreseeable adverse impacts on trees, which could be detrimental to the visual and landscape character of the site. The oak tree on the road frontage will have a new foundation within its minimum recommended RPA contrary to industry standard recommendations. Significant further impact on the prominent oak tree (T2) is therefore likely. It is a tree of recognised good public amenity value within the landscape/streetscene context.

The grasscrete car parking area proposed is significantly within the minimum recommended RPA's of the nearest remaining three significant oak trees. The extent of new hardstanding proposed within the RPA's is far greater than the industry standard recommends as a maximum. The submitted arboricultural report makes no reference to this fact. Even if the proposed specialist above ground engineering was undertaken, the upshot of such an approach contrary to the industry standard would be foreseeably damaging to their future health due to the significant change it places on their established rooting environment.

Whilst there could be some mitigation planting, the existing trees which would likely be lost would result in a detrimental impact on the visual amenity and character of the area.

Having assessed the proposals, consultee comments and the submitted tree report and LVIA, officers consider that the proposed development, whilst not amounting to major development in the AONB, would have an unacceptable impact on the landscape character, including the scenic beauty of the AONB and the natural landscape of the AGLV and as such would fail to accord with Policy RE3 of the Local Plan Part 1 2018.

In addition to these considerations, officers raise concerns over the visual impact of the scheme resulting from the overall quantum and scale of the development, and urbanising impacts within the site. The proposal would therefore also be in conflict with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002. Furthermore, as a result of the resultant tree loss, the proposal would also conflict with retained policy D7 of the Waverley Borough Local Plan 2002 and policies NE1 and NE2 of the Waverley Borough Local Plan Part 1 2018.

Impact on Listed Building and heritage feature

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 HA1 of the Local Plan (Part 1) 2018 outlines that the Council will ensure that the significance of heritage assets are conserved or enhanced to ensure the continued protection and enjoyment of the historic environment. Retained Policies HE3 and HE5 of the Local Plan 2002 are afforded significant weight owing to their consistency with the NPPF 2018.

Lythe Hill Hotel is Grade II* and consists of a fifteenth century farmhouse with sixteenth and seventeenth century alterations; a stone built stable and barn courtyard complex; and further residential buildings dating from the late nineteenth or early twentieth centuries. The building is significant because it retains much of its earliest fabric including its decorative timber frame. The modern hotel buildings are designed to mimic traditional rural buildings. Until recently the hotel has struggled and this was evident in the poor condition of the listed building.

The listed building already suffers from an inappropriate rear extension. This conceals the rear of the building. The proposed larger restaurant would also conceal the rear of the building but the provision of large roof lights would allow views of the rear elevation and imposing chimney. This would be an improvement over the existing situation. The stepped terrace at the rear to include the spa restaurant and outdoor pool would formalise the land immediately behind the historic building. To some extent this has already taken place.

Comments made by Historic England state that the current proposal (and amendments in comparison with the original submission) does not mitigate the harm to the listed building, albeit there is no formal objection from Historic England.

The proposed large bedroom extension has been designed to suggest a converted agricultural building. However, the scale is much larger than would be expected in this context. From the bottom of the valley looking north the bedroom extension would dominate the slope and conceal the rear of the listed building. This is the case at the moment as the existing flat roof extension also blocks views of the rear of the historic building. The proposed bedroom extension would be significantly more conspicuous than any existing

modern structure though. When viewed from the road the proposed extensions would be less visible and the size would be less appreciable. The principal views of the historic building would not be directly affected by the extensions as a result. Taken together the proposed extensions and landscaping would reduce the opportunity to understand the historic building as having been set within a rural landscape. This would indirectly dilute its historic interest.

Taken together the proposed extensions and landscaping would reduce the opportunity to understand the historic building as having been set within a rural landscape. This would indirectly dilute its historic interest. It is therefore concluded that the proposals would result in less than substantial harm.

In light of the above, the proposal would lead to less than substantial harm to the significance of the Heritage Asset and as such, would fail to preserve the special interest and setting of the Listed Building. As such, there is a presumption against granting planning permission.

However, the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use.

Officers agree with the applicants that additional rooms and facilities are required to ensure the viability of the hotel and therefore the continued care and maintenance of the listed building. These are recognised public benefits to the proposal.

An assessment of the applicable public benefits is set out later in this report; this considers whether or not the benefits are sufficient to outweigh the identified harm.

The site also contains a heritage feature, this comprises a pond in the Grounds of Lythe Hill Hotel, this is now an ornamental pond, was originally a rectangular farm pond, but is now of irregular shape and has reeds and grasses around the edge and a small reedy island. The historic interest of this feature would be unaffected by the proposal.

Town Centre Leisure uses

The proposal would extend existing leisure uses (hotel, spa and restaurant) and add to its ancillary facilities (wedding and conference centre). The NPPF paragraph 86 and Policy TCS1 state that a sequential approach will be applied applications for main town centre uses. Whilst the application site is

not in a Town Centre location and relates to an existing use, it is considered that a sequential test assessment should be undertaken.

Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

EE1 states that development will be encouraged where it would make provision for accommodation for visitors to the Borough, both in terms of business trips and tourism related visits.

The supporting text to policy EE1 states that the Surrey Hotel Futures Study (2015) identified opportunities, accompanied by some developer/hotel company interest, for the creation of luxury, boutique and budget hotels in Waverley, with Farnham and Godalming being the main areas of interest. This could be achieved through the expansion of existing hotels as well as the development of new ones.

It is material that the proposals would all have a functional link with the existing hotel and the site has an existing lawful use as a hotel. Officers have considered whether the site is sequentially preferable for the proposed development, having regard to existing hotel provision in Haslemere. The nature of the proposal which results in a significant amount of hotel rooms, and ancillary uses (i.e. spa, restaurant and wedding/conference venue) and with a significant extent of grounds/landscaping, requires a site of a significant size. The application site measures 6.3 hectares, and as such is not of a scale that could be accommodated within a town centre location with existing permission for use as a hotel. Furthermore, officers are not aware of any other existing hotel which has the same potential for expansion, or for a new hotel of the same, or greater size.

It is therefore considered that the application site is sequentially preferable for the proposed development. Furthermore, the proposal would accord with the two above policies through enhancing existing tourist and visitor accommodation within the Borough.

Impact on residential amenity and compatibility with surrounding uses

Policy TD1 of the Local Plan 2018 (Part1) seeks to ensure that new development is designed to create safe and attractive environments that meet the needs of users and incorporate the principles of sustainable development.

Retained policies D1 and D4 of the Local Plan 2002 are given substantial and full weight respectively due to their consistency with the NPPF 2018.

The application site is generally well separated from the nearest residential properties. The nearest residential properties are located approximately 50m east of the site (Lythe Hill farm) and 500m to the east - the Old School House (Petworth Road).

Owing to the generous separation distances to the nearest residential dwellings, the key potential for impacts on residential amenities would be from noise and disturbance, or from external lighting.

In addition to impacts on residential dwellings, consideration is given to the compatibility of the proposal with adjacent uses.

The application site is bordered by the Barfold Farm estate on the east, west and south and extends to some 87.4 hectares. Barfold Farm contains grassland, and a stable yard and provides for equestrian uses as well as for polo. The stable buildings are located circa 200m east of the proposed wedding/conference building.

Paragraph 182 of the NPPF advises that decisions should ensure that new development can be integrated effectively with existing business and community facilities (such as sports clubs) can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs).

Letters of objection have been received which raise concerns over the impacts of the proposed development, in particular the wedding and conference venue, and the noise and disturbance that would occur. Specific objections have been received regarding noise issues arising from weddings and similar activities at Lythe Hill which have taken place, including from a temporary marquee. The temporary marquee has been since removed from the site and does not form part of the current proposal.

The application is accompanied by a noise survey which considers the impacts of the proposal on residential properties. The report focuses instead on the nearest residential dwellings located some 450m – 500m away and concludes that the conference/wedding venue can be attenuated to prevent any harmful level of noise leaving the building.

The noise report identifies a number of measures which would serve to minimise noise from the site (with a focus on the wedding/conference venue).

The recommendations include:

- Limited operational hours;
- A brick and block building with double glazing, lobbied doors and mechanical ventilation system to achieve a high level of sound insulation performance during events;
- A dedicated sound system with a tamper-proof limiting system to be configured in the presence of an officer from Waverley Borough Council;
- An example noise management plan, which should be reviewed regularly to consider the everyday use of the venue;
- An example planning condition to regulate music noise levels in the venue.

It is noted that the majority of the management measures relate to the construction of the wedding/conference building, with the aim of preventing a high level of noise escaping the building. Officers do note that notwithstanding the acoustic qualities of the building, a balcony is proposed which would encourage guests to spend time outdoors, and it would be very difficult to prevent noise from visitors who may leave the building temporarily during an event, or from visitors leaving the venue who would be required to walk across the grounds to the car parking. However, this must be balanced against the existing use of the hotel, which has permitted development rights for temporary events during the year, and already holds weddings and other events within its existing buildings and grounds. Further controls over opening hours could also be required by officers in order to minimise noise and disturbance resulting from events, together with controls over the use of temporary structures or events should permission be granted. Subject to additional controls to be imposed by condition, the Council's Environmental Health Service raise no objection to the proposal on the grounds of noise impacts on neighbouring occupiers.

In respect of lighting, officers are satisfied that a sensitive lighting scheme could be secured by condition, and that this would be sufficient to avoid material adverse impacts.

In Barfold Farm, a different assessment is required as this is not a residential property, however, the equestrian uses at Barfold Farm are more sensitive to noise than humans. Impacts on horses are not covered by Environmental Health legislation and as such, the Council's Environmental Health Service is unable to provide advice on the matter.

The applicants noise report and management plan acknowledge the presence of Barfold Farm, however, the report simply states in respect of the possible

impacts on horses that there are no recognised planning guidance documents for the assessment of entertainment noise on horses. Whilst this is correct, there remains a requirement on the Local Planning Authority to consider whether the proposed development would be compatible with the adjacent uses at Barfold Farm.

The applicants have stated that the venue will provide extensive mitigation measures over unregulated events that have been held in marquees at the hotel. These mitigation measures are required to achieve the maximum low-frequency music noise levels established to protect residential amenity. The use of marquee is limited to 28 days within the year, whereas the hotel and wedding/conference venue would be a permanent venue which would operate all year round. The ability to control events at Lythe Hill, through planning conditions to secure a management plan, and control the hours of operation is a highly material consideration.

An addendum to the acoustic report submitted with the application states “The application proposes to hold traditional firework displays up to four times a year, which 24 Acoustics was not aware of when preparing the noise impact assessment.” Fireworks do not amount to development in their own right and as such do not require permission. The Local Planning Authority would be very limited in its ability to control such displays, however, controls can be imposed over noise generating uses (such as frequency of events at the hotel, hours of operation etc).

The Council’s Agricultural Consultants have noted that in the absence of specific mitigation for the possible impacts on Barfold Farm proposed by the applicant, they consider that the proposal has failed to mitigate the impacts on the adjacent uses. However, whilst the Council have sought additional advice on the matter, this response does not consider whether or not the noise mitigation measures proposed to avoid adverse impacts on residential properties would also mitigate for the impacts on Barfold Farm. Officers consider that the proposed mitigation measures which could be refined further through condition, provide a material benefit over and above the existing position. For this reason, officers consider that a reason for refusal on the basis of a conflict with NPPF paragraph 182 and Local Plan Policy D2 could not be justified.

Impact on Ancient Woodland

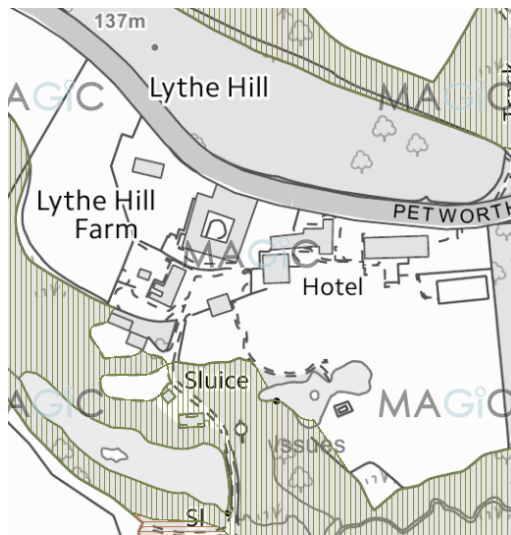
Paragraph 175 of the National Planning Policy Framework (NPPF) states that development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons (for example, infrastructure

projects where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists

The Standing Advice (produced by Natural England and the Forestry Commission in 2014) states “Development must be kept as far as possible from Ancient Woodland, with buffer area maintained between the Ancient Woodland and any development boundary”. The Standing Advice goes on to recommend a minimum 15m buffer between development and Ancient Woodland stating that “larger buffers may be required” and also that “Permanent retention of the buffer zones must be secured as part of planning permission”.

The application site contains an area of Ancient Woodland within the southern and south west portions of the site (Lythe Hill Copse which is also designated as an SNCI). This area was formally designated following a survey by Surrey Wildlife Trust in 1995. Lythe Hill Copse was designated because it was considered a good example of Ancient Semi-natural Woodland with neglected coppice and standards. The site was considered to have a high diversity with 22 ancient woodland indicator species and a localised abundance of characteristic ground flora.

Map showing areas of ancient woodland hatched:



A number of the elements of the proposal involve development on ancient woodland or the ancient woodland buffer zone:

- Main car park (upper and lower) to west of internal road
- Temporary events parking (east of access road, south of accommodation wing)

The main car park is a retrospective element of the proposal with the engineering works having taken place some time ago. Whilst the removal of

the ancient woodland to make way for the car park did not require permission the engineering operation of laying the hardstanding to form the car park does. Parts of the existing car park falls within the ancient woodland itself and the remainder fall within the buffer zone. Parking of vehicles on areas of ancient woodland or the buffer zones would involve soil compaction and result in both pedestrian and vehicular movements within it. The use therefore has the potential to adversely impact on the ecological features of the ancient woodland. Where hardstanding is (or has already been) laid, this would likely result in the loss of the native ground flora associated with the Ancient Woodland. Given the laying of hardstanding has already been done; it is highly likely that the ecology associated with the ancient woodland has already been lost. The likelihood is that this would not have been permitted had permission been sought prior to the works taking place.

Due to the scale of the proposed development at the site, if successful the number of visitors (including cars) coming to the site and using the car parks is likely to significantly increase. Where this would involve footfall and cars entering an area designated as ancient woodland, this could foreseeably result in damage beyond the parameters of the existing car park where visitors do not stick to paths/hard standing. As identified within the previous section of this report, the proposed temporary events parking would be foreseeably damaging to the future health of oak trees adjacent to the parking area.

Furthermore, notwithstanding the acceptability of the existing car park for which retrospective permission is sought, it is clear additional harm to ancient woodland would occur. The parking strategy includes provision of grasscrete for overspill events parking. Whilst the applicant contends this area has already been used for the parking of vehicles, the provision of a surface in this location combined with the nature of the proposed development, it is inevitable that frequency of use would significantly increase.

Whilst the use of a permeable surface such as grasscrete would be preferable to a hard surface, this would nonetheless result in soil compaction both from vehicles and visitors walking to their cars within the ancient woodland buffer zone. This would cause harm to any native ground flora that may exist.

The NPPF is clear that in order to permit the works that are harmful to ancient woodland, wholly exceptional circumstances must be present and a compensation strategy in place.

The applicants have agreed to a pre-commencement condition to secure a landscape and woodland ecological management plan. This would include securing a scheme for the replanting of the north east portion of the existing

car park. This would remove part of the car park extension that has taken place without permission.

The NPPG advises that you can partially compensate for loss or damage of ancient woodland by the management of nearby ancient woodland sites; in this case the management plan would be capable of securing better management of the remaining ancient woodland, and securing measures to seek to manage the use of the buffer zone areas. Furthermore, the scheme could secure the planting new native woodland or wood pasture. However, at the present time the application does not include a compensation scheme for detailed assessment.

Notwithstanding the absence of a compensation scheme, the latter section of this report considers whether there are any wholly exceptional circumstances such to outweigh the identified ancient woodland harm. As mitigation is only suggested in paragraph 175 where there are “wholly exceptional” reasons (for example major infrastructure projects) where the public benefit would clearly outweigh the loss.

Highway safety and parking

Policy ST1 of the Local Plan 2018 (Part 1) states that development schemes should be located where it is accessible by forms of travel other than by private car; should make necessary contributions to the improvement of existing and provision of new transport schemes and include measures to encourage non-car use. Development proposals should be consistent with the Surrey Local Transport Plan and objectives and actions within the Air Quality Action Plan. Provision for car parking should be incorporated into proposals and new and improved means of public access should be encouraged.

The County Highway Authority has undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and is satisfied that the application would not have a severe impact on the safety and operation of the adjoining public highway, subject to conditions. The conditions include the following requirements/contributions to improve the visibility splays over and above the existing situation:

- Re-profile the earth embankment on the south side of Petworth Road in order to improve the visibility splay in the leading traffic direction from the western (main hotel) access (condition).
- Complete highway safety works on Petworth Road comprising provision of anti-skid on the eastbound approach to the main hotel access, improved signage and road markings, and trimming back of overhanging vegetation on the north side of Petworth Road (condition).

- Pay to the County Council £4,600 for the future monitoring and auditing of the Travel Plan (S106 agreement)
- Pay to the County Council £15,000 for drainage and surfacing improvements to Public Footpath No. 508 and Public Bridleway No. 41 (S106 agreement)

Should permission be granted, any resolution would be subject to completion of a legal agreement to secure the above highways infrastructure contributions and works.

The NPPF supports the adoption of local parking standards for both residential and non-residential development. The Council has adopted a Parking Guidelines Document which was prepared after the Surrey County Council Vehicular and Cycle Parking Guidance in January 2012. Policy ST1 of the Local Plan (Part 1) 2018 states that development schemes should have appropriate provision for car parking. Development proposals should comply with the appropriate guidance as set out within these documents.

The existing hotel (including the ancillary facilities such as the SPA and restaurant) has circa 200 car parking spaces. This includes 35 within the hotel forecourt, 28 within the spa car park, and 120-150 within the 'overflow' car park on the western edge of the site.

The proposal would provide 240 parking spaces which would be divided between the following areas:

- Principal car park (lower existing car park on western side) : 85 spaces
- Upper car park area (upper existing car park on western side) : 57 spaces
- Spa car park: 35 spaces
- Overspill events parking (grasscrete): 40 car parking spaces

The applicants have calculated their parking provision based on a ratio of 1.5 spaces per bedroom. The ratio of 1.5 spaces takes into account the ancillary facilities that are proposed and some access to these by non-hotel residents (spa, conference/wedding venue and restaurant facilities).

The level of car parking provision is below what would be required if each phase was an independent use in its own right.

- 1.5 car spaces per bedroom plus 1 coach space per 100 bedrooms OR Individual assessment/justification (requirement of 158 spaces and 1 coach parking space)

- Restaurant (total of 1,410sqm split over two floors, and including main restaurant and spa restaurant) 1 space per 6sqm (requirement of 235 spaces)
- Spa/health club (requires an individual justification/assessment)
- Conference centre/wedding venue: 1 car space per 5 seats or individual justification (requirement of 20 car parking spaces based on 100 seats at ground floor for the ground floor conference venue, with individual justification for the wedding venue)

A total proposed requirement against the Council's guidelines should be undertaken because many elements of the scheme require an individual assessment

Based on a ratio of 1.5 spaces per hotel room, the parking requirement would be 158 spaces. This leaves a surplus of 82 spaces to be split between the other uses on site. The justification provided by the applicants suggests parking on the basis of 1.5 spaces per room would be sufficient for the entirety of the development; this has regard to the TRICS database, and is stated to have regard to examples of other developments with comparable levels of ancillary facilities. This takes account of the potential for combined trips and visits to the hotel and its facilities.

The County Highway Authority has reviewed the proposed development, including the parking, and has raised no objection on highway safety or parking grounds.

Having regard to this, officers consider the level of parking to be acceptable for this bespoke development which contains a number of uses but also has significant potential for multi trips.

Should permission be granted, a condition would be imposed to secure a parking management plan.

Flooding and drainage

Policy CC4 of the Local Plan (Part 1) 2018 states that in order to reduce the overall and local risk of flooding, development must be located, designed and laid out to ensure that it is safe; that the risk from flooding is minimised whilst not increasing flood risk elsewhere and that residual risks are safely managed. In those locations identified as being at risk of flooding, planning permission will only be granted where it can be demonstrated that it is located in the lowest appropriate flood risk location, it would not constrain the natural function of the flood plain and where sequential and exception tests have

been undertaken and passed. Sustainable drainage systems (SuDS) will be required on major development proposals.

The proposed development is accompanied by a Flood Risk Assessment which details proposals for a sustainable drainage system within the site. The proposed drainage system is in outline form only, with final details to be secured by condition. However, the proposed drainage system would involve:

- Upgrade of the existing pond, to incorporate a weir attenuation/storage with a controlled flow discharge to the existing stream
- Use of permeable surfaces within appropriate parts of the development together with perforated land drains to minimise any surface water run off

The Lead Local Flood Authority has confirmed that that the proposed drainage scheme meets the requirements set out in the aforementioned documents and can recommend planning permission is granted. We would however recommend that should planning permission be granted, that suitably worded conditions are applied to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development.

In terms of flood risk, the whole of the site is located within Flood Zone 1 which is at the lowest risk of flooding. Nonetheless, measures are set out within the flood risk to minimise surface water run off and to ensure that any flood events do not adversely affect the site or nearby areas.

Officers are satisfied that subject to conditions, the proposal would be acceptable in flood risk and drainage terms.

Effect on the SPA

The site is located within the Wealden Heaths II SPA Buffer Zone. The proposal would not result in an increase in people (permanently) on the site, although the proposal would result in an increase in the number of visitors to the site. An appropriate assessment has therefore been carried out. This concludes that due to the availability of alternative recreational opportunities both on site and within the area, which could divert visitors from use of the SPAs, the proposal would not have a likely significant effect on the integrity of the SPAs in accordance with Policy NE1 of the Local Plan 2018 (Part 1). Natural England has reviewed this and have concluded that they do not think an appropriate assessment is required. As such, it is not considered that there would be any unacceptable impact on the SPA.

Biodiversity and compliance with Habitat Regulations 2017

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

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

The application is accompanied by the following reports:

- 'Ecology Appraisal', dated July 2016;
- 'Arboricultural Implications Assessment and Method Statement', dated July 2016;
- 'Bat Surveys', dated September 2016; and
- 'Reptile and Great Crested Newt Surveys' dated August 2016.

The submitted Bat Surveys report Identify active bat roosts (low status day roosts) for both Common Pipistrelles and Soprano Pipistrelles in the hotel which is proposed for refurbishment and extensions, together with an existing staff accommodation building to the rear of the hotel which is proposed for demolition to make way for the hotel/restaurant extension. Active bat roosts will therefore be subject to loss or disturbance.

Surrey Wildlife Trust, having regard to the above, has raised no objection to the proposal subject to an a European Protected Species (EPS) licence from Natural England being obtained following planning permission and prior to any works which may affect bats commencing, and undertaking the actions in the method statement (required to support the EPS licence) based upon the section 6 'Mitigation Strategy' of the above referenced Bat Survey report. The proposed mitigation includes replacement roosting habitat within the extended restaurant in the longer term, with the provision of temporary bat boxes during construction.

Surrey Wildlife Trust also recommends conditions to secure precautionary methods/practices in order to avoid harm to the following species:

- Breeding birds
- Badgers
- Reptiles
- Dormice

Should permission be granted, precautionary measures and mitigation measures would be secured by condition such to ensure no adverse harm to any protected species as a result of the development. Subject to this, the proposal would be acceptable in terms of impacts on protected species. The site also contains ancient woodland; an assessment of the impact on ancient woodland is contained separately within this report.

Economic benefits, Very Special Circumstances, wholly exceptional circumstances and economic benefits

The above report identifies that the scheme to constitute inappropriate development in the Green Belt. Visual and landscape harm to the AONB is also identified, as well as harm to Ancient Woodland.

This section of the report considers the economic, and any other, benefits to the proposal, and whether or not these are sufficient to outweigh some, or all of, the identified harm resulting from the proposal.

Paragraph 144 of the NPPF states that: 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In respect of the harm to Ancient Woodland, paragraph 175c requires wholly exceptional circumstances to be identified such to outweigh the harm. This is a higher test than the Very Special Circumstances required such to outweigh harm to the Green Belt.

The key benefits in relation to this application are economic benefits. The proposal would provide a significant expansion of leisure/tourist facilities at Lythe Hill. The application is accompanied both by a business case, and by a viability statement which together set out the economic benefits, and case for the necessity of the development put forward by the applicants. Positive comments have also been received from the Council's Economic Development Team who note the potential economic benefits of the application. The economic benefits are:

- Potential to bring many more visitors into the area (no indicative numbers have been provided)
- Increasing leisure and tourist opportunities within the Borough
- Likely additional spending generated within the area such as Haslemere Town Centre and its surroundings, as it is expected that a proportion of guests will also explore the area (amount of additional spending has not been indicated)

- Increase in the number of staff result to the equivalent of 100 full time employees (96 fulltime members of staff and 8 part-time members) from 42 full-time members of staff and 8 part-time employees
- Improved certainty over future of hotel (applicants have stated hotel will close without the development)

Whilst officers agree there is potential to bring more visitors in to the area (this point has also been put forward by the Haslemere Chamber of Commerce), the facilities proposed at Lythe Hill hotel are fairly extensive, and given its location outside of the Town Centre, it has the potential to be a destination in its own right, and the extent of visitors that would combine trips with a visit to the Town Centre has not been quantified.

The application is accompanied by a viability report prepared by GVA Grimley, together with supporting material produced by Savills. The viability report has been independently reviewed by the Council's viability consultants who have noted the following points/drawn the following conclusions:

- The company has made losses for the last four years
- The existing hotel historically has not performed well or been managed properly, and there is potential for its quality, efficiency and trading potential to be enhanced.
- Unlikely that the existing operation continue 'as is' without some new development
- The proposed 105 room scenario has the ability to generate an end value that exceeds the development cost, which is claimed to be a tipping point of the minimum amount of development required to make the hotel viable

The Council's consultants conclude that insufficient evidence has been submitted to show that there are not other options involving less investment cost and development that could drive up rate and occupancy enough to achieve the same/similar benefits. The viability report is based on some pessimistic forecasting of rates and profitability against costs and is unable to conclude that the proposed development is the minimum necessary to turn a profit at the site and make it viable.

It is important to note that since the review undertaken by the Council's consultants, a number of elements (4 of 8) have been removed from the scheme. These were identified as only a limited impact/benefit in terms of viability whilst having significant potential to affect the openness of the Green Belt. The proposal does not fully meet the tests of enabling development. There has already been a considerable level of investment in the hotel in the form of repairs to a listed building. The proposed development is not identified

to be the minimum necessary to bring hotel back into use, and it has not been demonstrated that there is a Conservation deficit.

Nonetheless, it is acknowledged that there are likely viability challenges with the hotel in its current form and the hotel is unlikely to be able to continue as is, without further development. As demonstrated by the recent history of the hotel, continued investment and maintenance will be essential to maintain the Listed Building in a good state of repair, however, no estimates have been provided of the likely maintenance costs associated with this. The proposed development offers greater certainty of the long term viability of the hotel. The prospect of keeping the Listed Building in use is a material benefit.

The above report identifies harm by way of:

- Harm to the openness of the Green Belt
- landscape and visual harm
- Less than substantial harm to the Grade II* Listed Building
- Harm to ancient woodland.

The harm to the Listed Building is considered to be less than substantial. The benefits of keeping the hotel in a viable use, increasing leisure and tourist opportunities within the Borough, together with the (albeit poorly defined) economic benefits, are weighty considerations. However, there remains doubt as to whether development of a lesser scale could achieve the same benefits. As such, officers are not satisfied that the scheme carries sufficient benefits to

outweigh the harm to the Listed Building. The improved certainty over the future maintenance of the building, together with the certainty of attracting visitors to it, in the context of harm to the listed building is a weighty consideration. Officers consider that these public benefits are not sufficient to outweigh the identified harm to the Grade II* Listed Building. As such the proposal would therefore be in conflict with Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990, Policy HA1 of the Local Plan (Part 1) 2018 and retained Policies HE3 and HE5 of the Local Plan 2002.

In terms of the harm to the Green Belt, and noting the substantial scale of the proposal, whilst officers attribute some limited weight to the economic benefits of the proposal, and in particular the improved certainty over the long term future of the existing hotel, the decisive conclusion in relation to this harm is that it has not been demonstrated the proposed development is the minimum necessary in order for the hotel to be viable. For this reason, whilst the conclusion in this regard is finely balanced, the benefits put forward are not considered to be “very special” such to outweigh the harm to the Green Belt

and other identified harm, which also includes adverse landscape and visual impacts.

In terms of the harm to ancient woodland, the threshold for justifying harm is whether there are “exceptional circumstances”. This is a very high threshold with the example given within the NPPF (footnote 58 on page 51) of what might constitute exceptional circumstances being major infrastructure projects. Whilst there are economic benefits attributed to the scheme, given that it has not been demonstrated that the amount of development is the minimum necessary, officers are not satisfied that the harm is outweighed. It is also material, that were a lower amount of development to be found ‘the minimum necessary’, the amount of car parking required would also be reduced (and subsequently therefore the harm to ancient woodland). It is also likely that the same or similar economic benefits could be achieved with a development of a lesser scale.

On balance, for the reasons described above the benefits of this scheme do not in officers opinion outweigh the identified harm.

Accessibility and Equalities Act 2010, Crime and Disorder and Human Rights Implications

There are no implications for this application.

Environmental Impact Regulations 2017

The proposal is considered not to be EIA development under either Schedule 1 or 2 of the EIA Impact Regulations 2017 or a variation/amendment of a previous EIA development nor taken in conjunction with other development that is likely to have a significant environmental effect.

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.

Referral to the Secretary of State

The power for the Secretary of State to “call-in” a planning application for his own determination is set out in section 77 of the Town and Country Planning Act 1990. If a planning application is called-in, there will be a Public Inquiry chaired by a planning inspector, or lawyer, who will make a recommendation to the Secretary of State, who takes the final decision.

The Town and Country Planning (Consultation) (England) Direction 2009 sets out the arrangements and criteria for consulting the Planning Casework Unit. The purpose of the direction is to give the Secretary of State an opportunity to consider whether to exercise her call-in powers under section 77.

In line with the 2009 direction, the proposal is for development on land in the Green Belt which includes buildings where the floor space to be created is 1,000sqm or more. Therefore, in the event that the Local Planning Authority is minded to approve the development, the resolution would be subject to referral to the Secretary of State and no subsequent call in being received.

Should the Committee resolve to refuse the application, the NCPU would have no further involvement, and no ‘call-in’ would follow.

Development Management Procedure Order 2015 - 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:-

- 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 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.

Parish/Town Council and or Third Party Representations

Officers have given careful consideration to the comments received both from third parties and from Haslemere Town Council and Chiddingfold Parish Council. This includes a significant number of letters both in support and objecting to the proposal. The letters in support site a number of economic benefits to the proposal. These have been carefully considered by officers and balanced against the identified harm. In this case officers have identified harm to the Green Belt, landscape and visual harm, harm to trees and ancient woodland, harm to the Grade II* Listed Building, in terms of highway safety and to the neighbouring uses at Barfold Farm. This identified harm reflects the nature of many of the objections received and is reflected in the recommendation for refusal.

It is noted that some concerns have been expressed regarding both the absence of enforcement action in relation to recent activities at the application site, and the time that it has taken to determine the application.

Conclusion

The proposal is not in accordance with the Development Plan and the economic benefits, together with the improved certainty of the viability of the Grade II Listed Building, together with improved leisure and tourism opportunities within the Borough would not outweigh the adverse impacts in relation to harm to the Green belt, harm to the AONB, visual harm and harm to Ancient Woodland. As such, planning permission is recommended for refusal.

Recommendation

That permission be REFUSED for the following reasons:

1. Reason
The proposal would fail to preserve the openness of the Green Belt and as such, would constitute inappropriate Green Belt development. There are no Very Special Circumstances such to outweigh the harm to the Green Belt. The proposal would therefore conflict with Policy RE2 in the Local Plan Part 1 (Strategic Policies and Sites) 2018.
2. Reason
The proposal, by virtue of the quantum and scale of the development, and its urbanising impact, would have an unacceptable impact on the landscape character, including the scenic beauty of the AONB and the

natural landscape of the AGLV and would fail to preserve the rural wooded character of the site. The proposal would therefore fail to accord with Policy RE3 of the Local Plan Part 1 2018. The proposal would therefore also be in conflict with Policy TD1 of the Local Plan Part 1 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

3. Reason

The proposal by virtue of the scale, bulk and form of the proposed extensions to the Grade II* Listed Building would result in less than substantial harm to the designated heritage asset (Lythe Hill Hotel). There are no identified public benefits that would outweigh the less than substantial harm to the designated heritage asset. The proposal would fail to accord with Policy HA1 of the Local Plan (Part 1) 2018 and retained Policies HE3 and HE5 of the Local Plan 2002.

4. Reason

The proposed development would result in building and engineering operations contrary to industry standard recommendations that would likely lead to the loss of trees that make a positive contribution to the character of the area, which would be detrimental to the visual amenity and character of the area. The proposal is therefore contrary to retained policies D1, D4, and D7 of the Waverley Borough Local Plan 2002 and policies NE1 and NE2 of the Waverley Borough Local Plan Part 1 2018.

5. Reason

The proposed development would involve the laying of car park surfaces both within an Area of Ancient Woodland and within the Ancient Woodland Buffer Zone. The proposal would therefore have foreseeable detrimental impacts on Lythe Hill Copse Ancient Woodland and Site of Nature Conservation Importance for which there are no wholly exceptional circumstances and no compensation strategy exists. The proposal would therefore conflict with Paragraph 175 of the National Planning Policy Framework (NPPF) and Policy NE1 of the Local Plan 2018 (Part1).

6. Reason

In the absence of an appropriate legal agreement to secure off site highway improvement works along Petworth Road and infrastructure contributions towards travel plan monitoring drainage and surfacing improvements to Public Footpath No. 508 and Public Bridleway No. 41, the proposal would be unacceptable in highway safety and

sustainability terms and would conflict with Policies ST1 and ICS1 of the Local Plan 2018 (Part1).

Informatives

1. The Council confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of Paragraph 38 of the National Planning Policy Framework 2018.