

**Annexe 3 to Report to Full Council 20/10/20  
Waverley Borough Local Plan Part 2 - Pre-submission version**

**Comments received at the meeting of the Environment Overview and Scrutiny Committee on 22<sup>nd</sup> September 2020 and resultant proposed modifications to pre-submission LPP2**

Reference	Cllr name	LPP2 Policy/para reference	Comments	Officer's response	Proposed amendment to the pre-submission version LPP2
OS/1	Carole Cockburn	Report - General	Report is clear and concise	Comments welcomed	None
OS/2	Paul Follows	Allocations - general	Discussions taking place in Haslemere with reference to the potential of another site to allocate rather than relying on a greenfield sites.	The Head of Planning and Economic Development informed the meeting that a meeting with the promoters of the site was being arranged to discuss the potential of it for housing. However, the evidence submitted up to this point did not demonstrate that the site was deliverable and therefore could not currently be included as a proposed allocation in LPP2	None.
OS/3	Christine Baker	DS 14	Land at Secretts is an excellent opportunity to provide housing and	Comments noted	None

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			<p>other facilities that will meet the needs of the community. Pleased that the Parish Council has stuck to their guns and commends the selection of the site. It will provide a focus to the village.</p>		
OS/4	Robert Knowles/Carole Cockburn	Report - Para 7.14 and DM3	<p>Report is misleading. Concerns regarding water supply in Haslemere (para 7.14). Supply is not connected to national network and demand is already higher than capacity without extra development. This is ignored in the report.</p>	<p>The report to O and S Environment summarises the advice the water utility companies, Thames Water, South East Water and Southern Water gave the Council at their Briefing to Members in November 2019. In response to continuing water supply issues it has been proposed to include Policy DM3 that seeks to align any identified requirement to upgrade water infrastructure with the occupation of dwellings. The policy approach was suggested by Thames</p>	None

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				Water and it is considered sufficient to ensure that the infrastructure meets the level of new development that is being planned for in LPP2.	
OS/5	John Robini/Maxine Gayle	Allocations - general	Understand the pressures on planners. The overwhelming view of the local community is to avoid greenfield development. The approach to development in the Haslemere Neighbourhood Plan reflects this However the HNP cannot be adopted until May 2021 due to COVID delaying referendums. Therefore the views of the community should be taken into account in preparing LPP2. It needs to protect our natural land. Also comment on	One of the basic conditions for a made neighbourhood plan is that it must be in general conformity with the strategic policies set out in LPP1. The NPPG advises that this includes whether the draft neighbourhood plan policy or development proposals provide an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy. In Waverley's response to the Regulation 14 consultation on the HNP, this Council considered that the draft neighbourhood plan seeks to direct the scope and content of Local Plan Part	None

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			Thames Water not being able to supply enough water.	<p>2 through its policy that does not allow development outside the settlement boundary. Whilst Waverley wants the local community to be involved with the process of selecting appropriate sites for development through the preparation of the Borough Local Plan, it does not consider that it is the role of a Neighbourhood Plan Policy to direct what allocations should be made in a Borough Local Plan where the NP chooses not to carry out site allocations. Whether the approach of the HNP to avoid greenfield development meets the basic conditions has yet to be examined by an independent examiner. A referendum on adopting the HNP can only proceed if the examination</p>	

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				concludes that the HNP meets the basic conditions.	
OS/6	John Gray	Para 3.24 – 3.37 & DM15 & DM16	Rural areas – there is a lack of assessment and policies. The section is inadequate as it does not deal adequately with controlling externalities created by developing agricultural buildings because of permitted development rights. Equestrian areas – provides employment in rural areas. There is no policy requiring development to be justified where it involves the loss of equestrian facilities.	A local plan policy is not able to control or remove permitted development rights.  The explanatory text to Policy DM15 in paragraph 3.27 sets out the number of forms that may be acceptable and this includes the sustainable growth and expansion of all types of businesses, the development and diversification of agricultural and other land based rural businesses and sustainable rural tourism and leisure developments. In terms of the loss of equestrian uses there is not sufficient evidence that the issue needs a specific reference in the Plan.	None
OS/7	John Gray	DM19	Local Green Spaces. No	An invitation was made to	None.

Reference	Cllr name	LPP2 Policy/para reference	Comments	Officer's response	Proposed amendment to the pre-submission version LPP2
			<p>policies to protect these spaces, Dunsfold Park and land that lies between it and Dunsfold village especially.</p>	<p>all town and parish councils to submit sites they wished to be considered for designation as Local Green Spaces, however a number of towns/parishes are intending to designate these through neighbourhood plans which is why the proposed areas for designations are in limited parts of the Borough. The NPPF sets out that Local Green Spaces should not be an extensive tract of land, must be local in character and be demonstrably special to a local community because it hold a particular local significance. It is unlikely that the Local Green Space designation would be appropriate for the area between Dunsfold Park and Dunsfold settlement.</p>	

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				<p>However, as the area is Countryside Beyond the Green Belt, any applications for development in this area would be subject to LPP1 Policy RE1 as well as other relevant policies.</p>	
OS/8	Peter Isherwood	General	<p>Lack of affordable housing in Haslemere. The Council Won't reach the target of 30% set out in LPP1 particularly as a number of sites will not need to deliver them. 56% of Haslemere are elderly and need affordable homes to attract younger families. These come from large developments.</p>	<p>Policy AHN1 of LPP1 requires developments that are above the site size thresholds set out in the policy (as amended by the NPPF) to provide 30% of the homes as affordable. The strategic policy should not be changed in LPP2. With the exception of two sites, the proposed allocations in Haslemere exceed the site size thresholds and therefore should deliver affordable homes. The contribution that windfalls makes to the housing requirement and therefore affordable homes was agreed through LPP1</p>	None

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				and Haslemere's reliance on them as a source of affordable housing is not affected by LPP2.	
OS/9	Jerry Hyman	General	In accordance with the Environmental legislation and Habitats Regulations is there an update on the Sustainability Appraisal and appropriate assessment for LPP2?	LPP2 has been subject to Sustainability Appraisal and Habitats Regulations Assessment. These will form part of the supporting evidence for LPP2 that will be examined	None
OS/10	Carole Cockburn	DM1 h)	The policy is currently weak. Need to consider strengthening the requirement for biodiversity net gain	The Council does not currently have the required evidence base to support a more stringent requirement in relation to biodiversity net gain.	None
OS/11	Carole Cockburn Brian Edmonds	DM4	Space around buildings needs to be considered especially with Covid.	Managing the relationship between buildings and any space around them is important. In DM4, there are references to this. Part b) iii mentions spaces between buildings and b) vi mentions the impact on neighbouring open spaces and their environment.	



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				Other parts of the policy mentions the prevailing pattern of development, adjacent and surrounding structures.	
OS/12	Carol Cockburn Jerry Hyman	DM4	Penultimate sentence: the word "regard" should be replaced with stronger wording. Cllr Hyman also commented that DM4 should be strengthened.	Please see the response to the issue regarding the appropriateness of using the word "must" instead of "should" in LP policies under OS/17.	None
OS/13	Martin D'Arcy	DM4	No reference to green infrastructure.	This issue is covered within other policies in LPP2 and, if adopted, all relevant policies would be used in combination when considering an application and it is therefore not necessary to duplicate references across policies. In addition, LPP1 policy NE2 deals with green infrastructure.	None.
OS/14	Martin D'Arcy	DM5	Needs a reference to wildlife travel and permeability.	The purpose of Policy DM5 is to ensure that new development does not cause harm to current or	None.

Reference	Cllr name	LPP2 Policy/para reference	Comments	Officer's response	Proposed amendment to the pre-submission version LPP2
				future residents of development. References to wildlife corridors are made in other policies. If adopted, all relevant LPP2 Development Management policies would be used when considering an application and it is therefore not necessary to duplicate requirements across multiple policies.	
OS/15	Carole Cockburn	DM5	Preference for individual gardens rather than communal areas.	It would be inappropriate for LPP2 to direct developments to provide private gardens. However, the policy is clear under b) that an area of external amenity space for each dwelling is provided	None
OS/16	Carole Cockburn	DM6	Include wording to say preserve legibility and preserve existing as well as increase biodiversity and wildlife corridors.	Policy DM6 states that development which results in the creation of new, or changes to the existing, public realm. Part a) of Policy DM6 states that legibility will be improved which means that the	Amend point c) to say: "... <i>through the space (including providing <b>new or strengthening existing</b> wildlife corridors);</i> "

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				<p>preservation of the existing legibility of the public realm must be taken into account when designing new development. Agree that the policy could refer to existing as well as new wildlife corridors.</p>	
OS/17	Jerry Hyman	General	<p>Use of 'should' too weak and needs changing to 'must'.</p>	<p>By law planning applications are required to be determined in accordance with the development plan, unless material considerations indicate otherwise. Paragraph 16 d) of the NPPF states that Local Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. In line with the legislation and the NPPF, the word "should" is used in policies so that it is clear to the decision maker on</p>	None

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				applications that they can take into account the policy and other material considerations	
OS/18	Carole Cockburn	DM8	Policy needs strengthening to require "detailed Masterplans" – .	Agree.	Amend final sentence of policy DM8 to say ' <b>Detailed Masterplans will be sought for large developments...</b> '
OS/19	Jerry Hyman	DM9 & DM10	Policy needs to mention the need to comply with Air Quality Management Action Plan to give protection	LPP1 Policy ST1 (Sustainable Transport) refers to the need for development schemes to be consistent with the objective and actions within the Air Quality Action Plans. If adopted, policies in LPP2 would be used alongside policies in LPP1 and therefore it is not necessary to repeat elements of LPP1 policies within LPP2 policies.	None.
OS/20	Ruth Reed	DM9	Stress importance of minimising HGV movements in rural	Comment noted. Part d) refers to rural lanes that are unsuitable for HGVs	None

Reference	Cllr name	LPP2 Policy/para reference	Comments	Officer's response	Proposed amendment to the pre-submission version LPP2
			areas.		
OS/21	Brian Edmonds/ Ruth Reed	DM11	Push for hedges rather than fences to create wildlife corridors that allow for wildlife movements and are more aesthetically pleasing as they will enhance landscapes	Planning permission is not required for the erection of fences at certain heights in certain locations. Where permission is required, other policies in the General Policies section of LPP2 can be used to manage the, environmental, physical and visual impact of fences. It would not be appropriate to specify the type of boundary treatment in the Local Plan.	None
OS/22	Jenny Else	DM11	The word 'should' is too weak and be replaced with 'must' regarding mitigating visual pollution	Please see above with regard to the issue of using the word "must" in policy instead of "should" under OS/17. It is agreed that visual impact is an important planning considerations and a change to the policy is recommended.	Amend second sentence of second section of DM11 to: <i>Proposals which would result in the loss or deterioration of irreplaceable habitats or a <b>detrimental impact on the landscape character of the</b></i>

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					<i>area will not be permitted.....</i>
OS/23	Anna James	DM11	Concern regarding those with tiny gardens removing trees post occupation of new builds.	The final section of DM11 deals with the loss of trees that may result from the occupation of new development through the use of planning conditions, planning obligations or the making of TPOs.	None
OS/24	Brian Edmonds/Jerry Hyman	para 2.54	Enforcement is important and should not be discretionary but automatic. The role and content of the Local enforcement plan needs clarifying	The Local Enforcement Plan is a separate document to LPP2 and is not a development plan policy. There is no additional need to be explicit about its objectives and contents in LPP2	None
OS/25	Jerry Hyman	DM14 b) ii	b (ii) The wording of the policy needs to be made clearer.	Agree.	Replace Policy DM14 b ii) with <b><i>"The replacement of a building which results in the new building having a floorspace that is 10% or more larger than the</i></b>

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					<b><i>building it replaced will normally be considered materially larger"</i></b> .
OS/26	Carole Cockburn	Para 4.22	Farnham Built Up Area Boundary as set out in the Neighbourhood Plan needs mentioning so that it is clear that land outside the built up area is protected.	This issue would be better addressed through an amendment to the section on settlement boundaries in Chapter 3.	Amend paragraph 3.4 to read: <i>"As part of Local Plan Part 2 the existing rural settlement boundaries were reviewed and boundaries for three of the main settlements have been established<sup>6</sup>. <del>{The Farnham's Neighbourhood Plan specifies the built up area boundary for that town}</del><sup>6</sup>. <b>for Farnham and the accompanying policies FNP10 and FNP11 set out how the areas</b></i>

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					<i>outside of this will be protected.</i>
OS/27	Carole Cockburn/Jerry Hyman	Table 3 – Local Green Spaces	It was questioned if the description of the Lower Bourne Recreation Ground should say “The Bourne Green”.	If that is the correct name or even how it is locally known then the site name will be changed	Further investigation needed and change to the site name will be made to LPP2 if necessary
OS/28	Carole Cockburn/ Anna James	DM20	Concern that powers are limited in relation to heritage, listed buildings and conservation areas; set at National level Personal experience is that Listed Buildings cannot have attachments	Policy DM20 is worded to accord with the NPPF on heritage assets.	None
OS/29	Carole Cockburn	DM21	Concern about paraphernalia (satellite discs, air conditioning units etc.) on heritage assets/in conservation areas and therefore should consider mentioning this. The Council should be	Paraphernalia can mean a number of different features and individual types cannot be explicitly listed. For some features planning permission is not required. However, Policy DM21 gives clear policy direction that where	None



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			expecting the highest level of development and not accepting any harm.	planning permission is required for them, the impact of such features will be considered when determining proposals in conservation areas.	
OS/30	Jenny Else	?	Concern over visual pollution.	Part b) of Policy DM29 relates to ensuring that size, design, colour materials and the positioning of advertisements are all appropriate to its setting. These all contribute to visual impact.	None
OS/31	Carole Cockburn	DM26	It is acknowledged that we have to protect employment sites.	Comment noted. Policies in LPP2 need to be considered with policies in LPP1. Policy EE2 in LPP1 relates to protecting existing employment sites	None
OS/32	Carole Cockburn/Cllr Hyman	DM27	It is acknowledged that town centres are facing various challenges given the current situation impacting Town Centres and policy will need to react	Comments noted. Policies must be considered in combination and in addition to policy DM27 on town centres, policy DM1 deals air pollution and air quality and policy DM9	None.

Reference	Cllr name	LPP2 Policy/para reference	Comments	Officer's response	Proposed amendment to the pre-submission version LPP2
			to this. Air quality makes an important contribution to the vitality and viability of a town centre and depends on accessibility	deals with accessibility.	
OS/33	Carole Cockburn	DM29	Advertisements are a difficult issue.	Comment noted	None
OS/34	Jenny Else John Gray	DM31	<p>Look at giving a temporary 3 year approval to a particular area for filming as they have often been and gone before approval is given.</p> <p>The policy should deal with drones</p>	<p>Agreed that reference could be made to granting temporary consents but each application must be considered on a case by case basis. However, this will not resolve the issue of film makers carrying out projects in advance of getting the necessary consent. New wording is suggested.</p> <p>The use of drones in itself is not development and cannot be managed through the Local Plan. However, it is considered that the issue could be referred to in the</p>	<p>Add new sentence at the end of paragraph 5.35 to say "<b><i>Where planning permission is required, film production should not take place without the necessary legal consents.</i></b></p> <p>Amend Policy DM31 to read: <i>Planning applications for commercial filming productions will be supported,</i></p>

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				<p>explanatory text of the Policy</p>	<p><b><i>including the need for temporary planning permission, subject to an assessment of their individual merits.</i></b></p> <p>Amend last sentence to <i>"The Council may consider developing a protocol for planning applications related to filming activities including the consideration of the use of drones to avoid them having a detrimental impact on the character of the area and the</i></p>

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					<i>amenities of properties in the vicinity"</i>
OS/35	Carol Cockburn	DM32	There is a need to protect hotels and visitor accommodation.	Comment noted. Part 3 of Policy DM32 seeks to retain such facilities	None
OS/36	Jerry Hyman	DM33	Needs to be more robust, Policy reference Guildford to Cranleigh Corridor however maps do not show this joining Guildford; concerns that some development has already taken place along this route	The map only shows the part of the Guildford to Cranleigh movement corridor which is within Waverley. Agreed that existing development may have already affected the Downs Link. This is the justification for proposing Policy DM33 which seeks to safeguard the route.	None.
OS/37	Jerry Hyman	DM36	There was supposed to be a report on self-build last October (2019) and there had been requests for this from residents.	The Council are required to maintain a register demand for self build and custom and this is set out in paragraphs 6.5 of the LPP2. This supports the policy. The Council have a legal duty to give planning permission for enough suitable serviced plots of land to meet the demand	None

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				for self-build and custom housebuilding in Waverley in line with the base periods of the Self-build and Custom Housebuilding Register. The Council met this duty as required in October 2019.	
OS/38	Maxine Gale Anna James	DS 14	Support Secretts allocation.	Noted	None
OS/39	Maxine Gale	Haslemere sites	Haslemere sites – the committee was advised of a site that had been put forward but not progressed by planners?	This refers to the discussion with the Royal School and its potential as an allocation as an alternative to the proposed allocation on Red Court. The evidence available to the Council does not demonstrate that the site can deliver the number of homes needed. However, discussions are ongoing with the site owners.	The Head of Planning and Economic Development gave an update on this at the meeting
OS/40	Martin D'Arcy	Pg 29, Site Allocations	The report mentions that corporate strategy objective has been met with regard to the local	The Chair of the O and S Environment Committee stated that Neighbourhood Plans have to fit into Local	None

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			engagement. However given the local community in Haslemere opposing greenfield sites, how much local engagement was there?	Plan. Lots of local engagement has been carried out on Local Plan Part 2 as part of its preparation including formal consultations on Issues and Options and on the Preferred options. The preparation of the plan takes into account community support but has to be weighed up with other planning considerations including the delivery of development.	
OS/41	Christine Baker	DM11	Concern about Ancient woodland and the amount of trees felled. DM11 – is framed around new developments so it needs to also include existing ancient woodland to protect that too.	Policy NE1 of Local Plan Part 1 includes the general statement that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows in the Borough. Policy DM11 is a more detailed policy mainly directed at tree considerations in relation	None.

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				to development. Applications to fell woodland which are unrelated to new development are normally dealt with by the Forestry Commission in the form of felling licences.	

## Additional proposed modification to the pre-submission LPP2

Policy/paragraph reference	Proposed amendment to the pre-submission version LPP2	Justification for proposed amendment
Policy DM9	<p>Amend point b) of the policy to read:</p> <ul style="list-style-type: none"> <li><i>b) Incorporate a highway design and layout that:</i> <ul style="list-style-type: none"> <li><i>i. Complies with highways standards and guidance, including adequate circulation, turning space and visibility splays,</i></li> <li><i>ii. Achieves a permeable highway layout, connecting with the existing highway network safely and includes safe access for pedestrians and cyclists,</i></li> <li><i>iii. Allows for effective access by service and emergency vehicles at all times, and</i></li> <li><i>iv. Where appropriate takes account of the proposed major highway improvements as identified in the Infrastructure Delivery Plan, and</i></li> <li><b>v. Does not create a barrier to the movement of wildlife or create fragmented wildlife habitats.</b></li> </ul> </li> </ul>	<p>Attention was brought to an earlier discussion where it had been agreed that policy DM9 would be modified to include reference to barriers to the movement of wildlife.</p>