

WA/2020/1213 - Erection of a residential development including associated parking, landscaping, open space and infrastructure at Land Coordinates 490217 132204 Scotland Lane, Haslemere

Applicant : Mr Nobbs  
Redwood (South West) Limited  
Ward: Haslemere East and Grayswood  
Case Officer: Gemma Paterson

Neighbour Notification Expiry Date 18/09/2020  
Extended expiry date 28/10/2020

RECOMMENDATION A That, subject to completion of a S106 Agreement to the provision of affordable housing, the provision of a scheme of off-site scheme of pedestrian footpaths, secure management and maintenance of the amenity areas, hard and soft landscaping, SUDS in perpetuity, estate roads and footpaths, SPA avoidance measures and subject to conditions permission be GRANTED

RECOMMENDATION B In the event that the S106 Agreement required under Recommendation A is not entered into within a period of six months of the date of the resolution by the Western Planning Committee that permission is REFUSED.

1. Summary

The application has been brought before the Area Committee because the proposal does not fall within the Council's Scheme of Delegation.

The application is for the erection of a residential development of 50 units, including associated parking, landscaping, open space and infrastructure.

The site lies within the Countryside beyond the Green Belt and is a proposed allocation for housing in the Council's emerging Local Plan Part 2, which has yet to be submitted for examination but has been through public consultation under Regulation 19.

The site is connected to a main settlement at reasonable walking distance. Furthermore, the site is in close proximity to public transport, which offers a mode of

transport other than the private car. The site is therefore in a suitable location in sustainable transport terms for new residential uses.

The site lies within the AGLV and within the setting of the AONB. The site is currently undeveloped Countryside and therefore the introduction of built form would inevitably result in a change to the landscape character and visual appearance of the site.

Whilst Officers acknowledge that the proposed development would result in change to the site within the setting of the AONB, as a result of the landscape mitigation proposed and in considering the presence of existing residential development along the south of Scotland Lane, which would be seen in context with the proposed development, it is considered the proposal would not cause material harm to the setting of the AONB to such a degree that would outweigh the presumption in favour of sustainable development.

The proximity of Grade II Listed Buildings at Red Court means that the proposal would result in less than substantial harm to them. Although this harm leads to a presumption against granting planning permission, when the public benefits arising from the proposal (the provision of a significant sustainable housing development, where the local authority is unable to currently demonstrate a five year housing land supply) are weighed in the balance (giving great weight to the preservation of the heritage asset), the proposed development is considered acceptable in this respect.

The proposed development would result in an increase in traffic generation. However, the effects have been considered extensively by both WBC officers and the local highway authority and the proposal is considered acceptable in this respect. The County Highway Authority are satisfied that, subject to mitigation measures, the proposal would not impact upon the safety and operation of the local highway network. The proposal would meet the Councils Parking Guidelines.

The proposal is considered to be acceptable in relation to ecology and conditions would be attached to the permission in order to secure ecological improvements on the site. With regard to the Wealden Heaths II SPA, the provision of a permissive footpath to a 2.3km circular walk through mature woodland, parkland and grassland habitats would reduce the potential for harm from the development to this SPA.

Whilst there would be significant tree loss resulting from the proposed development in relation to the woodland to the east of the site, the trees of merit to be lost within this young woodland area have already had their amenity value significantly compromised as a result of their isolated location. A significant amount of tree cover and vegetation would be retained and enhanced around the periphery of the site, which would preserve the existing landscape character of Scotland Lane.

In considering the context of the site adjacent to built form to the west (Scotland Close and Chiltern Crescent) and with the backdrop of built form of the settlement to the north, the proposal can be accommodated without a significant character change to the prevailing land use of Scotland Lane.

The proposal would not meet the SHMA recommended mix for both market and affordable housing as there would be a greater number of larger units proposed. However, in order to maintain the overall character of Scotland Lane, the mix proposed is the most appropriate for the site.

The proposal would provide 30% affordable housing in accordance with the Council's policies with the tenure split 67% rented and 33% shared ownership.

The layout and appearance of the proposed development would integrate well with its surroundings.

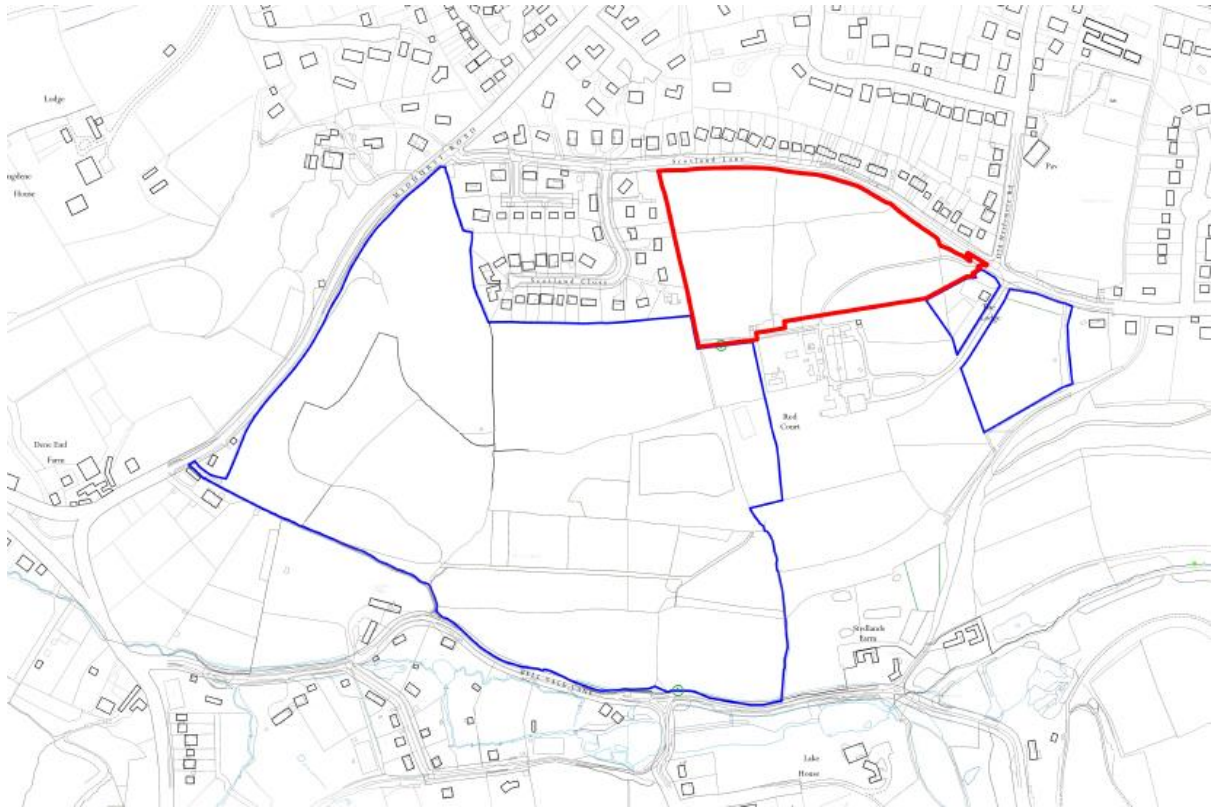
The proposal would not cause harm to protected or protected habitat, subject to conditions recommended by Surrey Wildlife Trust. The applicant has demonstrated that the proposal would result in a net gain of over 10% in terms of biodiversity.

The proposal would accord with the Council's policies in relation to noise/disturbance, flood risk, water/sewerage capacity, land contamination and archaeology. It has also been satisfactorily demonstrated that a development of this scale could be provided on the site that does not have a harmful impact on neighbouring residential amenity.

The Council currently does not have a 5 year housing land supply. This means that the 'tilted balance' is engaged and that planning permission should be granted unless any adverse impacts significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.

Overall, there would be no adverse effects to significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The application is therefore recommended for approval.

## 2. Location Plan



### 3. Site Description

The site lies to the south of Scotland Lane and comprises approximately 4.9 hectares of grassland, woodland and paddocks. The site is on a largely north facing ridge rising from Scotland Lane and is currently accessed via Scotland Lane by way of an existing private track located to the north eastern boundary of the site. The periphery of the site is bounded by hedgerows and there are field boundary hedgerows located within the site.

The site is bound to the west and north west by detached residential dwellings (Scotland Close) with a number of detached residential dwellings located beyond Scotland Lane which bounds the north east, north and north west of the site. The site is bounded to the south by Red Court and Red Court Lodge (both Grade II Listed Buildings) and by open fields to the south east and south west corners of the site.

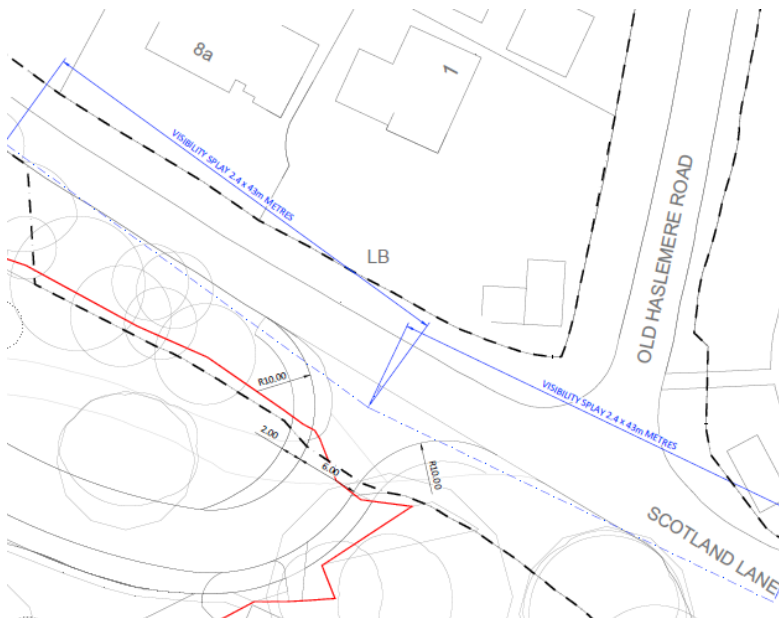
### 4. Proposal

The proposal application seeks planning permission for the erection of 50 residential dwellings, involving the modification of the existing access to a priority junction with a 2.0 metre wide metre footpath to Scotland Lane and associated highway infrastructure.

## Site Layout Plan



## Proposed Junction



The proposal would provide 30% affordable housing on the site (15) with a 67% rented homes (10) and 33% shared ownership homes (5) as agreed with by the Council's Housing Strategy and Enabling Manager.

## Market/Affordable Housing Plan



The application proposes the following total mix of housing:

Housing type	Number of homes
1 bedroom	2
2 bedroom	9
3 bedroom	19
4 bedroom	20
<b>Total</b>	<b>50</b>

The mix of market and affordable housing would include:

Housing type	Market home	Affordable homes
1 bedroom	0	2
2 bedroom	0	9
3 bedroom	15	4
4 bedroom	20	0
<b>Total</b>	<b>35</b>	<b>15</b>

The proposal includes areas of Local Area of Play (LAP), Open Space and other green areas

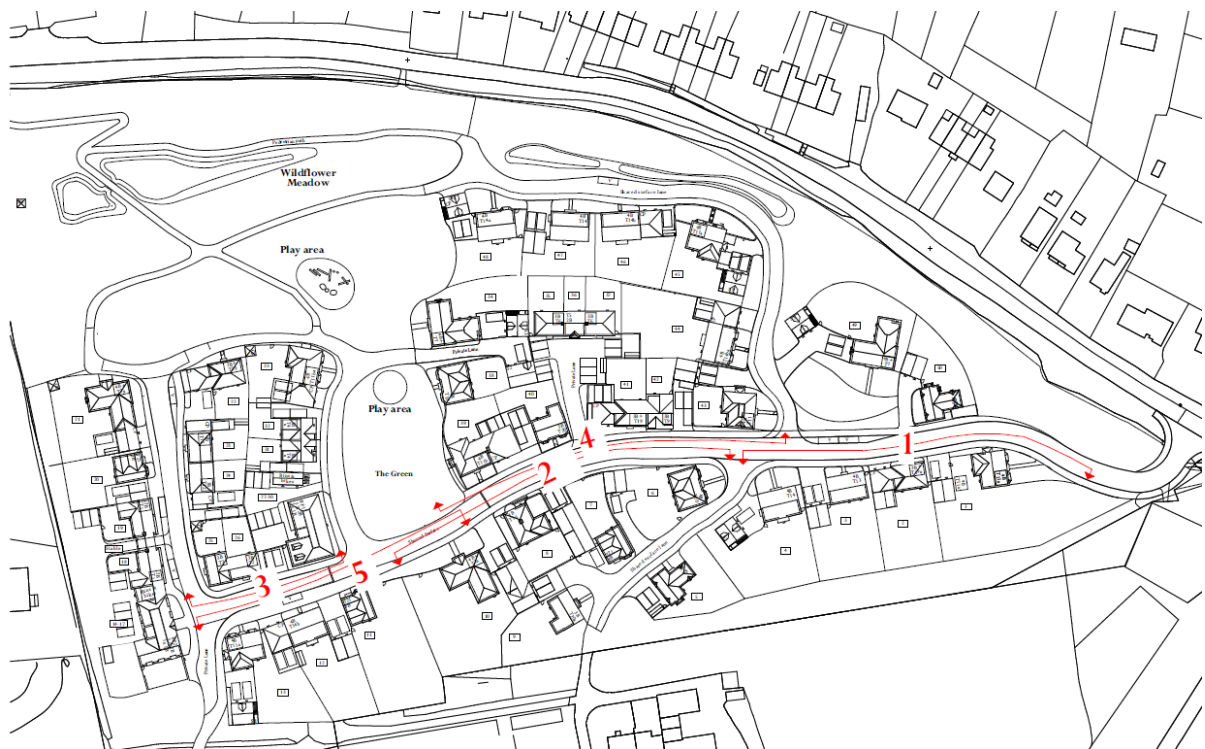
Local Area of Play (LAP), Open Space and Green Areas



Proposed Built Form



## Proposed Street Scenes







Street Elevation 1



Street Elevation 2



Street Elevation 3

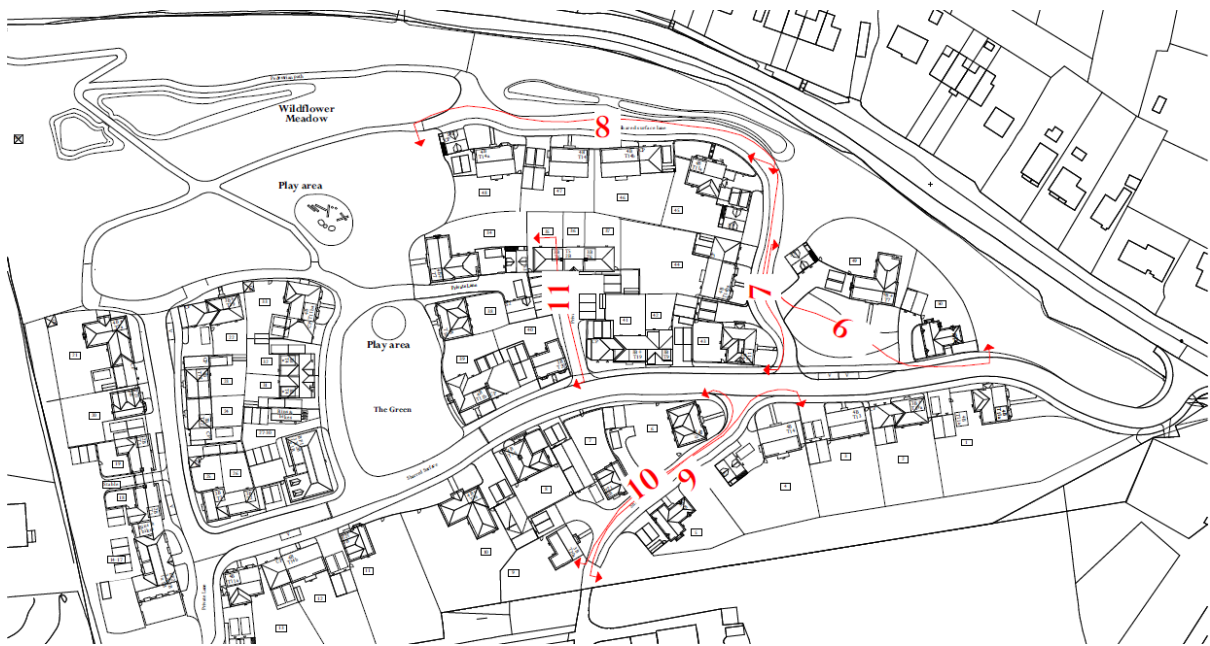


Street Elevation 4



Street Elevation 5

Proposed Street Scene



Street Elevation 6



Street Elevation 7



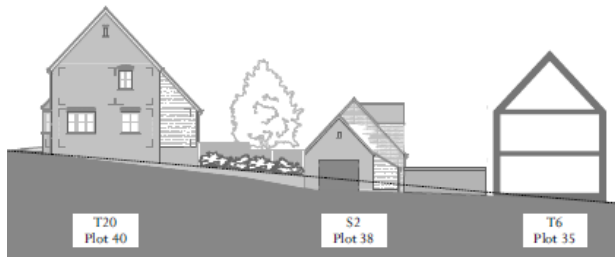
Street Elevation 8



Street Elevation 9

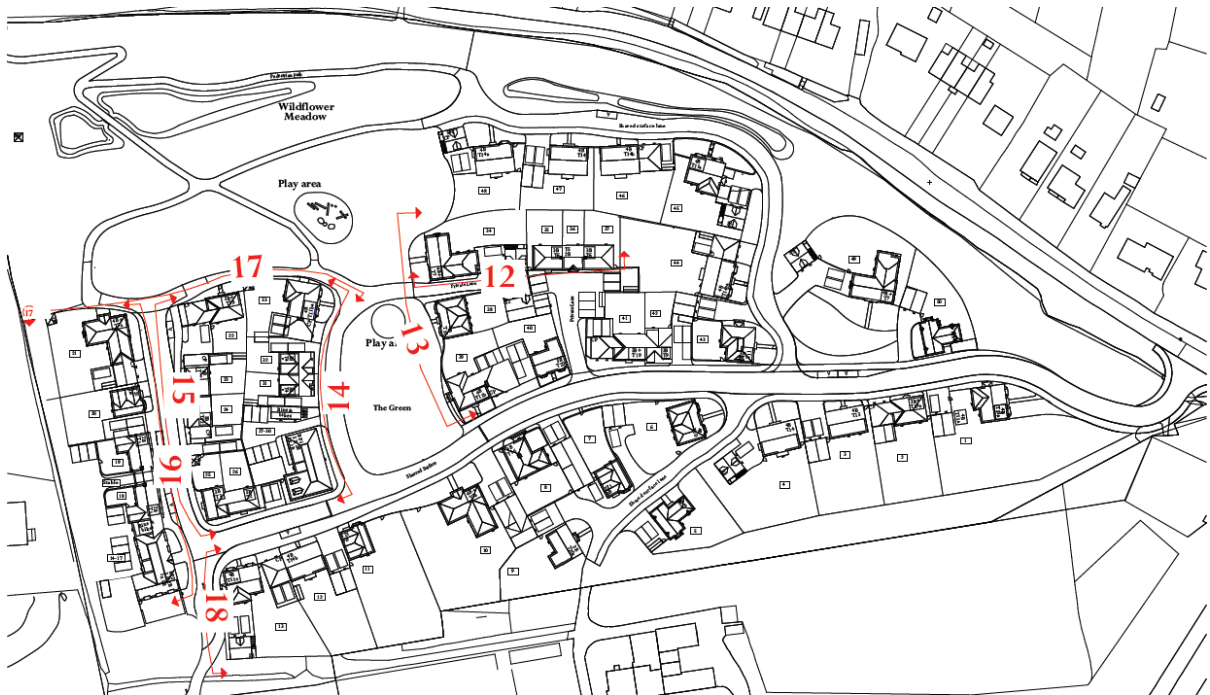


Street Elevation 10



Street Elevation 11

Proposed Street Scene



Street Elevation 12



Street Elevation 13



Street Elevation 14



Street Elevation 15



Street Elevation 16



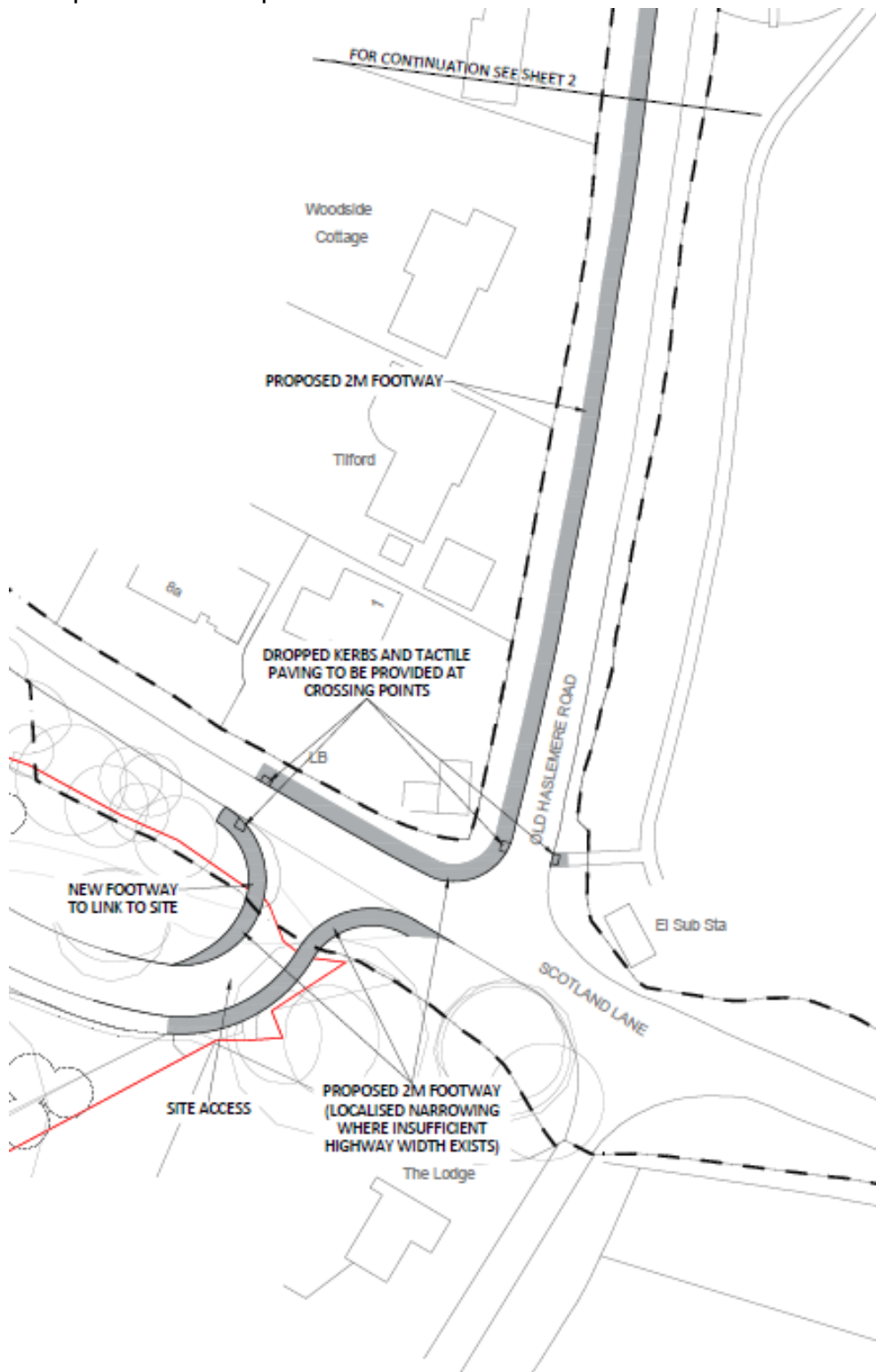
Street Elevation 17



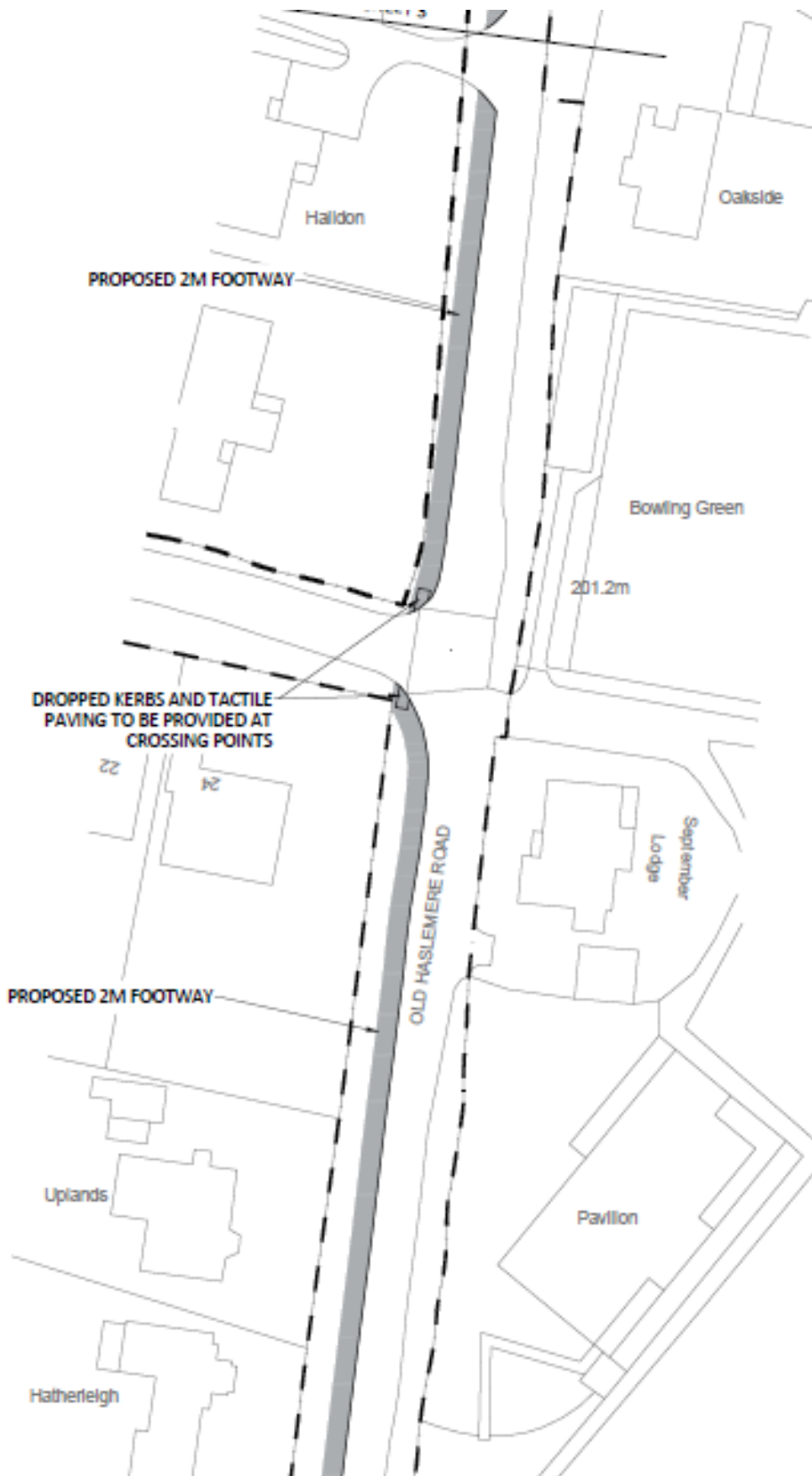
Street Elevation 18

## Proposed Pedestrian Scheme

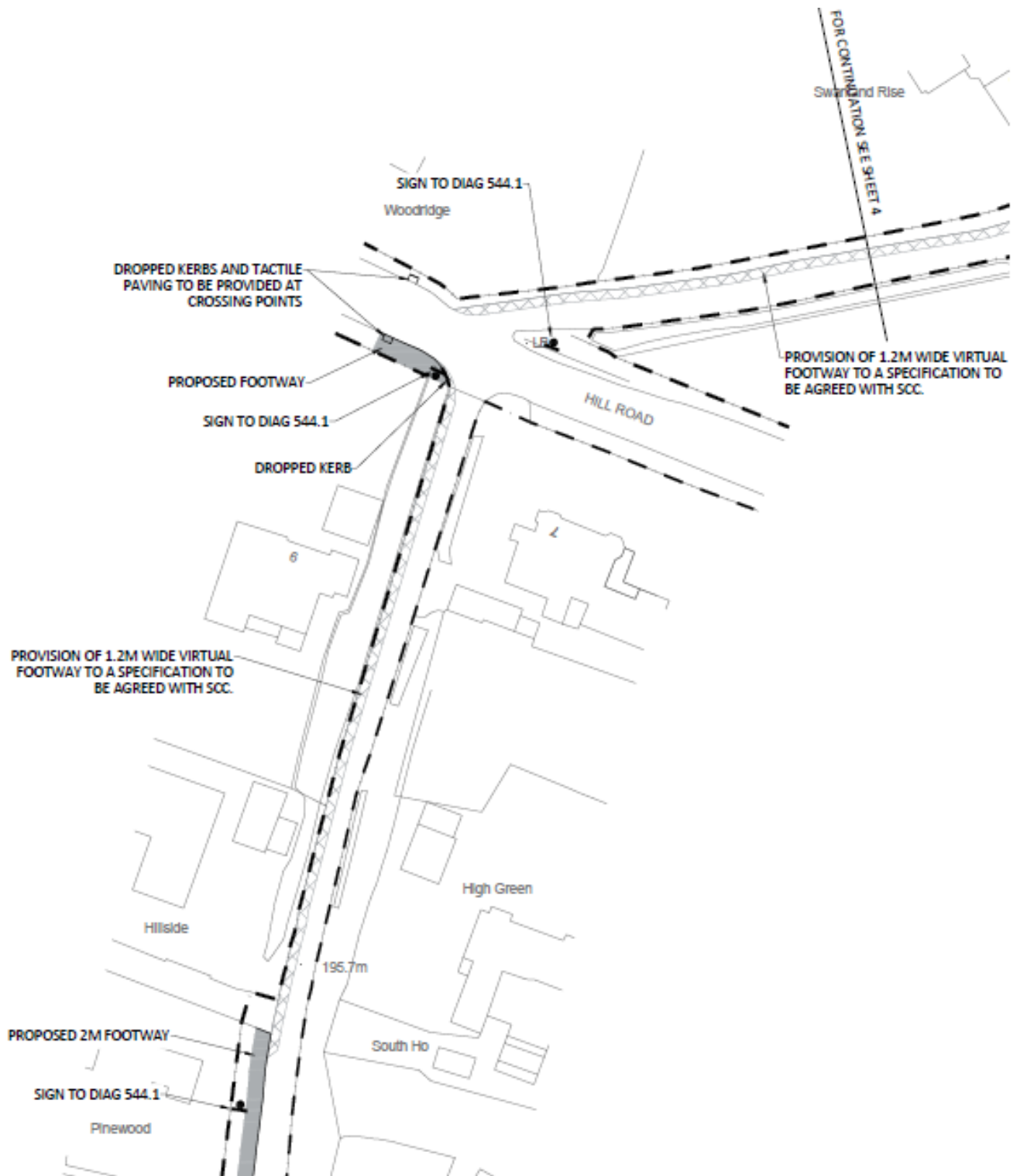
New pedestrian footpath from site to Old Haslemere Road



Continuation of new pedestrian footpath along Old Haslemere Road

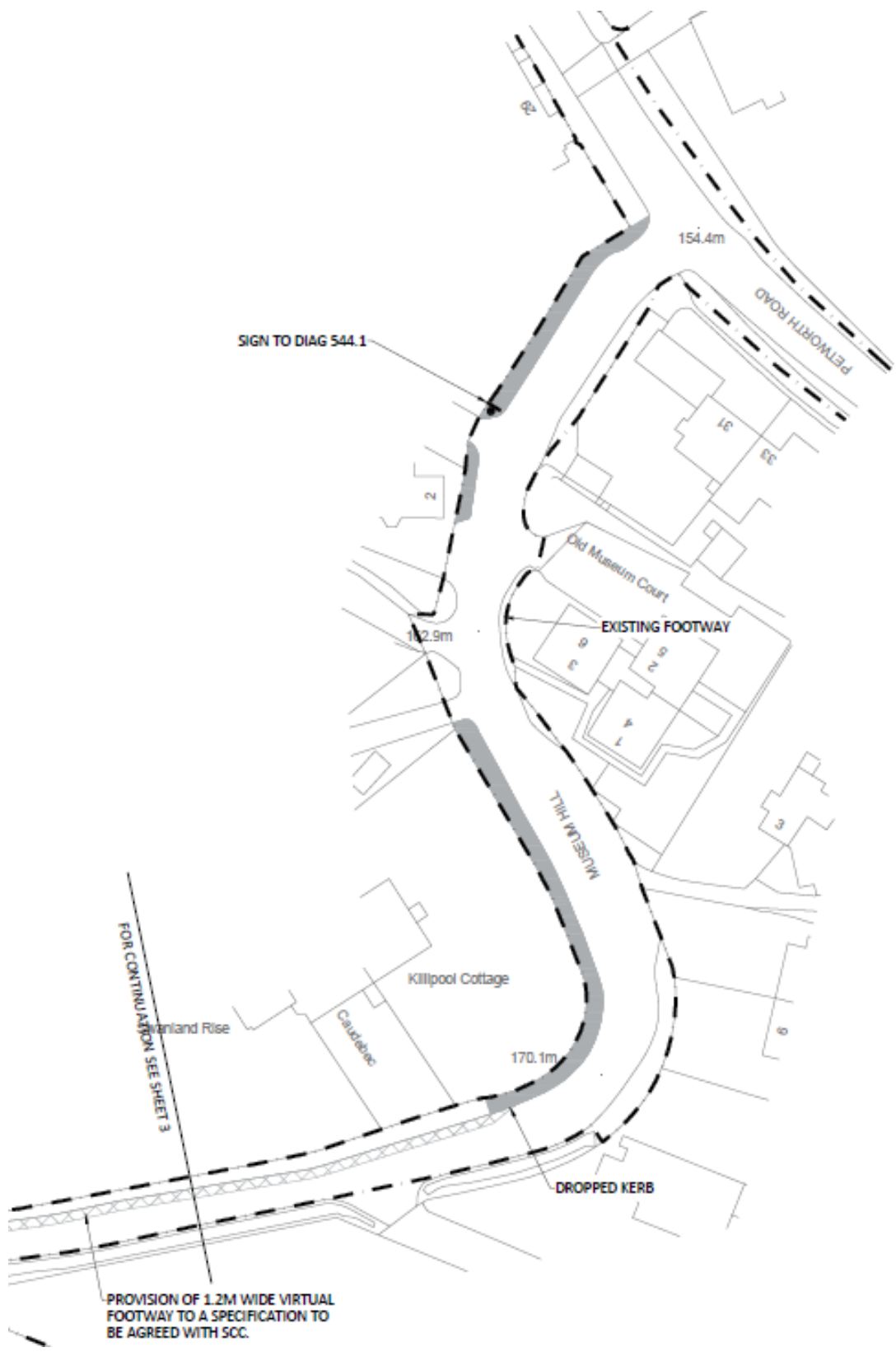


Continuation of new pedestrian footpath from Old Haslemere Road, over Hill Road and down Museum Hill





Continuation of new pedestrian footpath from Museum Hill to Petworth Road



## 5. Heads of Terms

Although the proposal would be subject to CIL contributions, the following contributions and measures are required in addition to CIL, to be secured through a Section 106 agreement and are required to make the development acceptable.

### Affordable Housing:

- 30% Affordable Housing provision of a 67% affordable rented and 33% shared ownership tenure.
- Affordable Housing to be delivered by 25<sup>th</sup> residential occupation of market housing

### Highways:

- Provision of a scheme of footway works at the junction of Scotland Lane/Old Haslemere Road incorporating informal crossing points (dropped kerbs and tactile paving) to enable pedestrians to cross Scotland Lane (to/from the site access) and Old Haslemere
- Provision of a footway within Old Haslemere Road between Scotland Lane (where footway works are proposed) and the Park Road junction
- Provision of a footway within Old Haslemere Road within the existing verge margin, between Park Road and Hillside
- Provision of a virtual footway within the lower (narrow) section of Old Haslemere Road, between Hillside and Hill Road
- Provision of a section of footway on the south side of Hill Road and the provision of dropped kerbs and tactile paving
- Provision of two sections of footway and virtual footway along Museum Hill, between Hill Road and Petworth Road
- Provision of a scheme of footway works at the junction of Scotland Lane/Midhurst Road incorporating informal crossing points (dropped kerbs and tactile paving) to enable pedestrians to cross Scotland Lane and Midhurst Road
- Permissive circular walk from Scotland Park within land controlled by the Applicant, including links to existing Public Rights of Way on Bell Vale Lane and Midhurst Road.

### SPA:

- The provision, management and maintenance of Permissive Footpaths for a duration of 80 years or until such time as they are superseded by the subject land formally becoming Suitable Alternative Natural Greenspace (SANG), which would occur through a separate planning consent and associated legal agreement.

- Production and distribution of information leaflets to future residents and existing residents within 400m of access points to the Permissive Paths
- Provision of information boards at access points to the Permissive Paths.

#### Open Space

- Management and maintenance of the areas of open space and play spaces within the Site through a Management Company that would also coordinate and manage a Scotland Park Community Organisation;

#### 6. Details of Community Involvement

The application has been consulted on in accordance with both national and local requirements.

#### 7. Relevant Planning Constraints

Countryside beyond Green Belt  
 Adjacent to Surrey Hills Area of Outstanding Natural Beauty (AONB)  
 Area of Great Landscape Value (AGLV)  
 Wealden Heaths II SPA 5km Buffer Zone  
 East Hants SPA 5km Buffer Zone  
 High Archaeological Potential  
 Ancient Woodland 500m buffer

#### 8. Relevant Development Plan Policies and Guidance

- Waverley Borough Local Plan (Part 1): Strategic policies and sites (adopted February 2018):
  - SP1 – Presumption in Favour of Sustainable Development
  - SP2 – Spatial Strategy
  - ALH1 – The Amount and Location of Housing
  - ST1 – Sustainable Transport
  - AHN1 – Affordable Housing on Development Sites -
  - AHN3 - Housing Types and Size
  - LRC1 – Leisure and Recreational Facilities
  - RE1 – Countryside beyond the Green Belt
  - RE3 – Landscape Character
  - TD1 – Townscape and Design
  - HA1 – Protection of Heritage Assets
  - NE1 – Biodiversity and Geological Conservation
  - NE2 – Green and Blue Infrastructure
  - CC2 – Sustainable Construction and Design

## CC4 – Flood Risk Management

- Waverley Borough Local Plan 2002 (retained policies February 2018):
  - D1 – Environmental Implications of Development
  - D4 – Design and Layout
  - D6 – Tree Controls
  - D7 – Trees, Hedgerows and Development
  - D8 – Crime Prevention
  - D9 – Accessibility
  - RE9 – Agricultural Land
  - HE14 – Site and Areas of High Archaeological Potential

The Haslemere Neighbourhood Plan has just been thorough examination by an independent inspector but has not yet been through referendum.

## Other Guidance

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

9. Consultations and Town Council Comments

Haslemere Town Council	<p>Objection</p> <p>It would cause great harm to the natural environment and biodiversity contrary to paragraphs 172, 174 &amp; 175 of the NPPF, and policy NE1 of the Local Plan Part 1;</p> <p>It would be built on land designated as an Area of Great Landscape Value (given the same protection as Areas of Outstanding Natural Beauty under policy RE3 of Local Plan Part 1) contrary to paragraph 172 of the NPPF;</p> <p>There were concerns it could not support sustainable transport and would only add to traffic congestion around the location. Walking distances to the centre of town were viewed as overly optimistic and did not consider the gradient of the hill on the walk back to the development from either the town centre or train station. This is contrary to paragraph 102 of the NPPF and ST1 of the Local Plan Part 1; and</p> <p>Whilst the building standards are stated to meet a rating of 4 stars out 6 under the Code for Sustainable Homes, it is an old standard which was started in 2006 and discontinued by the Government in 2015. If building is going to take place on AGLV/AONB land it should meet a higher, more exacting build standard.</p>
Environment Agency	Declined to comment
Natural England	No objection
Surrey Wildlife Trust	No objection, subject to conditions
Lead Local Flood Authority	No objection subject to conditions
Thames Water	No objection subject to conditions
County AONB Officer	The principle of whether a significant loss of this protected landscape should be determined through the development plan process and not through the ad hoc grant of

	<p>permission in advance of the adoption of the Waverley Local Plan Part 2.</p> <p>It will be for the Planning Authority to determine whether very special circumstances exist and a permission at this stage would be in the public interest. However, no such case seems to have been promoted in the application. The site has been determined to be of such natural beauty that specialist landscape architects reporting to Natural England have recommended that it be included in the Surrey Hills AONB.</p> <p>In the meantime, the protection given to it as an AGLV in the Waverley Local Plan Part 1 means that a grant of permission would be contrary to local Plan Policy RE3. The development neither conserves nor enhances the AGLV, being the AONB principle applied to the AGLV under Policy RE3. The natural landscape and scenic beauty of the site would be lost forever if it were to be developed. Further, the development would conflict with Surrey Hills AONB Management Plan Policy P6 stating that development spoiling the setting of the AONB will be resisted.</p>
Surrey County Highways	No objection subject to conditions
Surrey County Archaeologist	No objection subject to condition
Council's Environmental Health Officer (Noise)	No objection subject to conditions
Council's Environmental Health Officer (Land Contamination)	No objection subject to conditions
Council's Waste and Recycling Officer	No objection
South Downs National Park	Objection
Surrey Police	No objection subject to condition

#### 10. Representations

The council has received 519 letters of representation, 514 which object to the proposal, 4 that support and 1 representation that neither objects nor supports.

These include representations from Haslemere Vision, the Haslemere South Residents Association and the CPRE. The representations are summarised below

#### Emerging Housing Allocation

- A number of brownfield sites are still available for assessment within the settlement boundary. Whilst brownfield sites are still available it is unacceptable to develop land of protected AONB status.
- Better option to develop on brownfield sites within the curtilage of Haslemere
- Not clear what the exception circumstances are which allow this development to proceed and why development within the towns curtilage are not adequate to requirements.
- Contravenes local and national policy as the development does not meet the requirement of exceptional
- Local Plan has not been finalised and development should not be allowed to progress until this has been completed
- Haslemere Town Council already voted to exclude this land from the Local Plan on the basis of overwhelming local objection to development of this land and because of worries about why the town boundary was moved.
- it is not right that planners have taken the developer's site into consideration in a draft development plan (LPP2) which was actually withdrawn in 2018 and has still not been finalised or approved. To do so prejudices LPP2
- The developer has promoted the site for the development as part of the LPP2 Call for Sites process. The consultation process is still ongoing and the site has not been confirmed as an allocation.
- Although Haslemere is obliged to provide additional houses to meet allocated numbers by 2032, it is absolutely not essential to build on this greenfield site in order to do so.

#### Emerging Neighbourhood Plan

- Breaches neighbourhood plans which prioritise protecting of the countryside around town

- The Haslemere Neighbourhood plan clearly priorities the protection of the green ring which surrounds the settlement and links to the South Downs National Park a protected habitat for a diverse range of protected flora and fauna.

#### Sustainability

- Residents will be reliant on cars for schools, shops etc. There are other sites closer to the town centre which should be developed in preference to this one.
- The topography of the area does not lend itself to cycling, other than for those enthusiastic for the sport, and certainly not for those taking children to school. The journey back from town on a bicycle would require excellent health
- The site is in the wrong place for families as the children cannot walk to school or even get a bus.
- There is no genuine choice of transport modes. For those with children, a car will be an absolute necessity
- There is no good access to public transport from the site. Pedestrian access to the railway station involves walking down Scotland Lane which is narrow and heavy with traffic and has no pavements.
- The nearest bus stop in Camelsdale involves crossing the Midhurst Road (a main road) on a blind bend and walking down several roads without pavements. The same route is required to access Camelsdale and Shottermill primary schools, which means that no one will risk making that journey on foot and more car journeys will be undertaken instead.

#### Local Amenities and infrastructure

- The proposed development will place an unacceptable burden on local amenities
- The health Centre and Hospital will never cope with this scale of development
- Local Schools are at maximum capacity and will struggle with anymore demand put in by the construction of family homes.
- Water supply cannot meet even the current supply demand. On many occasions the demand has outstripped the supply capability with the resulting interruptions to the supply

#### Harm to the Countryside



- Swallows up swathes of Haslemere surrounding countryside and damages intrinsic character and beauty
- Increase in light pollution, infringing on the dark skies
- Scotland Lane & its tributary roads are one of the few Leafy suburbs left, full of character & charm, with a wide variety of housing already, densely populating this area will completely destroy these attributes.
- The countryside around Haslemere will be seriously eroded and access to open areas around Haslemere made very difficult
- Completely altering the character of both the site and the surrounding area.

#### Harm to the AGLV and Setting on AONB

- The development contravenes NPPF 172 as the development cannot be classed as an exceptional circumstance
- AGLV land, which much be protected and treated as AONB land and preserved for future generations
- Knock on effect for other areas of the AONB. Huge tourist attraction for this area and there will be less appeal for this as more countryside is destroyed
- Disappointed that consideration is even being given to an application to build on AGLV. Does the title mean nothing and if so, what is the point and value of such designations.
- The proposal covers a unique, tranquil, rural, peaceful area and AONB status would be desecrated. It is very clear that new development will impose and ruin the natural surrounding and the beautiful footpaths in the area
- The argument that Scotland Close and Chilton Close are built on AGLV land and therefore there is already precedent needs to be challenged - that was over fifty years ago in a world where we were blissfully unaware of the importance and scarcity of most aspects of our natural environment
- Haslemere is fortunate to have a unique soft boundary between the South Downs National Park and the town, which I believe we all have a duty to preserve
- Granting an exception for a project to use AGLV should be seen as valuable gift from the community; it should not be given away too readily. A project that

delivers a substantial share of 45% to 50% priced units might be able to make a case for an exception; this application definitely cannot.

## Trees

- Green belt of precious trees are especially necessary in a climate that is currently under siege by pollution and should be protected, not destroyed
- Multiple trees have already been felled on the site and It is likely that more than 6 cubic metres were felled potentially without the requisite felling licences required outside of gardens and irrespective of tree species.
- The trees are important for flood protection. Some land at Scotland Lane has already become water logged in particular stormy weather

## Ecology

- Destruction of a valuable green habitat on the southern edge of the town that is home to countless species
- Many protected species will be displaced by the proposed development.
- The changes will have a cumulative effect on the biodiversity, placing Haslemere into a species-bereft area with an estimated 150 acres where wildlife can no longer roam.
- There will be deliberate harm to biodiversity with knock on impacts for wider ecosystems
- Providing environmental support is a case of 'Green Wash' which means despite claims, the environmental proposals are not effective when the impact of their development is considered where the net result will be highly damaging
- The developer makes claims that the scheme will deliver 10% biodiversity gain, but they have not provide any proof. The DEFRA 2.0 Metric Spreadsheet or other documents, such as plans showing habitats before and after development, detailing how 10% gain was achieved, have not been submitted to the Planning Portal and therefore it is not possible to substantiate this claim
- Mitigation regarding Dormice is inadequate

- Fences have already been erected that have caused injury to wildlife and the RSPCA have been contacted on a number of occasions to rescue deer, often injured and caught on or between these fences.
- The land is frequented by both tawny and little owls. Using my bat detector (Magenta Bat4) I have observed Lesser Horseshoe bats and Pipistrelle bats on a regular basis; Lesser Horseshoe bats last sighted in August 2020. The ecology report does not identify Lesser Horseshoe bats which are seen on a regular basis just a few metres from the site and this omission is of concern.
- The final full Assessment outlines the land description Valewood, which adjoins the proposed but fails to mention the presence of Heath Spotted and Common Spotted Orchids which are in the same valley. There is every likelihood that these are present in the proposed development area.
- What is the status of the Japanese Knotweed infestation around the site and what guarantees are there that it has been eradicated?
- Concerns regarding honey buzzards and Buzzards that are protected under the Wildlife and Countryside Act 1981.
- Concerns raised regarding the ecological work presented regarding the flora on the site and errors in respect to subsoils.

#### Listed Building

- The development is too close to a Listed Building

#### Affordable Housing

- Waverley Local Plan part 1 highlights the lack of smaller, more affordable homes and those designed specifically for older residents. This proposed development consists of large family homes that would have a high market value and as such do not meet the profile of housing that we need in our community.
- Anyone who wants to get on the property ladder or purchase an affordable flat or house will not be able to buy a home here. The 20% discount would not place a property within reach of a nurse or care-worker, for example. In addition, for close access to public transport, schools and shops, more central sites for affordable homes are preferable.

#### Transport

- Scotland lane is single track in places and unsuitable for the increase in traffic resulting from the proposed development.
- Scotland Lane is already a very busy road, not the quite leafy Lane it appears to most. It is used as a cut through to avoid the town of Haslemere. The cars speed up and down and the huge lorries are always causing oncoming vehicles to reverse so they can pass. There are no pavements
- The junction with the A286 is dangerous and regularly the scene of accidents and near misses.
- There are no pavements and residents are already at risk from traffic which uses the Lane as a rat run.
- The whole town has an issue with the amount of traffic and adding probably another 100 cars is not going to help
- The access would be off a busy, very narrow Scotland Lane which in turn is accessed from very small, congested roads or via a dangerous junction on a busy, narrow main road
- Scotland lane is already very busy with no pavement for walking up or down.
- There is already a huge parking issue with commuter parking. In addition to the current problem, Waverley are about to redevelop the fairground car park which will certainly not result in more spaces given the way people park there already. Better commuter parking provision must be in place before more commuter cars are added to the mix
- The roads around Haslemere are not being maintained adequately and cannot cope with additional wear and tear. Until Surrey get the roads repaired adequately and are in a position to continue to maintain them, there should be no additional houses.
- The siting of the development at the top of a very steep hill inevitably means a reliance on cars and a consequent increase in traffic volumes on a constrained road network and an increase in environmental pollution.
- Old Haslemere Road is impassable on icy/snowy conditions due to its steep gradient, adding to the potential safety concerns
- The impact on Scotland Lane, Tennyson's Lane, Haste Hill and the B roads ( Petworth in my case ) they feed adds to vehicle congestion and safety risk to the many pedestrians and cyclists ( including many visitors to the area ) that use

these rural lanes and minor roads for access to Blackdown and The South Downs

#### Pedestrian Connections

- Proposals to widen the road are not feasible as certain areas (particularly those from the intersection with Scotland Close and below) are bordered on both sides by residents' land / driveways / borders
- The application, recognising the unsuitability of Old Haslemere Road and Museum Hill for pedestrians includes proposals for extensive painting of pedestrian corridors on these already narrow and inadequate roads which will be an unacceptable eyesore 'urbanising' this pleasant country town.
- A development of 50 new houses likely means an additional 100 cars with poor sightlines and shared space with cyclists and pedestrians.

#### Flooding and Surface Water

- Rain run off down Scotland Lane and flooding at the bottom a serious problem which will only be exacerbated by further development.
- The Surrey County Council flood report is focussed entirely on the Red Court site and takes no account of the surrounding area nor does it mention the current regular flooding problems faced by the residents of Scotland Lane, Scotlands Close and Chiltern Close when trying to gain access or egress from their homes in inclement weather

#### Neighbouring Amenity

- Light is already minimal on 34 Scotland Road during winter weeks
- Overlooking and loss of light to 7, 8, and 9, as the site is four metres above the footprint of these existing properties.
- Overlooking to 44 Scotland Lane by Plots 47 and 48

#### Noise/Disturbance

- The increase in traffic noise would be unbearable; it is at the limit of tolerance now.
- Cannot see how such major work could be done to the road without significant disruption which is simply unacceptable to everyone who lives here.

## Other Matters

- Haslemere Town Council clearly stated view that this site will be protected. Respect views of local people.
- Sets a precedent that open the door for further housing estates
- The full plan is to build 180 houses on this greenfield site
- Would feel less of a county town
- Plenty of better areas out of town for new housing developments
- Creating a precedent for destroying precious habitats
- Blurring of the boundary of the town
- Sewerage problems
- Sets a precedent for other similar developments around the town which will have an unsustainable impact on the town and its community. It is the beginning of a total change of the town character.
- Surely with office space being in less demand, empty offices should be converted in urban areas rather than irreplaceable green space being destroyed forever.
- The proposed development has two phases, Phase 1 (the current application for 50 dwellings) and Phase 2 for 130 dwellings
- Does not meet the spirit of the Climate Emergency declaration agreed last year.
- The Surrey County Council website showed the border for the AONB as Scotland Lane. Since becoming aware of this proposed development, we have checked the map again and the border appears to have been moved to the other side of Red Court. We were not aware of any legitimate moving of this border and would like to raise a query in relation to this and whether the correct and legal procedures were followed when the border was moved.
- The proposed development will place an unacceptable burden on local utility infrastructure and contains no mitigation measures for these additional burdens

- Haslemere does not need to take Woking's overspill and enough houses can be built, especially for essential workers, using brownfield sites within the Settlement Area.
- It seems unnecessary to build new flats in this location when there are many unused properties in the town and local area that would be used.
- Waverley Council in September announced a climate emergency. This means acknowledging the need to reduce greenhouse gas emissions from activities in the local authority boundaries to net zero as soon as possible. The application does not support this ambition. Aiming to achieve a target emissions rate of 20% (or 10% depending where you read in the environment statement) above the reductions required by building regulations is poor and will not make the new homes compatible with a zero carbon future.
- Scotland Lane is not on Surrey County Council's gritting schedule. A small amount of snow brings the road to a standstill.
- Due to the soil base, constructing buildings above 7, 8 & 9 Scotland Lane would cause a potentially dangerous situation with surface run off and subsidence of the bank.
- Ignoring opinions expressed by Haslemere residents in surveys conducted to produce the community's Neighbourhood Plan.
- Impact on National Trust introducing Beavers to the area

## Support

- This proposal effectively carves out a logical section of the original Red Court Estate in the same way that Scotland Close was created in the past and to a lesser degree the same as some of the larger single properties along the south side of Scotland Lane east of Old Haslemere Road.
- It is a logical extension of the urban area of Haslemere in a location that is reasonably close to the railway station and comprises a range of market housing that is in keen demand as well as some Affordable housing that is in scarce supply
- The visual and environmental impact on adjoining areas is very modest

- The 'wildflower meadow" and play area is extensive and will provide great continued opportunity for wildlife as well as family enjoyment.
- The only scheme that offers affordable dwellings in perpetuity
- High quality of design, access to green spaces, the proximity to the Town Centre are idea and gives people the opportunity to lead a balanced life
- It is wonderful news new homes are to be built in Haslemere. There are 8 million people in this country struggling with getting on the property ladder.

## 11. Principle of Development

Local Plan (Part 1) 2018 sets out the overall housing requirement for the Borough over the plan period from 2013 to 2032. This amounts to 11,210 net additional homes, or an average of 590 a year. Local Plan (Part 1) 2018 also sets out the spatial strategy which underpins how this housing requirement will be distributed across the Borough.

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

Policy SP2 of the Local Plan (Part 1) 2018 sets out the spatial strategy for the borough up to 2032 and seeks to focus development at the four main settlements, with moderate to limited growth in villages

Expanding on the spatial strategy, Local Plan (Part 1) 2018, Policy ALH1 sets a specific minimum housing target for each settlement. The minimum housing target for Haslemere is 990 net homes. As of 01 April 2020, there have been 218 completions within Haslemere, there are 299 outstanding permissions (including resolutions to permit) and windfall sites are considered to contribute a further 153 dwellings. This totals 670 committed net homes for Haslemere, meaning that there is an outstanding requirement to allocate approximately 320 net homes through the emerging Local Plan Part 2.

Paragraph 118 of the NPPF 2019 states that planning decisions should (inter alia) give substantial weight to the value of using suitable brownfield land within settlements for homes. It is recognised that this is not a brownfield site within a settlement, which is negative aspect of the proposal that weighs against granting permission.



Emerging Policy DS06 is the relevant policy to this single green field site allocation (Red Court, Scotland Lane) in the emerging Local Plan Part 2, which is proposed to be allocated for a least 50 dwellings, subject to:

- a) Ensuring the conservation of the landscape and scenic beauty of the AONB and the South Downs National Park through consideration of the individual and cumulative impact of development in the layout, landscaping, and design of proposals, informed by a Landscape and Visual Impact Assessment;
- b) Retention and enhancement of mature trees and other landscape features wherever possible and;
- c) The demonstration that development will not have a likely significant effect on protected habitats sites.

At the time of the Local Plan Part 1 examination, the Council advised the Local Plan Inspector that it was aiming for the Local Plan Part 2 to be adopted in April 2019. Whilst the Local Plan Part 2 has been delayed, a pre-submission document has been drafted and a Regulation 19 consultation undertaken, which ended on 29 January 2021. The Council is currently considering all the representations received as a result of the Regulation 19 consultation on Local Plan Part 2. This has affected the previously agreed timetable and therefore the Council will be looking to update it.

In accordance with paragraph 48 of the NPPF 2019, although Local Planning Authorities may give weight to relevant policies in emerging plans, the level afforded is determined by the stage the Plan has reached, the extent to which there are any unresolved objections to it and the degree of consistency of the relevant policies in the emerging plan to this Framework.

At this time, the Local Planning Authority has yet to establish whether the objections made on the previous Regulation 19 consultation on the Local Plan Part 2 preferred options and draft policies have been resolved through the pre-submission plan. Given this position, very limited weight can presently be attributed to Policy DS06 of the emerging Local Plan Part 2.

## 12. Prematurity

Paragraph 49 of the NPPF 2019 explains how weight may be given to policies in emerging plans. In the context of the Framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Paragraph 50 of the NPPF 2019 continues with refusal of planning permission on grounds of prematurity will seldom be justified where a Draft Local Plan has yet to be submitted for examination.

Where planning permission is refused on grounds of prematurity, the Local Planning Authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

The Pre-submission Local Plan Part 2 has now been agreed for publication and has gone through the Publication for Pre-Submission (Regulation 19) Consultation, which closed on 29 January 2021. The Council are currently reviewing the consultation responses.

The Haslemere Neighbourhood Plan has just been through examination and has not yet been through referendum. It is worth noting that the Neighbourhood Plan does not include site allocations. The task of ensuring that Haslemere delivers the housing allocation from Local Plan Part 1 (2018) rests with the Borough Council through emerging Local Plan Part 2. However, it is acknowledged there is a clear desire on the part of Haslemere Town Council that the housing required to meet the Local Plan Part 1 (2018) allocation should be accommodated within the existing settlement or, failing that, on previously-developed land.

The proposed development would amount to a minor percentage of the total housing need across the plan period. It therefore follows that, even if the planning application succeeds, it is far less likely to undermine or predetermine decisions that are required to be made under the Plan.

The emerging Local Plan Part 2 is not at an advanced stage and furthermore the development proposed is not considered to be so substantial, or its cumulative effect so significant, that granting permission would undermine the plan-making process. As such, the application is considered not to be premature.

### 13. Housing Land Supply

The Council published its latest Five Year Housing Land Supply Position Statement, with a base date of 01 April 2020, in October 2020. It concluded the Council had a housing land supply of 5.3 years at that time. The recent planning appeal for Land at Lower Weybourne Lane, Farnham, challenged the Council's five-year housing land supply position, with the Inspector suggesting that the figure was likely to lie at about 4.26 years. Whilst work is ongoing in preparing the Council's 2021 Position Statement, which will be published in the near future, it is acknowledged that at the present time the Council is not able to demonstrate a 5 year supply.

As the Council cannot demonstrate a Five Year Housing Land Supply, paragraph 11 (d) of the NPPF 2019 is engaged via footnote 7. Therefore, unless the site is located in an area, or involves an asset, of particular importance that provides a clear reason for refusal, then permission must be granted unless it can be demonstrated that any adverse impacts demonstrably outweigh the benefits when assessed against the Framework as a whole.

The tilted balance is engaged in this instance.

It is also important to consider paragraph 14 of the NPPF 2019 when paragraph 11 (d) is engaged as this sets out the tests for the application of Neighbourhood Development Plans when the titled balance is engaged. Although it is noted that there is a clear desire on the part of Haslemere Town Council that the housing required to meet the Local Plan Part 1 (2018) allocation should be accommodated within the existing settlement, the Haslemere Neighbourhood Development Plan is not as yet 'made' and that the HNP itself does not allocate any land for housing, therefore allowing development on the site would not lead to conflict with an adopted neighbourhood plan.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area, with its allocation within the emerging Local Plan Part 2 given very limited weight.

#### 14. Loss of Agricultural Land

Paragraph 170 of the NPPF 2019 states that planning decisions should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.

Retained Policy RD9 of the Waverley Borough Local Plan 2002 states that development will not be permitted which would result in the loss or alienation of the most versatile agricultural land unless it can be demonstrated that there is a strong case for development on a particular site that would override the need to protect

such land. On all grades of agricultural land, development will not be permitted which would result in the fragmentation of agricultural or horticultural holdings as to seriously undermine the economic viability of the remaining holding.

The application site comprises open, agricultural land of unknown quality. The Provisional Agricultural Land Classification Map (data.gov.uk) identifies the site as undifferentiated Grade 4 agricultural/urban land, but as Natural England's Technical Information Note 049 explains, these maps are not suitable for classifying the quality of individual sites, for which a detailed site and soil survey is required.

There is no indication in the supporting documents that the applicant has carried out a detailed Agricultural Land Classification survey. The quality of agricultural land affected by the development is therefore unknown.

However, it is clear from the Officers' site visit that the land in question is not used for agricultural purposes. Officers are satisfied that, in terms of retained Policy RD9 of the Waverley Borough Local Plan 2002, that the land is not the best and most versatile agricultural land and its loss would not fragment or seriously undermine the viability of any associated farm business.

#### 15. Location of Development

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy RE1 of the Local Plan (Part 1) 2018 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF.

As the site falls outside of any recognised settlement, it does not fall within the Spatial Hierarchy as set out in Policy SP2 of the Local Plan (Part 1) 2018, which seeks to focus development within the main settlements, villages, through strategic sites within Local Plan Part 1 and those housing allocations identified in emerging Local Plan Part 2.

The site is located within the Countryside beyond the Green Belt outside any defined settlement area, with its allocation within the emerging Local Plan Part 2 given very limited weight.

#### 16. Sustainability of Location

Paragraph 79 the NPPF 2019 states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

In considering whether a development is isolated in context with paragraph 79 of the NPPF 2019, the Council have had regard to the Court of Appeal judgement

regarding the interpretation of what might be 'isolated' ([2018] EWCA Civ 610). In this case law, the judgement is clear that the word 'isolated' in the phrase 'isolated new homes in the countryside' indicates a dwelling that is physically separate or remote from a settlement.

The judgement then continues 'what constitutes a settlement for these purposes is also left undefined in the NPPF. The NPPF contains no definitions of a "community", a "settlement", or a "village".

There is no specified minimum number of dwellings, or population. It is not said that a settlement or development boundary must have been fixed in an adopted or emerging local plan, or that only the land and buildings within that settlement or development boundary will constitute the settlement.

In my view a settlement would not necessarily exclude a hamlet or a cluster of dwellings, without, for example, a shop or post office of its own, or a school or community hall or a public house nearby, or public transport within easy reach'.

This submission is supported by a Sustainability and Energy Statement, prepared by David Strong Consultancy, dated 17 July 2020, which gives a fair assessment of surrounding key facilities and services and the existing network of suitable walking and cycling infrastructure connected to these amenities.

The assessment of the sustainability of a site has three elements. In the first instance, consideration is given as to where the site falls within the Borough's Spatial Hierarchy, as outlined in Policy SP2 of the Local Plan (Part 1) 2018. Secondly, whether an isolated dwelling in context of paragraph 79 of the NPPF2019, would be created and thirdly, whether the site would have suitable connectivity as to prevent a dependency on vehicular trips to access services to meet day to day needs.

Haslemere is identified as main settlement under Policy SP2 of the Local Plan (Part 1) 2018 and as a Community with Key Services in the Waverley Settlement Hierarchy Factual Update 2012. Haslemere contains an extensive range of services and facilities. The site is within 800m of Haslemere Town Centre High Street, which is a typical 10minute walk.

There are bus stops located on Petworth Road, which provides access to bus services 71 which travels regularly between Midhurst, Haslemere Train Station, Godalming and Guildford Town Centre. Haslemere High Street has bus stops that access bus services 19 and 70, whilst the stops of Lower Street access bus services 19 (Aldershot), 23 and 23X (Alton), 70 (Midhurst), 71 (Woolmer Hill). Midhurst Road provides access to bus service 13 (Basingstoke).

Haslemere Train Station is within 20minute walk of the site and provides regular access to London Waterloo and Portsmouth Harbour

Given that the site has a close relationship to a main settlement that contains a large number of key services, facilities and public transport links, the site would not be isolated in context with paragraph 79 of the NPPF 2019.

As the site falls outside of any recognised settlement, it does not fall within the Spatial Hierarchy as set out in Policy SP2 of the Local Plan (Part 1) 2008 and would not normally be acceptable.

However, the site is considered not to be isolated in the context of paragraph 79 of the NPPF 2019 and is connected to a main settlement at reasonable walking distance. Furthermore, the site is in close proximity to public transport, which offers a mode of transport other than the private car.

The site is therefore in a suitable location in sustainable transport terms for new residential uses.

#### 17. Countryside and Landscape Impacts

The site is located within the Countryside beyond the Green Belt outside any defined settlement area. Policy RE1 of the Local Plan (Part 1) 2018 states that in this area the intrinsic character and beauty of the countryside will be recognised and safeguarded in accordance with the NPPF 2019.

The site also lies within an Area of Great Landscape Value (AGLV) and, as confirmed by Natural England, within the setting of the Surrey Hills Area of Outstanding Natural Beauty (AONB). In considering the impact of the development upon the landscape against national policy, it is pertinent to note that no part of the site falls within the boundaries of the Surrey Hills AONB.

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

Paragraph 039 (reference ID: 8-039-20190721) of the NPPG 2019 notes that the duty set out under Section 85 of the Countryside and Rights of Way Act 2000 applies to all local planning authorities and is relevant in considering development proposals that are situated outside Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection.

Paragraph 041 (reference ID: 8-041-20190721) states that all development in Areas of Outstanding Beauty will need to be located and designed in a way that reflects

their status as landscapes of the highest quality. Where applications for major development come forward, paragraph 172 of the Framework states that planning permission should be refused for major development, other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest, subject to particular considerations that should apply when deciding whether permission should be granted.

Paragraph 042 (reference ID: 8-042-20190721) of the NPPG2019 relates to development within the setting of an AONB and is silent with regard to applying paragraph 172 of the Framework to major applications outside of, but within the setting of the AONB.

Therefore, whilst paragraph 172 of the NPPF 2019 is considered to be relevant to this application in respect of giving great weight in conserving and enhancing landscape and scenic beauty in AONB's (as per the relevant authority duty to Section 85 of the Countryside and Rights of Way Act 2000), it is not considered relevant to meet the major development tests set out in this paragraph.

Policy RE3 of the Local Plan (Part 1) 2018 states that the 'setting of the AONB will be protected where development outside its boundaries harm public views from or into the AONB'. In respect to the AGLV, Policy RE3 states 'the same principles for protecting the AONB will apply to the AGLV, which will be retained for its own sake as a buffer to the AONB, until there is a review of the Surrey Hills AONB boundary whilst recognising that the protection of the AGLV is commensurate its status as a local landscape designation '

The AGLV therefore does not have the same status of protection as the AONB under the NPPF 2019 and in terms of local policy, the commentary to Policy RE3 of the Local Plan (Part 1) 2018 also identifies that as a local designation, the AGLV holds less weight in policy terms than the AONB.

Whilst it is noted that the northern part of the site is considered as a 'candidate site' in Natural Beauty Evaluation, prepared by Hankinson Duckett, reference HDA ref: 595.1 and dated October 2013, for inclusion in the Surrey Hills AONB, Natural England has not as yet decided to extend the Surrey Hills AONB boundary and the site remains within the local AGLV designation.

It is acknowledged that Natural England has recently announced it will be starting a review of the AONB boundary within the Surrey Hills, but no timescales or details of which sites are specifically being considered have been provided at this stage, so only very limited planning weight can be attached to this announcement.

The Surrey Hills Management Plan 2020 -2025 sets out the vision for the future of the management of the Surrey Hills AONB by identifying key landscape features that

are the basis for the Surrey Hills being designated as nationally important. It is the aim of the Management Plan to ensure new development enhances local character and the environmental quality of its nationally important setting. Policy P6 of the Surrey Hills Management Plan 2020 -2025 states that 'development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted'.

The Surrey Landscape Character Assessment: Waverley Borough (2015) identifies the site as falling within the Hindhead Wooded Greensand Hills, with key characteristics of complex topography, heavily wooded area, with some significant areas of Ancient Woodlands and pockets of heathland and small scale, mainly pastoral, fields bounded by intact hedgerows.

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

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

It is noted that the Landscape Review (2014) considers development in segment HE05 to be 'likely to have a negative impact on the landscape due to the topography and access to the area'. To clarify, the Landscape Review (2014) was commissioned by the Council in 2014 with the aim of assessing the ability of the landscape to accommodate future residential development in areas of the Borough, which in turn provided evidence to inform the Local Plan (Part 1) 2018. The Landscape Review (2014) must be read in conjunction with The Waverley Sites Review (October 2020), which provides a high level landscape assessment of the site itself, with these documents produced for plan making purposes rather than for consideration of a standalone application.

The Waverley Sites Review (October 2020) provides a high level landscape assessment of the site itself and identifies the site as having a medium sensitivity to development, noting the wider residential setting to the south of Haslemere and that development would not visually influence the setting to the South Downs National Park.

The key characteristics of the Hindhead Wooded Greensand Hills are its complex topography, heavily wooded area, with some significant areas of Ancient Woodlands and pockets of heathland and small scale, mainly pastoral, fields bounded by intact



hedgerows. The site shares many of these key characteristics; it is comprised of young woodland (birch trees) in the south east section of the site, an open field to the south west and open land turning to scrub to the north. The northern section of the site slopes down to Scotland Lane and is demarcated by well vegetated tree belts and field hedgerows. The site is generally elevated above the developed area to the north.

The south west field has a gentle incline to its north east and north west corners and its southern boundary consists of dense tree belts and the residential boundary treatment associated with Red Court, with the western boundary of the site enclosed by the residential boundaries of 2, 3, 5 and 6-9 Scotland Close. The eastern boundary with Scotland Lane is also defined with well vegetated tree belts and hedgerow.

As the site lies outside of the designated AONB, the proposal would not be major development within the AONB for the purposes of paragraph 172 of the NPPF 2019. This approach has not been challenged by either Natural England or the Surrey Hills AONB Board.

The application is supported by a Landscape and Visual Impact Assessment, prepared by Sightline Landscape and dated 17 July 2020 (Rev A, updated 18 December 2020) (LVIA). This considers the likely effects of the proposed development on both immediate and wider visual amenity using a series of localised and distance viewpoints. This concludes that the proposed development would have no significant adverse landscape and visual effects to the wider landscape, although it would result in a significant adverse change to the character of the site, from a rural landscape, with no agricultural productivity, to a residential area.

### Impact on Landscape Character

The Waverley Sites Review (October 2020) considers the site to have a 'Moderate to medium' landscape value, with 'medium to low' landscape sensitivity. Natural England considered land sensitivity to be 'regarded as a measure of the resilience, or robustness, of a landscape to withstand specified change arising from development types or land management practices, without undue negative effects on the landscape and visual baseline and their value' (An Approach to Landscape Sensitivity, prepared by Natural England, dated June 2019). This is as a result of the difference in character between the site and the wider area and the proximity of the site to nearby existing residential development.

The site is of moderate to medium value in landscape terms and given that what is currently an undeveloped greenfield site would become a residential estate as a result of the proposed development, it is inevitable that the landscape change within the confines of the site itself would be adverse.

In considering the impact of the proposal upon the landscape character of Scotland Lane, the south of Scotland Lane is not devoid of residential development, as the south west section features urban cul-de-sac Chiltern Close and Scotland Close and linear residential development is present along the west of Scotland Lane. Given this surrounding context, residential development can be accommodated within the site without leading to a significant character change to the prevailing land use in Scotland Lane.

Although the proposed development would result in a significant loss of young woodland, some mature trees of little amenity value within the site and open fields, a significant amount of tree cover and vegetation would be retained and enhanced around the periphery of the site, which would preserve the semi-rural verdant character along the south of Scotland Lane.

Furthermore, the built form of the proposed development would be set back at least 20 metres from the boundary of the highway of Scotland Lane, providing a buffer adjacent to the highway free from built form, thereby retaining the existing character of the undeveloped boundary.

Whilst there would be a loss of dense boundary treatment at the access to the site in order to provide the highway requirement for a safe junction and visibility splays onto Scotland Lane, this opening to the site would not appear incongruous within the street scene given the presence of the junctions to Old Haslemere Road in the immediate vicinity. Furthermore, the access has been designed to limit direct transitional glimpses of the built form within the site from Scotland Lane, although it is acknowledged that the more domestically maintained landscape to the front of the site would give the sense of there being residential development beyond. However, in an area where highway junctions leading to residential development are present off the main Scotland Lane spine road (Chiltern Close, Scotland Close, Old Haslemere Road and Denbigh Road), the proposed junction and sense of residential development beyond would not appear incongruous within this context.

The proposal would also retain the majority of good quality trees within the site, as well as providing additional tree planting, which would mature into the skyline when viewed from Scotland Lane, that would further contribute to the retention of the green and verdant boundary character of Scotland Lane.

Given the existing topography of the site, the existing land levels would require excavation works. The most significant of these would be in respect of the proposed attenuation basins to the north of the site, to the spur road to the north and to provide level platforms for Plots 35, 36, 44, 45, 46, 47, 48 and 49. Furthermore, alterations to the existing topography will be required to allow the proposed footpaths to ascend the slope at suitable gradients. However, whilst the topography would require the

the excavation of land, the resulting development would largely maintain the existing contours of the site.

Should permission be granted, subject to conditions to secure a detailed Landscape Scheme, a detailed Landscape Management Plan, details of proposed earth works and a levels plan, clearly identifying existing/proposed ground levels and proposed ridge heights, whilst it is clear that the proposed development would result in a material change to the landscape character of the existing site, it is considered that this change, in context with adjacent residential development and the retention and augmentation of existing periphery boundary treatment and internal retained/enhanced landscaping would not be significantly harmful to the wider landscape character of the area.

### Visual Impact

In terms of visual sensitivity, The Waverley Sites Review (October 2020) considers the site to have a high visual sensitivity for views, as result of the proximity of the site to nearby existing residential development.

The supporting LVIA has considered the site from 8 no. public localised view points and 3 no. public wider viewpoints.

In considering the localised viewpoints, 3 of these (Viewpoints 1, 3 and 4) consider the potential views of the development from Scotland Lane. Viewpoint 1 is taken facing the proposed access. This view would change as a result of opening up the access to a new road junction, which would result in the loss of some existing vegetation, as well as provide transitional glimpses of domestic landscaping and built form. However, as result of the slight curvature in the join from the access to the internal spine road and the additional planting adjacent to this, the glimpsed views of the proposed built form are going to be obscured.

Both viewpoints 3 and 4 are taken from Scotland Lane and as a result of the retention of the existing tree coverage and the green space buffer bounding this, it is unlikely that views of the proposed development would be achievable, even in the seasonal months when tree coverage has declined.

Viewpoint 2 is taken from the main access to Red Court House and demonstrates that the retention of the existing tree coverage would prevent views of the development from this view in the summer months, although winter months there is the potential for glimpse the roofs of the few houses on the southern edge of the proposed development when moving along the existing Red Court drive. Further augmentation of the existing boundary treatment would limit these glimpses.

Viewpoint 5 is taken from inside Scotland Close, facing the principal elevations of properties 6-9 Scotland Close. From this viewpoint, the upper sections of some properties would be partially visible through gaps within the existing vegetation, although the natural enhancement of the boundaries with the rear gardens of 2, 3, 5 and 6-9 Scotland Close would limit the visibility of the development from this viewpoint.

Viewpoint 6 is taken from the grounds of Red Court. However, this viewpoint demonstrates that the existing tree retained tree coverage, which is to be amplified with native trees and shrubs, would screen views of the proposed development.

Viewpoint 7 is taken from Park Road and due to its topography in relation to the site, it is likely that filtered views of the proposed development would be visible from this viewpoint. However, the properties on Park Lane already overlook properties along Scotland Lane and the proposed development will be seen within this context.

Viewpoint 8 is taken from Haslemere Recreation Ground. Whilst the development would be screened during the summer months, there is the potential to view the upper sections of some of the proposed buildings during the winter months when the coverage provided by the native planting declines. However, these would be seen in context with the existing residential development in the foreground of this viewpoint. The tree loss resulting from the new access is likely to be noticeable, but not particularly harmful from this viewpoint.

Viewpoint 9 – 11 are wider viewpoints taken from Fernden Lane (9), Valewood Park (10) and footpath Lurgashall 1292-4 (10). As a result of the distance of these viewpoints from the site, the existing topography and the intervening vegetation, the proposed development would not be visible from these viewpoints.

The proposed built form would be visible from of 2, 3, 5 and 6-9 Scotland Close. Notwithstanding that the proposed retention and augmentation of the rear boundary treatment between these properties and the site, views of the proposed development would be afforded by the occupiers of these properties, particularly from the upper floors. Although the introduction of the built form would result in a significant change of view for the occupiers of these properties by the introduction of residential development into what is currently a rural outlook, the loss of a view is not a material planning consideration. Although the presence of the proposed built form would be obvious to the occupiers of these properties, as a result of the proposed intervening boundary treatment and buffer provided by the proposed curtilage/paring areas associated with Plots 14-21, the presence would not be overbearing or oppressive.

Although the site will benefit from retained coverage, the construction phase of the proposed development is likely to have visual impacts. However, such impacts are considered to be localised and temporary in nature.

The proposed development would be well screened from the majority of visual receptors from Scotland Lane by the retention of layers of existing trees rising up the slope and new tree planting, with only glimpsed, seasonal views from Scotland Close. Park Lane and Haslemere Recreation Ground would also have seasonal views of the development, although these would be read in context with existing residential development along Scotland Lane and Old Haslemere Road.

The main receptors whose views would be significantly altered as a result of the proposed development would be the occupiers of the properties along Scotland Close that bound the west of the site, although the intervening boundary treatment proposed and the distances between built form would prevent these changed views from being overbearing or oppressive upon the occupiers of these neighbouring properties.

#### Impact on Setting of the AONB

The Surrey Hills AONB Officer was consulted upon this application. It is noted that the response from the Surrey Hills AONB Officer contains reference to the allocation of the site in the emerging Local Plan Part 2. As discussed above, given that very limited weight can be attributed to the allocation of the site (under Policy DS06) in the emerging Local Plan Part 2, comments relating to this, including potential alternative allocation sites, are not relevant in the assessment of this application.

It is noted that the site has been considered as an AONB candidate in the Natural Beauty Evaluation. However, as a review of the Surrey Hills AONB boundaries has yet to be progressed by Natural England, this candidacy cannot be given more than very limited weight in the assessment of this application.

Page 55 of the Natural Beauty Evaluation suggests that the site could be considered a candidate AONB site, as a result of it being 'an anomaly in the AONB boundary that has limited incongruous elements, with nearby urban development largely obscured by woodland'. Given this description, it is assumed that the 'nearby urban development' referred to in this document is to the north of Scotland Lane, as the development at Chiltern Close and Scotland Close is not largely obscured from the AONB by trees. The Natural Beauty Evaluation appears to have made no reference to the urban development directly to the west (Chiltern Close and Scotland Close) and to the east of the site (linear residential development).

Similarly, the Surrey Hills AONB Officer considers the presence of urban development at Chiltern Close and Scotland Close as 'exceptions' and makes no reference to the existing linear development to the east of the site. It is a material consideration in the assessment of this application that there is existing urban development to the west the site which cannot be seen simply as 'exceptions' to the

otherwise open fields and woodland. Whilst it is appreciated that if there were an absence of any development to the south of Scotland Lane, it could be argued that the site would contribute to clear defined boundary between the Haslemere Settlement and the otherwise undeveloped adjacent Countryside. However, this is not the case, as the proposed development would not be remote or isolated from residential development; it would be adjacent to residential development that is an existing feature of the landscape character south of Scotland Lane.

It is also difficult for Officers to consider the site in the same vein as the Surrey Hills AONB Officer in that the natural beauty of the site arises from (inter alia) 'its visual and sensual detachment from the built-up area', when there is clearly a visible built up area to the west of the site. Therefore, in considering the impact of the proposed development upon the setting of the AONB, the presence of the existing residential development currently adjacent to the site and the AONB is material in the consideration of this application and within its context, the development would not form an unnatural residential extension to the adjacent settlement of Haslemere.

In considering tranquillity, noise from nearby human sources currently somewhat erodes the sense of tranquillity of the site itself, particularly from the north of the site, adjacent to the highway and urban area. The additional effects from the proposed development upon the tranquillity (such as domestic lighting and noise), would be mitigated by the retention and augmentation of the boundary treatment to the south of the site, along with, should permission be granted, a condition to secure a sensitive lighting scheme, to ensure that the proposed lighting would not significantly exacerbate the levels of domestic lighting currently dispersing from the surrounding residential development and highway street lighting within the settlement.

Policy P6 of the Surrey Hills AONB Plan states that development that would spoil the setting of the AONB by harming public views into or from the AONB will be resisted. The Surrey Hills AONB Officer has noted that there are not public rights of way from which the proposed development would be seen and officers agree with this. However, as also noted by the Surrey Hills AONB Officer, the absence of any rights of way does not mean that what could be otherwise harmful development within/adjacent to the AONB would be acceptable.

In this particular case, however, reinforcing the existing periphery planting to provide a dense screen along Scotland Lane and along the rear boundary of the site would serve to limit intrusion of the development into the setting of the AONB. This conclusion is shared by Natural England. Therefore, should permission be granted, it is recommended that a detailed Landscape Scheme and a detailed Landscape Management Plan are secured by way of condition, to

ensure that the boundary treatments are retained in an acceptable screening condition in perpetuity. The provision of a Landscape Management Plan would benefit the landscaping along the periphery of the site and would ensure that it would be well maintained in the future, which would be an enhancement to the setting of the AONB.

It is noted that the Surrey Hills AONB Officer has raised concerns regarding the layout of the site, which could lead to adjoining land becoming vulnerable to development pressure in the future. Whilst the site layout does contain a new vehicular access to Red Court following the loss of the existing access to serve the proposed development, it would not be reasonable to refuse the application on the basis of potential future development, which, if sought, would then be considered on their own merits.

The AONB Officer has suggested that in the event the principle of residential development on this site is accepted, it should make a more worthwhile contribution to meeting housing requirement in terms of number and type of housing most needed locally. Whilst Officers understand this position, it is considered that the development proposed would have not harm to the setting of the AONB, whereas a denser residential development could erode what would otherwise be a spacious development that complements the character of its surroundings, by creating more built form at higher stories and greater residential activity, thereby causing material harm to the setting of the AONB.

Whilst the proposed development would inevitably change the overall landscape character of the site, as a result of the retention and augmentation of the periphery of the site and taking into consideration the presence of existing residential development along the south of Scotland Road, which would be seen in context with the proposed development, the proposal would not cause material harm to the setting of the AONB.

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

The South Downs National Park Authority have not objected to the principle of new development on the site but have raised concerns with the proposed layout and how it fails to respond to existing landscape character and natural environment.

The South Downs National Park Authority considers the site and the wider area to contribute to the undeveloped, rural and open character of the area, within the setting of the National Park. It would appear that the Authority have not taken into consideration the existing development to the west of the site, the linear development to the east of the site and the presence of Red Court and its associated buildings, all of which make up the wider area, which can therefore not be described as the 'undeveloped' setting of the National Park.

In terms of impact upon landscape character, the National Park Authority considers the layout to poorly retain existing mature trees and hedgerows, the retained green corridors would be constantly interrupted by development and any retained vegetation would likely suffer from pressures for trimming/felling in the longer term.

Whilst the proposal would result in the loss of young woodland within the site, the majority of the trees of merit would be retained and the periphery hedgerows would be retained and enhanced where necessary. Whilst there is no question that the landscape character of the site would significantly change as a result of the significant amount of built form and hard surfacing on currently undeveloped site, the retention of key landscape features of merit, as well as the sensitive provision of new native planting and the provision of a green corridor is considered to respond positively to existing landscaping restraints on and surrounding the site. In the event permission is granted, conditions would be secured in order to ensure that retained vegetation is safeguarded during both the construction and operational phases of the proposed development.

In terms of natural environment, the National Park Authority consider that the absence of an assessment of impacts of the development on Ebernoe Common SAC in respect of the potential for the site to support commuting bats to be of concerns and the loss of/replacement of existing vegetation that contribute to the local wildlife and create wildlife corridors that widely work within a network connecting the site and the National Park with their setting. Although the impact on protected species and habitats are discussed in full detail further on in this report, the supporting Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020 does consider the commuting potential of the site for the colony of Bechstein's bats associated with Ebernoe Common SAC as well as the extent of the loss and replacement of existing vegetation, along with the impact this would have on the ecology of the site. Subject to conditions in the event planning permission is granted, the Council's Ecologists, Surrey Wildlife Trust have raised no objection against the proposal in respect of protected species and habitats. Furthermore, subject to conditions should permission be granted, Natural England have raised no objection against the proposal in respect of impact upon the relevant SPA's or SAC.

Officers agree with the conclusion of the Surrey Hills AONB Officer that the proposal would not have a visual impact upon the setting of the National Park as a result of intervening trees and land contours.

It is noted that the National Authority Park has concerns that the LVIA submitted in support of the application fails to consider all landscape related aspects in the assessment of the development, such as landscape character, pattern of development, geology, biodiversity and habitats, water, etc., as well as other



perceptual qualities such tranquillity. These matters have been discussed in other documentation submitted to support the application; for example, the Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020, covers the impact of the proposed development upon biodiversity and habitats and the Flood Risk Assessment considers impacts upon geology and water.

It should be noted that page 18 of the supporting LVIA addresses the impact of the proposed development in respect to landscape character.

The South Downs National Park is a classified International Dark Sky Reserve and as such dark skies and tranquillity are a special quality of the National Park which need to be protected.

Paragraph 180 of the NPPF 2019 states that planning decisions should (inter alia) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation

The application is supported by a Sensitive Lighting Assessment which recommends use of external lighting with minimum functional lux levels and shielding to cut off any upward illumination. The National Park considers this proposed mitigation to be appropriate for this setting and recommends that the lighting be controlled by way of a condition, in the event planning permission is granted.

### Conclusion

Subject to suitable conditions, should permission be granted, the Local Planning Authority have carried out their duty in respect to Section 85 of the Countryside and Rights of Way Act 2000. Although the proposed development would significantly change the landscape character of the site, it would not cause harm to the wider landscape character of the area.

Subject to conditions in the event planning permission is granted, the proposal would seek to retain and enhance where necessary, existing landscape feature of merit within and along the periphery of the site.

The layout has given consideration to the existing topography of the site, with any excavation works required (save for the proposed attenuation basins), the resulting development would largely maintain the existing contours of the site.

The proposed landscaping, involving native species, the provision of significant open space and generous residential curtilage, would soften that appearance of the built form and hard surfacing on the site and give the development a sense of space that would integrate well within this edge of settlement location.

It is acknowledged that the proposed development would have a greater presence upon the AONB than the existing, undeveloped situation. However, given that the site is not remote or isolated from surrounding urban development and would therefore not appear as an unnatural extension to the existing settlement and in considering the screening to be provided through the intervening and strengthened boundary treatment, the proposal would not cause material harm to the setting of the AONB.

The proposal would not have an impact upon the setting of the South Downs National Park.

The proposal therefore accords with Policies RE1 and RE3 of the Local Plan (Part 1) 2018 and the requirements of the NPPF 2019.

#### 18. Impact on Trees

Policy NE2 of the Local Plan (Part 1) 2018 states that the Council will seek, where appropriate, to maintain and enhance existing trees, woodland and hedgerows within the Borough. Retained Policies D6 and D7 of the Local Plan 2002 are attributed full and significant weight respectively due to their level of consistency with the NPPF 2018.

The majority of woodland area within the site is young, self-seeded birch and scrub holly that is infested with Japanese Knotweed. There are 16 mature individual trees of merit within this area of young woodland. There is no mature woodland on the site. The remainder of trees of the site are either grouped in the lapsed farmland to the north west of the site or form central tree belts within and around the periphery of the site.

The application is supported by an Arboricultural Impact Assessment, prepared by CBA Trees and dated July 2020. The Assessment identifies the existing tree stock on site and highlights those that are to be removed in order to accommodate the proposed development. There would be a significant loss of groups of trees from the site in order to accommodate the footprint of the built form or as a result of their proximity to the built form which would make their retention unviable.

There are 9 individual category A trees, 34 individual category B trees and 46 individual category C trees within the site. The proposed development would retain all individual category A trees within the site and would result in the loss of 12 individual category B trees and 17 individual category C trees from the site.

In terms of groups, there are 6 groups of category B trees and there are 15 groups of category C trees within the site. The proposed development would result in the total loss of one group of category B trees (G6), with a partial loss from one group (G21)

and 8 groups of category C trees, with a section and a partial loss from one group (G19). There would also be a loss of notable trees within groups – 6 notable category B trees and 8 notable category C trees. The proposal also results in the removal of 3 individual category U trees and 4 trees within groups.

Whilst there would be high tree loss resulting from the proposed development in relation to the woodland to the east of the site, the trees of merit to be lost within this young woodland area have already their amenity value significantly compromised as a result of their isolated location. The remaining woodland would be brought under positive management to eradicate the existing Japanese knotweed.

The main tree features within the boundary site are the periphery hedgerows, which support many larger individual trees, the majority of which are to be retained in order to preserve the landscape character of the site. Similarly, it is proposed to retain the majority of the trees of merit that currently provide the field boundaries.

The trees to be retained on site will be augmented with significant new tree planting, using species that are native to the site.

Subject to suitable tree protection and construction conditions, should permission be granted, the proposal would retain trees of merit considered to be worthy of retention in accordance with Policies RE1 and RE3 of the Local Plan (Part 1), retained policies D6 and D7 of the Local Plan 2002 and the requirements of the NPPF 2019.

#### 19. Impact on Ancient Woodland

The application site is within 500m of ancient woodland, located to the far south east of the site, beyond Red Court.

Following concerns raised in respect of existing tree felling on the site in connection with the proposed development, the Forestry Commission carried out a site visit and has confirmed that there is no evidence of recent tree felling or any evidence of the loss of mature trees on the site.

The Forestry Commission acknowledged that a swathe of trees has been removed between 2017-2019 following the route of the existing driveway. Prior to this clearance, which could have taken place as much as 4 years ago, The Forestry Commission advise it is likely the birch was below licensable diameter thus not requiring felling permission.

The Forestry Commission have advised that the majority of the woodland to the east of the site is young and not mature woodland. They have acknowledged that there is a regrettable loss of a small number of mature trees within this woodland but note

that their value has been compromised as a result of their isolated position within the scrubby woodland. Furthermore, they note that more and larger trees are to be retained.

In considering the groups of trees to be removed from the west of the site, the Forestry Commission note that they are fairly young specimens, neither mature woodland nor high quality habitat.

The Forestry Commission has concluded that with respect to the trees to be removed a result of the proposed development, apart from a handful of mature specimens, these could not be described as mature woodland or particularly valuable, as most of it is scrub.

Provided that the development adheres to the commitments in their permitted plan going forward, the Forestry Commission has raised no objection to the proposed development.

As a result of the response from the Forestry Commission and in considering that the proposal would be well separated from the ancient woodland itself and therefore would therefore not cause it any material harm, either through construction, operational or pollution damage, the proposal would be in accordance with Policy NE2 of the Local Plan (Part 1) 2018, retained Policies D6 and D7 of the Local Plan and paragraph 175 of the NPPF.

## 20. Impact on Heritage Assets

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.

Paragraphs 193, 194, 195 and 196 of the NPPF 2019 are of particular relevance and are provided below:

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional<sup>63</sup>.

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

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

196. 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, where appropriate, securing its optimum viable use.

The application of the statutory duties within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 combined with the guidance contained in the NPPF 2019 means that when harm is identified, whether that be less than substantial or substantial harm, it must be given considerable importance and weight.

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 2019.

The site lies to the north of Red Court and Red Court Lodge. Red Court is a large Grade II listed house built in the late 19<sup>th</sup> century and designed by Ernest Newton. Its significance lies in its importance as an early example of revival of classical 18<sup>th</sup> century style, but with some Queen Anne touches remaining. It is one of several

country houses built in the surrounding hills of Haslemere in the late 19<sup>th</sup>/ early 20<sup>th</sup> century.

Red Court Lodge is also a Grade II listed building with its significance being that it was built around the same time as Red Court House and was also designed by Ernest Newton. It is an L-shaped, one and half storey building and replicates the classical 18<sup>th</sup> century style of the main house.

The application is accompanied by a Heritage Statement, prepared by Montagu Evans, dated July 2020, which concludes that the proposal would not harm the setting or appreciation of the significance of the Listed Buildings at Red Court, its curtilage Listed Buildings or its historic garden.

The Council's Historic Buildings Officer considers the site to form part of the heritage asset's setting, as it contributes to the wider setting and how the property is experienced as an isolated country estate, despite its proximity to the centre of Haslemere.

The Council's Historic Buildings Officer has advised that the proposed development would alter the setting of the heritage assets as a result of the loss of tree cover, changes to the skyline and the introduction of more light pollution, particularly during the winter and autumn months. Overall, these changes would urbanise the general character of the surrounding landscape and alter how the heritage assets are experienced and therefore harm is identified. However, the Council's Historic Buildings Officer considers the harm would be limited, given the minimal contribution the application site makes to the significance of the heritage assets.

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 2019 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. In this instance, the public benefits this scheme offers are the significant contribution of houses towards the Council's housing supply and the provision of much needed affordable housing to the Borough.

Also of significant public benefit would be the pedestrian improvement scheme associated with the development that would provide a safe pedestrian route from the site to Haslemere Town Centre that would also be of significant benefit to residents outside of the proposed development.

Officers consider that these public benefits are sufficient to outweigh the limited identified harm to the setting of the Listed Buildings, even when giving considerable weight and importance to the harm. The proposal would therefore be in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990, Policy HA1 of the Local Plan (Part 1) 2018, retained Policies HE3 and HE5 of the Local Plan 2002 and the requirements of the NPPF 2019.

## 21. Housing Mix

Policy AHN3 of the Local Plan (Part 1) 2018 requires residential development to make provision for an appropriate range of different types and sizes of housing to meet the needs of the community, reflecting the most up to date evidence in the West Surrey Strategic Housing Market Assessment (SHMA). The needs identified in the SHMA are shown in the table below.

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

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

Tenure	1 Bedroom	2 Bedroom	3 Bedroom	4+ Bedroom
Market	0%	0%	43%	57%
Affordable	13%	60%	27%	0%

There is a conflict with the SHMA recommended mix for both market and affordable housing. There is an under provision of 1 and 2 bedroom market/affordable units, a shortfall of 3 bedroom market/affordable units and an overprovision of 4 bedroomed market units.

The site is located within an area characterised by larger homes of a lower density. The proposal would reflect these characteristics whilst also offering a broad choice of different sized homes to meet the needs of a varied community. However, the failure to broadly meet the housing mix in accordance with the SHMA is one of the material considerations that will need to be weighed in the overall planning balance.

## 22. Affordable Housing

Policy AHN1 of the Local Plan (Part 1) 2018 states that the Council will require a minimum provision of 30% affordable housing on all housing development that meet the required criteria.

There is a considerable need for affordable housing across the Borough and securing more affordable homes is a key corporate priority within the Waverley Borough Corporate Plan 2016-2019.

The West Surrey SHMA 2015 indicates a high need for affordable housing in Waverley, with an additional 314 additional affordable homes required per annum. As at 30/04/2020 there were 1,301 households registered on the Council's Housing Register, unable to access housing to meet their needs in the market, as shown in the table below alongside the SHMA recommended mix. The mix of bed sizes proposed for the affordable homes closely meets the identified need.

The 30% affordable housing requirement would be equivalent to a provision of 15 affordable units on a scheme of net 50 residential units. Therefore, the proposed development would be in accordance with Policy AHN1 of the Local Plan Part 1 (2018).

The 2015 SHMA recommends that new affordable homes be provided in a mix of 70% rent and 30% shared ownership. The proposed development would provide a tenure of 67% rented homes (10) and 33% shared ownership homes (5), which has been agreed with by the Council's Housing Enabling Team.

Subject to an appropriate mechanism in the S106 to secure agreement for affordable housing provision, the proposal would satisfactorily contribute to meeting local needs in line with Policy AHN1 of the Local Plan (Part 1) 2018 and the NPPF 2019.

### 23. Standard of Accommodation

Policy TD1 of the Local Plan (Part 1) 2018 seeks to maximise the opportunity to improve the quality of life, health and well-being of current and future residents through the provision of appropriate private, communal and public amenity space, appropriate internal space standards for new dwellings, on site play space provision, appropriate facilities for the storage of waste and private clothes drying facilities.

The Government Technical Housing Standards – nationally described space standards (2015) require dwellings to meet certain internal space standards in order to ensure that an appropriate internal standard of accommodation has been provided for future occupiers. Until the Council has a Local Plan Policy in respect of these standards, they should only be given limited weight and used as guidance to inform the decision on this proposal.

The units would meet the ministerial space standards with a number of them far exceeding the space standards.



On promoting healthy communities, the NPPF sets out that the planning policies and decisions should aim to achieve places which promote safe and accessible developments, with high quality public space which encourage the active and continual use of public area. These should include high quality open spaces and opportunities for sport and recreation which can make an important contribution to the health and well-being of communities. Policy H10 of the Local Plan addressed amenity and play space in housing developments. Although there are no set standards for garden sizes, the policy requires that a usable 'outdoor area' should be provided in association with residential development and that 'appropriate provision for children's play' is required.

Policy LRC1 of the Local Plan 2018 (Part 1) states that proposal for new residential development will be expected to make provision for play space in accordance with the Fields in Trust standard. For the size of the development, the Fields in Trust standard expects a local Equipped Area for Play (LEAP) and a Local area for Play (LAP) to be provided, as well as a contribution towards and off site Multi Use Games Area (MUGA).

Policy LRC1 of the Local Plan (Part 1) 2018 also seeks to secure appropriate contributions in accordance with Policy ICS1 where a need arises for leisure and recreational facilities as a direct result of development.

Although the proposal would provide an onsite LAP, no LEAP is proposed. However, the site is located within close walking proximity to the Haslemere War Memorial Recreation Ground, with a pedestrian link to be provided from the site to the recreation ground forming part of the proposal. Therefore, whilst the scheme would not provide sufficient play space on site, given the proximity to offsite play space Officers would not raise concern with this element of the proposal.

The Country Parks Team have not identified an existing MUGA that requires a justified contribution.

In light of the above, the proposal would meet Policies LRC1 and TD1 of the Local Plan (Part 1) 2018.

#### 24. Impact on Highways

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 application is supported by a Transport Assessment, prepared by Vision Transport Planning, reference 17054WA and dated 22 July 2020.

The existing highway network surrounding the site comprises Scotland Lane, which is a single carriage way residential street subject to a 30 mph speed limited and benefits from street lighting, although disadvantaged by lacking any footpaths. Culs-de-sac Scotland Close and Denbigh Road are accessed from Scotland Lane, as well as Old Haslemere Road, a residential street.

Scotland Lane is accessed from the west via the A286 (Midhurst Road), a regional distributor road subject to a 40 mph speed limit and from the east via Blackdown Road, a rural lane subject to a 30 mph speed limit.

There are a number of Public Rights of Way in the vicinity of the site, the closest being Footpath 39, which runs the length of Old Haslemere Road and Byway 104 to the far east of the site, which links Scotland Lane to Bell Vale Lane.

There is an existing signed cycle route that runs partially along Scotland Lane (adjacent to the site), along Old Haslemere Road and towards Haslemere Railway Station. This route is part of the Surrey County Council signed cycle route.

With regard to road safety, the Transport Statement has analysed Personal Injury Accident data for the most recent five year period available (2013 to the 2018) for the highway network in the vicinity of the site.

The Transport Statement suggests that whilst there may be perceived road safety concerns regarding the use of these lanes, they do have a good road safety record, as only a single minor incident has been recorded in Scotland Lane and no recorded incidents along Old Haslemere Road, Hill Road, Collage Hill, Museum Hill and Blackdown Lane in the period.

On the basis of the above, the Transport Assessment concludes that there are no significant existing problems with the layout of the highway network itself that would be affected by traffic from the proposed development.

In order to predict the traffic generation and flow associated with the proposed development, the Transport Assessment advises that TRICS (Trip Rate Information Computer System) database has been used, using sites that are similar in characteristics with the proposed development. The TRICS database estimates a daily total of 236 vehicles trips associated with the proposed development, with 29

trips in peak AM period (08:00 – 09:00) and 26 trips in peak PM period (17:00 – 18:00).

The Transport Assessment considers that the majority of vehicular trips to/from the site would be towards/from Midhurst Road, which forms part of the principle road network and provides access towards Haslemere. Given the identified peak of 29 trips, the Transport Assessment concludes that once traffic is distributed within the wider highway network, the development proposals will not result in a material impact on the operation of junctions within the wider highway network.

As the trips generated by the proposal would focus on the site access with Scotland Lane, a Junction Capacity Assessment has been carried out on the proposed access. This demonstrates that proposed junction would be well within operational capacity, including during peak AM and PM.

The County Highway Authority is satisfied that the TRICS Assessment and Junction Capacity Assessment undertaken and reported within the Transport Statement provides a robust and realistic assessment of the likely impact of the proposed development on the highway network and that the residual cumulative impacts of the development would not have a material impact on the capacity of the surrounding network.

The proposal involves modifying the existing access to the site onto Scotland Lane into a priority junction with a 2.0 metre wide footpath. The site access has been designed to accommodate the visibility splays appropriate for the 30mph speed limit on Scotland Lane.

The modified access would link to a main internal spine road, which would also incorporate a 2.0 metre wide footpath. Spur roads with shared surfaced areas would extend from the spine road. The shared surfaces have been designed with appropriate geometry to restrain and maintain low vehicular speeds and would be widened where required to accommodate turning movements or informal on-street parking.

The County Highway Authority is satisfied that the TRICS Assessment and Junction Capacity Assessment undertaken and reported within the Transport Statement provides a robust and realistic assessment of the likely impact of the proposed development on the highway network and that the residual cumulative impacts of the development would not have a material impact on the capacity of the surrounding network.

The County Highway Authority have assessed the detailed design of the proposed vehicle access and internal road network and have confirmed that sufficient space would be provided within the site for vehicles to park and for vehicles to turn, in order

for them to enter and leave in forward gear. Sufficient space would also be available within the site for waste collection vehicles to enter and leave safely.

The County Highway Authority have raised no objection against the proposal in terms of highway safety.

In addition to highway safety and capacity concerns, the scheme must also be acceptable in terms of sustainability. The County Highway Authority considers the site to be in a location where sustainable modes transport can be maximised, in order to promote non-car use and thereby reduce reliance on the private car.

To provide a safer pedestrian route to and from the town centre and encourage modes of travel other than the private car, the County Highway Authority are seeking to secure a pedestrian improvement scheme that would connect the site to Haslemere Town Centre by way of a constructed 2.0 metre footpath from the site that would extend along the majority of Old Haslemere Road, before converting into a 1.2 metre virtual footpath through the lower and more narrow section of Old Haslemere up to the junction with Hill Road.

The virtual footpath would continue to partially extend into Museum Hill before converting once more into a constructed footpath that would join the existing footpath on Petworth Road.

The pedestrian improvement scheme would also include the resurfacing of the carriageway where the proposed virtual footway would be implemented, should permission be granted. On-street parking is prevalent on Museum Hill and although it is not proposed to restrict all the parking along this stretch of road as a result of the virtual footway, the Local Highway Authority have acknowledged that some spaces need to be restricted adjacent to the virtual footway in order to allow vehicles a place to pass or wait whilst pedestrians are utilising the footway. Such a scheme is to be secured by way of condition, should permission be granted.

The Local Highway Authority are also seeking to secure a hardstanding footway and the implementation of tactile paving to the junction of Scotland Road and Midhurst Road, to provide improvements to pedestrian movements in this location. This footway provision would also provide a clear route to Public Footpath 597.

The pedestrian improvement scheme would need to be undertaken as part of a Section 278 Agreement with Surrey County Council.

To further increase sustainable modes of travel to/from the site, a fleet of a least five electric bikes is sought to be provided at the site and for each dwelling to be provided with cycle parking and a fast-charge Electric Vehicle charging point.

The County Highway Authority is satisfied that, subject to conditions and the proposed contributions, safe and suitable access to the site can be achieved for all users.

The applicant has indicated a willingness to enter into a suitable legal agreement to secure the appropriate mitigation methods. A signed and completed legal agreement has not yet been received. However, it is anticipated that an agreement would be entered into.

In light of the above and subject to the completion of a suitable legal agreement, Officers are satisfied that the proposal would have an acceptable impact on safety and efficacy of the surrounding highway network and that the cumulative impacts of the proposed development could be satisfactorily accommodated on the surrounding highway network or mitigated by appropriate means, without generating a severe impact, in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

The NPPF 2019 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:

Unit size	Vehicle Spaces Required
1 Bedroom	1 space
2 Bedroom	2 spaces
3+ Bedroom	2.5 spaces

The applicant has demonstrated that there would be provision made for the parking of 135 vehicles, with 123 provided through on-curtilage and allocated parking, with 8 allocated for visitor parking. The proposal would therefore exceed the recommended parking set out in Council's Parking guidance:

Unit Size	Unit Number Proposed	Vehicle Spaces Required
1 Bedroom	2	2 spaces
2 Bedroom	9	18 spaces
3+ Bedroom	39	97.5 spaces
Total	50	117.5 spaces

The proposal would provide an electric vehicular charging point per residential unit. This would exceed the requirements of the Council's Parking Guidelines and a condition is recommended to ensure that the level of electric vehicular points proposed are provided.

In light of the above, the proposal would accord with Policy ST1 of the Local Plan (Part 1) 2018, the Council's Parking Guidelines and the requirements of the NPPF 2019.

## 25. Design and Impact on Visual Amenity 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 2019.

The site lies within the Haslemere South of Town Centre character area as set out in the Haslemere Design Statement (2012). This area is characterised by a variety of housing in age, size and style with building material being predominantly brick, with a variety of elevation treatments, including rendering, and most having tiled roofs. The Design Statement also noted that there has not been significant post-war housing developments in this character area except for (inter alia) for western end of Scotland Lane and Scotland Close. Specific design guidelines for South of Town Centre relate to infill development retaining the local character as space around development is of as much significance as its architecture and noting that wide grassy verges are a key characteristic of this area and should be designed into new developments

The proposed development would be served by a main spine road accessed from Scotland Lane, featuring five spur roads and a private drive. All but one of these spur roads terminate at a pedestrian footpath. There would be a number of pedestrian footpaths and shared surfaces within the site, linking to the main spine road and the access to Scotland Lane. A footpath would link the main access to the open space to the north west of the site and a permissive path is proposed in the south west corner of the site, linking to a 2.3 circular walk. In terms of permeability, whilst the site could be improved by providing further pedestrian accesses onto Scotland Lane, it is understood that this had been explored, but had to be discounted as a result of potential highway implications.

The proposed built form would front the internal highway network, which demonstrates that the design has considered the surrounding pattern of development in the area, which is predominately street facing. This also creates an active frontage, providing the street scene with interest, visual engagement and informal surveillance. Where the flank elevation of a building faces the public realm, it will contain windows or bays.

Hardstanding allocated for parking would be provided in a mixture of front driveways, garaging, rear parking courts and on street visitor parking bay areas. Landscaping

is proposed to help soften the appearance of the hardstanding, by way of domestic gardens and native hedges.

The location of the proposed Local Equipped Area of Play (LAP) would allow for natural surveillance and would be easily accessible by all proposed units via both proposed pedestrian footpaths and shared surfaces.

A variety of terraced, semi-detached and detached units are proposed that would not exceed two storeys in height, a characteristic of existing residential development in the surrounding area. The proposed units would sit comfortably in their plots, without appear cramped or overdeveloped and intervening single storey garages contribute to the overall spacious character of the development. The overall heights vary in accordance to location and pitch, providing a varied roof scape. Chimneys are to be included to some units to add further visual interest to the skyline.

The architectural styles of the proposed units vary in order to prevent uniform repetition and to create a vibrant and attractive development. The units are influenced by the architectural heritage of Haslemere, ranging from simple Surrey vernacular, Arts and Craft to the more Classical Georgian form.

The materials proposed are also selected to reflect those in Haslemere and would comprise red and warm orange facing brick, clay plain tile hanging, rendering and timber boarding. Good quality materials would be key to this scheme harmonising successfully with surrounding development. Should permission be granted, Officers would seek to secure samples of materials prior to development commencing on site to ensure that the materials proposal would complement those currently existing within the street scene, in order to ensure that character of the area is retained.

Overall, the layout and appearance of the proposed development would integrate well with its surroundings as well as establishing its own strong sense of place. The proposal would therefore be in accordance with Policy TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

## 26. Impact on Residential Amenity

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 2019.

Whilst the proposal would have a greater presence upon all the occupiers of the properties surrounding the site as a result of the introduction of a significant amount of built form and introduction of residential activity, the neighbouring residential

properties that would be most impacted upon by the proposals would be 6-9 Scotland Close, as the rear curtilage of these residential neighbouring properties that bound the west of the site would adjoining private curtilage associated with the proposed development.

Also impacted upon would be 2, 3 and 5 Scotland Close, as the rear curtilage of these neighbouring properties would adjoin the open space associated with the site.

To the south of the site lies 1-3 Red Court Cottage, beyond which lies Red Court and to the east lies 'The Lodge', which would also have rear curtilage adjoining the site. Along the boundary of the site with Scotland Lane lies a number of residential properties, beyond the existing highway.

### 6-9 Scotland Close

There is a significant difference in land level between the site and the properties 6-9 Scotland Close, with the site being located on higher land. With regard to the 18 metre recommended distance between proposed windows and neighbouring private amenity space, as set out in the Council's Residential Extensions SPD, the proposal would not fully meet this recommended distance, which would vary at 16.6m and 18.3m between the built form of Plots 14-21 and far rear curtilage boundaries of 6-9 Scotland Close. However, Officers are satisfied that the intervening landscaping and the significant distances to be maintained between windows associated with the proposed development and the more private patio areas associated with these neighbouring properties would prevent any opportunities for clear and direct overlooking, that would materially harm the neighbouring occupiers enjoyment of their rear curtilage.

In respect of window to windows distances, Plots 14-21 would accommodate the 21 metres window to window distance between proposed windows and the windows of neighbouring properties, thereby preventing any opportunities for direct overlooking into internal living areas.

### 2, 3 and 5 Scotland Close

These properties are at a distance from the built form of the site which would exceed the recommended separation distances as set out in the Council's Residential Extensions SPD. In combination with the juxtaposition of these neighbouring properties with the proposed built form, there would be no overlooking or loss of privacy created to the occupiers of these neighbouring properties.

Although the presence of open space adjacent to the rear curtilage of these neighbouring properties has the potential to create new residential activity and associated noise and disturbance, it is considered that this would be to a level



commensurate with residential recreational activity, which would not be out of keeping within the surrounding residential context.

### 1-3 Red Court Cottages

The cottages are located at a distance from the boundary of the site so as to exceed the recommended separation distances as set out in the Council's Residential Extensions SPD. As such, the development would not create any overlooking or loss of privacy to the occupiers of these neighbouring properties.

### The Lodge

This property is located at a distance from the boundary of the site so as to exceed the recommended separation distances as set out in the Council's Residential Extensions SPD. As such, the development would not create any overlooking or loss of privacy to the occupiers of these neighbouring properties.

### Scotland Lane

These properties are located at a distance from the boundary of the site so as to significantly exceed the recommended separation distances as set out in the Council's Residential Extensions SPD. As such, the development would not create any overlooking or loss of privacy to the occupiers of these neighbouring properties.

### General Amenity

Whilst the proposed development is likely to generate a greater level of domestic noise through vehicles and pedestrians arriving and leaving the development than the current situation, this level would not be to an extent that would be incongruous within the surrounding residential context.

The construction phase of the development has the potential to cause disruption and inconvenience to nearby occupiers and users of the local highway network. However, these issues are transient and would be minimised through the requirements of planning conditions if outline permission were to be granted.

On the basis of the above, whilst Officers acknowledge that the proposed development may give the occupiers of neighbouring properties the perception of adverse impacts on amenity as a result of the significant change in land use of the site, it is considered that the proposal would not cause any significant harm to the amenities of the occupiers of surrounding neighbouring properties in terms of overlooking, loss of privacy or by way of being overbearing.

The proposal would therefore accord with Policy TD1 of the Local Plan (Part 1) 2018, retained policies D1 and D4 of the Local Plan 2002 and the Council's Residential Extension SPD.

## 27. Noise/Disturbance Impacts

Retained Policy D1 of the Local Plan 2002 seeks, inter alia, to prevent loss of general amenity, including disturbance resulting from the emission of noise, light or vibration.

Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location by taking into account the effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. This includes, inter alia, mitigating and reducing to a minimum the potential adverse impacts resulting from noise from new development and to avoid noise giving rise to significant adverse impacts on health and the quality of life.

Section 9 of the Planning Statement, prepared by Savills and dated July 2020 that concludes that the low density development not generate any adverse noise conditions.

Whilst the Council's Environmental Health Officer agrees with this conclusion in terms of operational noise, noise from construction is likely to have an adverse effect on surrounding receptors and consideration therefore needs to be given to mitigating and minimising those effects.

In the event that permission is granted, the Council's Environmental Health Officer has recommended a condition to secure a Construction Environmental Management Plan, to ensure that construction activity is properly controlled so as not to adversely affect the occupiers of surrounding properties during this temporary period.

The application is also supported by a Lighting Assessment, prepared by Sightline Landscape, reference 307\_LA\_02 and dated July 2020 which includes an assessment of obtrusive light and the potential impact on residential amenity. The Lighting Assessment contains a detailed Lighting Strategy to which would prevent any harmful impacts on residential amenity. For this reason, should permission be granted, the Council's Environmental Health Officer has recommended a condition to ensure that the external lighting proposed is installed in complete accordance to this Lighting Strategy.

Subject to the relevant safeguarding conditions, that there would be no detectable effect on health or quality of life for the future occupiers of the site or neighbouring occupiers due to noise, in accordance with retained Policy D1 of the Local Plan 2002 and the NPPF 2019.

## 28. Impact on 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.

Paragraph 155 of the NPPF 2019 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, make it safe without increasing flood risk elsewhere.

The site is located in an area of low flood risk, outside of Flood Zone 2 and 3 as identified on the Environment Agency Flood Risk Maps. However, as the site is over 1.0 ha, the application is supported by a Flood Risk Assessment, prepared by Stantec, reference 49215/2001 and dated July 2020.

The Flood Risk Assessment identifies the presence of an ordinary watercourse is located approximately 430m to the south of the site, adjacent to Bell Vale Lane, that eventually discharges into the River Wey. It also identifies that the site is located within a Principle Aquifer, as identified on the Environment Agency Groundwater Source Protection Zone Maps.

The Environment Agency Flood Map for Surface Water identifies that the entire site is at very low risk of surface water flooding.

In terms of fluvial flooding, the site and therefore the all the area proposed for development would be in Flood Zone 1. As such the development has no risk of fluvial flooding. Furthermore, the access to the site is also located within Flood Zone 1 and would continue unimpeded to provide safe access to and from the residential developments in the event of a flood.

With respect to pluvial flooding, as the site is currently undeveloped, the proposal would introduce hard surfacing and built form that would increase the surface run off

and reduce the sites permeability. To compensate this, a surface water drainage network is proposed.

To ensure the most suitable surface water drainage network for the site, the Flood Risk Assessment identifies that an assessment of the sites ability to utilise infiltration drainage techniques has been undertaken. This includes conducting an intrusive ground investigation and a Ground Condition Assessment to determine the geology of the site and Soakaway testing.

Following these investigations, surface water will be disposed of through a SUDs system comprising a piped network, inspection chambers/catchpits, gullies, swales, infiltration basins and a cellular storage tank.

The Lead Local Flood Authority have confirmed that the drainage proposal satisfies the requirements of the NPPF 2019 and NPPG19 and has recommended that should permission be granted, suitable conditions are required to secure the details of the design of the surface water drainage scheme and to ensure that it is properly implemented and maintained throughout the lifetime of the development.

As such, it is considered that the flood risk, surface water and ground water flooding have been addressed in accordance with Policy CC4 of the Local Plan (Part 1) 2018 and the requirements of the NPPF 2019.

## 29. Land Contamination

Retained Policy D1 of the Local Plan 2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of potential pollution of air, land or water.

Paragraph 178 of the NPPF 2019 states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination

Where a site is affected by contamination issues, responsibility for securing a safe development rests with the developer and/or landowner in accordance with paragraph 179 of the NPPF 2019

The application is supported by a Phase 1 Ground Condition Assessment prepared by Peter Brett, referenced 43104/3501, rev 001, dated March 2019 which highlights a moderate risk of impact to ground conditions in a small area of the associated with historical fly tipping and an area of Japanese Knotweed has also been identified.

Due to the potentially contaminative activities reported in the area, the introduction of residential use to the site, the Council's Land Contamination Officer has recommended conditions to secure and investigation and risk assessment of this area, along with details of remediation should contamination be found on the onsite, should permission be granted. This will ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

In light of the above, the proposal would accord with retained Policy D1 of the Waverley Borough Local Plan 2002 and the NPPF 2019.

### 30. Impact on Water Capacity

The application is supported by a Utilities Appraisal, prepared by Stantec, reference 49215/2002 and dated July 2020.

The site is located within the Thames Water catchment area. Thames Water have confirmed that there would be sufficient water network infrastructure capacity to serve the development.

Proposed foul water from the development would drain to the existing Thames Water infrastructure. Thames Water has confirmed that with regard to sewerage infrastructure capacity, they have no objection to the proposal.

Thames Water have recommended a number of conditions as a result of the site being within 5 metres of a strategic water mains.

Thames Water have also advised that site falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. Although the Environment Agency were consulted on this application, they declined to comment. This matter can satisfactorily be addressed via condition.

### 31. Impact on Archaeology

The need to safeguard and manage Waverley's rich and diverse heritage, including all archaeological sites, is set out in Policy HA1 of the Local Plan (Part 1) 2018.

Retained Policies HE14 and HE15 of the Local Plan 2002 require that appropriate desk-based or field surveys should be submitted with an application and appropriate measures taken to ensure any important remains are preserved. These policies are afforded full weight owing to their consistency with the NPPF.

In support of the application the applicant has submitted an archaeological report owing to the size of the site and the County Archaeologist has been consulted on the application. Officers note that part of the site is located within an area of high archaeological potential.

The archaeologist concludes that although a small part of the site is within an area identified as being of High Archaeological Potential, the past development of the site will have caused extensive disturbance that makes it very unlikely that significant archaeological remains will survive on the site and so in this case it would not be reasonable to require any further archaeological works on this site.

The proposal is therefore considered to accord with Policy HE14 and HE15 of the Local Plan (Part 1) 2018.

The application is accompanied by an Archaeological Desk-based Assessment, prepared by Orion Heritage Limited and dated May 2020. This concludes that the site can be considered to have a moderate/medium potential to contain artefactual remains from the prehistoric periods, as well as peripheral remains from Saxon/early medieval periods.

The County Archaeologist has been consulted on the application and considers it reasonable to require that a trial trench evaluation is carried out on the site. The results of the evaluation would enable suitable mitigation measures to be developed. These mitigation measures may involve more detailed excavation of any archaeological deposits, but in the event of a find of exceptional significance then preservation in situ is the preferred option. Subject to the inclusion of an appropriate condition, the County Archaeologist raises no objection to the proposal.

In light of the above, and subject to the recommended condition as set out by the County Archaeologist, Officers are satisfied that there would be no adverse archaeological implications and the proposal would accord with Policy HE15 of the Waverly Borough Local Plan 2002, Policy HA1 of the Local Plan (Part 1) 2018 and the requirements of the NPPF 2019.

### 32. Effect on the SPA

The application site is located within the Wealden Heaths II SPA 5km Buffer Zone. The proposed development would result in a net increase in the number of people permanently living on the site.

The application is accompanied by information to support a Habitats Regulation Assessment (prepared by Engain, dated 23 July 2021). The Habitats Regulations Assessment screening carried out by the Council has identified one pathway to likely

significant effects in relation to the Wealden Heaths II SPA, relating to recreational pressure and disturbance during occupation. As such, an Appropriate Assessment is required.

Prior to undertaking an Appropriate Assessment, Natural England raised an objection to the proposal development, as a result of its adverse effect on the integrity of Devil's Punchbowl SSSI and Bramshott and Ludshott Commons SSSI, which form part of the Wealden Heaths SPA.

Following this objection, a further addendum to the information to support a Habitats Regulation Assessment (prepared by Ecological Planning & Research Ltd) was submitted in support of this application which set out a package of mitigation measures as follows:

- Provision of permissive paths through land controlled by the Applicant to create a 2.3km circular walk through mature woodland, parkland and grassland habitats, connected to on-site open space and existing public rights of way, and secured by legal agreement;
- Three pedestrian access points (plus a fourth from within the Site) with information boards highlighting local (non-SPA) walking routes, focal points, wildlife of interest and so on; and
- Leaflets distributed to new residents and existing residents within 400m of the access points, highlighting the circular walk and other local (non-SPA) walking routes, focal points, wildlife of interest and so on.

The information to support the Habitats Regulation Assessment and the further addendum to the information to support a Habitats Regulation Assessment contains sufficient information to undertake an Appropriate Assessment.

The Council, as the competent authority under the Conservation of Habitats and Species Regulations 2017 (as amended), have carried out the Appropriate Assessment.

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

S106 agreement is required as part of any subsequent planning approval to secure the package of outlined mitigation measures in perpetuity.

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

Subject to the completion of a S106 agreement, the effect upon the SPA would be mitigated in accordance with Policies NE1 and NE3 of the Local Plan (Part 1) 2018.

### 33. Biodiversity and compliance with Habitat Regulations 2017

The NPPF 2019 requires that when determining planning application, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

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

In addition, 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 supported by:

- Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020
- Correspondence from Engain reference eg17812.007, dated 05 March 2021
- Technical Note on Biodiversity Net Gain Assessment, prepared by Engain, dated 27 May 2021
- Review of Outstanding Ecological Matters, prepared by Ecological Planning and Research Ltd, dated 27 May 2021
- Correspondence from Engain reference eg17812.007-EAR, dated 14 June 2021

#### Impact on Protected Species

The supporting Full Ecological Assessment has indicated through on site survey work evidence of bat commuting and foraging activity and the presence of slow



worm, grass snakes, badgers and dormice on the site. All species are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

## Bats

Surveys identified that commuting activity was recorded throughout the Site, with the most commuting passes recorded at hedgerows, although a small number of commuting passes over open fields were also recorded. Foraging activity was also recorded, with most foraging passes recorded along field boundaries. Throughout the survey period (April-October 2018), activity within the Site was relatively low, with the majority of sightings recorded in April (at the onset of the active season) with a brief increase in July and August (maternity season).

Surveys have identified that the site is most used by common species such as pipistrelles and brown long-eared bats, likely due to the presence of known roosts in buildings surrounding the site. Radio tracking of barbastelle bats has suggested that the site does not provide optimal habitat for this species whilst radio tracking of a colony of Bechstein's bats suggests that the site is beyond the maximum distance for this species to travel from their associated location at Ebernoe Common.

Although a number of roosts of common bat species have been recorded outside of the site boundary but within close proximity to the site, an inspection of trees within the site that were considered suitable for roosting bats has not identified any existing on site bat roosts.

However, three individual trees and seven tree groups were identified on site as having low or moderate potential for roosting bats. Of these, one individual tree of moderate bat roost potential, but of poor quality (2), three groups of moderate potential for roosting bats (G10, G14 and G16) and one group of low potential for roosting bats (G11) are to be removed as a result of the proposed development.

In terms of commuting and foraging activity, the grassland within the Site may have moderate feeding value for bats and tree-lined field boundaries may provide distinct linear commuting features.

Without the benefit of mitigation measures from the construction/operation phases of the proposed development, there could be the loss of potential roosting features in trees, severance of flight-lines and foraging habitat used by the commoner bat species and, once occupied, lighting of the development could lead to a reduction in the quality of habitat for bats through artificial lighting.

The Ecological Assessment therefore proposes the following bat mitigation measures:

- The provision of wildlife corridors for primarily nocturnal species

- Managing areas for wildlife
- A sensitive lighting design for both during construction and the operational phase of the development
- New buildings have potential to provide new habitats for wildlife with the inclusion of such features as in-built bat boxes

The Council's Ecological professional, Surrey Wildlife Trust have reviewed the submission in respect to impact on bats and has raised no objection, subject to conditions to secure an appropriately detailed Landscape and Ecological Management Plan (LEMP), a Construction Environmental Management Plan (CEMP) and a Sensitive Lighting Management Plan, should permission be granted.

### Reptiles

Surveys conducted on the site, by way of the installation of 130 reptile mats placed on the site in April 2018 and then checked monthly between May and October, identified the presence of slow worms and a juvenile grass snake.

The slow worms have been recorded in their appropriate habitat, which is predominantly scrub-edge and the base of tree lines, where rough grassland or ground flora transitions into grassland, so as to provide sunny spots and refuge if disturbed. The juvenile grass snake was recorded at the edge of a mosaic of bramble and bracken scrub, where rough grassland transitions into open grassland.

Without the benefit of mitigation measures from the construction/operation phases of the proposed development, it is possible that these reptiles could be harmed during vegetation clearance and construction. There would also be a reduction in the amount of suitable habitat and the introduction of humans and pets on the site could reduce the suitability of the site for reptiles.

The Ecological Assessment therefore proposes the following reptile mitigation measure:

- Reptile translocation, which would involve relocating the reptiles to retained tree lines and hedges within the site whilst construction is underway and then allowing them to recolonise the site once the landscaping of the relevant areas is completed.

Surrey Wildlife Trust have reviewed the submission in respect to impact on reptiles and has noted that although some habitat may be retained within the boundary tree lines and hedges, given the use change of the site, it is unlikely that the existing population would be restored or enhanced. Should the translocation therefore be off site, it is advised that blue line boundary of adjacent land is the likely receptor site.

In light of the above, Surrey Wildlife Trust have recommended that, should permission be granted, to ensure that the local reptile population will be restored or enhanced as a result of the proposed development, a Reptile Impact Avoidance, Mitigation and Translocation Plan, detailing measures as to how killing and injuring is to be avoided and how the population will be restored or enhanced during both construction and operational phases of development is secured by condition prior to any development commencing on the site.

### Badgers

Badger surveys of the site and the land surrounding it were conducted in June and July 2018, which involved a thorough search for setts or signs of badger activity. Following evidence of potential badger activity from these surveys, a trail camera was installed for one week on a monthly basis between May and September within the site and the land surrounding it, where the potential badger activity had been recorded, in order to gain an understanding of how this species is using the site and the land surrounding it.

Although Badger activity was been recorded within the site, which comprised feeding remains, snuffle-holes and an established latrine, no setts are present within the site itself and the nearest sett recorded is over 300m away from the site boundary.

The presence of badger cubs observed in the surrounding area during evening survey visits indicates that there is a breeding population of badgers using the surrounding area and likely commuting and/or foraging within the site itself.

Without the benefit of mitigation measures from the construction and operational phase of the proposed development, there is potential for indirect effects on badgers, including reduction of foraging habitat within close proximity to breeding setts.

The Ecological Assessment therefore proposes the following badger mitigation measures:

- The provision of wildlife corridors for primarily nocturnal species requires that a sensitive lighting design be implemented
- Specific measures will be undertaken to ensure the protection of wildlife at the site during construction, such as covering excavations at night where possible and the placement of appropriately sized ramps in excavations that cannot be covered at night. Emergency contact details of a competent veterinary practice and the local mammal group (Surrey Mammal Group and West Surrey Badger Group) will be displayed at the site office.

The Council's Ecological professional, Surrey Wildlife Trust have reviewed the submission in respect to impact on badgers and has raised no objection, subject to conditions to secure an appropriately detailed LEMP, a CEMP and a Sensitive Lighting Management Plan, should permission be granted.

### Dormice

Nest tubes located within suitable habitat were installed both within and surrounding the site in February 2018. The nest tubes were then checked monthly between April and October.

An individual active juvenile dormouse was recorded in the site, in both September and October 2018. Surrounding the site, four juveniles were recorded in one nest tube and a number of individual males. Furthermore, observations made during the surveys work confirm that individual dormice are using edge habitat, such as outgrown hedgerows, within the site. Individual male territories are therefore likely to be present in surrounding this area, as well as the site. The surveys therefore suggest that a breeding population of dormice is using the area surrounding the site and that males integral to this population hold territories within the site itself.

There are small sections of habitat where dormice have been recorded that are likely to require removal during the proposed development. Without the benefit of mitigation measures from the construction phase of the proposed development, the development could result in the fragmentation of habitat used by a breeding population of dormice. The operational phase would also introduce pets on the site could reduce the site's ability to support the breeding population.

The Ecological Assessment therefore proposes the following dormice mitigation measures:

- The retention, protection and enhancement of remaining habitat within the site, including existing tree lines and hedgerows. The combination of the enhancement and protection of existing habitat will compensate for any small loss of habitat and increase the value of the Site for dormice.

Surrey Wildlife Trust (SWT) have reviewed the submission in respect to impact on dormice. Originally a concern was raised by SWT in respect of insufficient information to demonstrate to the satisfaction of the Surrey Wildlife Trust that the population of dormice at the site would be maintained at favourable condition status after the completion for the development. This is a pertinent test for Natural England to issue a Protect Species Licence, which is required where development activities may disturb this species.

Further supporting information was submitted to the Local Planning Authority to address this concern (Engain reference eg17812.007, dated 05 March 2021). Should permission be granted and subject to a condition to secure the CEMP and to obtain a mitigation licence from Natural England prior to any works commencing which may affect dormice, Surrey Wildlife Trust have raised no objection to the proposal in respect to impact on dormice.

## Birds

Bird Surveys conducted at appropriate periods during the year to cover potential over-wintering species (January and February 2018) and breeding species (April, May and June 2018) has identified that the site supports a range of typical woodland and hedgerow species of birds, including some categorised as 'Amber' or 'Red' by the RSPB.

No species for which the Wealden Heaths Phase II SPA is designated (Woodlark, Nightjar or Dartford Warbler) have been recorded using the Site and the habitats present within the site and the surrounding area are deemed suboptimal for these species.

Without the benefit of mitigation measures, there is a risk that vegetation clearance during construction could result in the removal of active birds' nests and a reduction in the total amount of suitable nesting and foraging habitat. Furthermore, the operational phase would introduce pets that could reduce the site's suitability for nesting and foraging birds.

The Ecological Assessment therefore proposes the following bird mitigation measures:

- Vegetation where birds could nest will be cleared outside of the breeding bird season (March to August inclusive). If any areas need to be cleared within the breeding bird season, they will first be checked by an ecologist. Should any nests be found, they will be left undisturbed with an appropriate buffer to ensure no disturbance, until any chicks have fledged.
- New buildings have potential to provide new habitats for wildlife with the inclusion of such features as in-built bird boxes
- Bird boxes designed to mimic hedgerow habitat can be incorporated into green infrastructure within the developed area

Surrey Wildlife Trust have reviewed the submission in respect to impact on birds and has raised no objection, subject to conditions to secure an appropriately detailed LEMP and CEMP should permission be granted.

## Impact on Habitat

There are three main habitats within the site; woodland, grassland and hedgerows. The area of woodland is identified by Natural England as Habitat of Principal Importance for the purpose of conserving biodiversity, in line with the provisions set out in the Natural England and Rural Communities Act 2006 (NERC) to restore or enhance a habitat.

As this area of woodland is proposed to be felled in order to accommodate the proposed development, Surrey Wildlife Trust were concerned that this would therefore be contrary to the objectives of the NERC Act.

In response (Engain reference eg17812.007, dated 05 March 2021), the applicant's Ecologist demonstrated that the woodland in question did not meet the quality expected for a Habitat of Principal Importance and so the obligations of the NERC Act fall away in relation to the woodland. Surrey Wildlife Trust agreed with this conclusion.

The layout has been designed to fit the built form around existing features in a way that minimises the loss of habitat and by retaining linear features wherever possible. However, the proposal would result in the loss of some species poor grassland and some secondary woodland.

To mitigate the loss of this habitat, the following measures are proposed:

- The creation and preservation of green corridors with appropriate buffers between these and the development
- Managing areas within the open space wildlife
- The creation and appropriate management of habitats for wildlife and the inclusion of protected species enhancement features within the development design
- Targeted and researched planting and management plans for grassland areas, including larval food plants and appropriately managing habitat for locally important invertebrates
- Providing information packs to new homeowners, outlining the importance of retaining certain features that may otherwise be removed or damaged, can help residents to understand and appreciate the wildlife features throughout the site
- Off-site habitat to be created

Surrey Wildlife Trust have reviewed the submission in respect to impact on birds and has raised no objection, subject to conditions to secure an appropriately detailed LEMP and a CEMP should permission be granted.

### Biodiversity Net Gain

Paragraph 170 of the NPPF 2019 states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Paragraph 174 of the NPPF 2019 encourages Local Planning Authorities pursue opportunities for securing measurable net gains for biodiversity, although it does not specify a percentage for the gain.

The requirement to secure a mandatory biodiversity net gain currently sits within the Environment Bill, which is on track to gain royal assent later in 2021. Once in force, the bill will likely require all development schemes to deliver a mandatory 10% or more biodiversity net gain to be maintained for a period of at least 30 years.

Although the Environmental Bill could be a material consideration in the assessment of this application, as the decision is likely to be made prior to the Bill becoming law, it cannot be given any significant planning weight. In the interim, other material considerations, including pursuing opportunities for net gain as set out in the NPPF 2019 will apply.

The Full Ecological Assessment advises in the final paragraph on page v that the development can achieve greater than a 10% net biodiversity gain (using the Defra 2.0 metric) in hedges within the red line boundary, and for all habitats when some areas of off-site enhancement are taken into account. However, at this point, Surrey Wildlife Trust raised concerns that the submission lacked clarity to demonstrate that no net biodiversity loss could be achieved on this site, let alone a net gain, given that the proposed off site compensation was not clearly detailed or how it was to be secured in terms of long term land tenure, management, monitoring and finances.

In response (Engain reference eg17812.007, dated 05 March 2021) to this concern, the applicant's ecologist confirmed that land within the applicant's ownership (i.e. the blue line) was available for use for mitigation for ecological effects and that the management of this land could be secured through a Section 106 Agreement.

Notwithstanding this response, Surrey Wildlife Trust continued to recommend that clarity was still need in respect of the biodiversity calculation and that this needed to be considered prior to the determination of the application. Surrey Wildlife Trust advised that details pertaining to the off-site habitat creation be submitted as part of application, rather than secured by way of condition and to ensure the net gain

metric calculations could be delivered within landscaping proposals in terms of habitat types and land area.

The Engain 05 March 2021 response also highlighted the need for clarity regarding the nature of the off-site habitat to be created, following the loss on the on-site woodland.

To provide the requested clarity on the matter, a Technical Note on Biodiversity Net Gain Assessment, prepared by Engain, dated 27 May 2021 and a Review of Outstanding Ecological Matters, prepared by Ecological Planning and Research Ltd, dated 27 May 2021 was submitted to the Council for consideration.

These documents advised that the Biodiversity Net Gain calculation that was originally submitted with the planning application had been reviewed, refined and updated (Version 5), which resulted in changes to the metric inputs, outputs and results. The changes resulted in an overall net gain of 20.22% for habitats and 17.89% for hedgerows.

Before considering their final response to the additional information supplied by the applicant's Ecologist dated 27 May 2021, Surrey Wildlife Trust required clarification relating to justification in relation to the habitat conditions used in the biodiversity net gain assessment and further information relating to surveyor information. This was duly submitted by the applicants Ecologist (correspondence from Engain reference eg17812.007-EAR, dated 14 June 2021) and addressed Surrey Wildlife Trusts final outstanding concerns in respect of Biodiversity Net Gain.

Subject to conditions to secure a LEMP, which is to include the aims and objectives of management including biodiversity net gain to be achieved by reference to the biodiversity metric 2.0, as well as ongoing monitoring strategy and legal and funding mechanisms for long-term implementation, Surrey Wildlife Trust have advised that the proposal would not lead to a net loss of biodiversity on the site and that there is potential for the site to provide an acceptable level of biodiversity net gain as set out in the biodiversity metric 2.0.

### Conclusion

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



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

The proposal has also successfully demonstrated that there would be no biodiversity loss as a result of the proposal and that a biodiversity gain can be achieved.

Officers are satisfied that the proposal would not prejudice the ecological value of the site and the proposal would therefore accord with Policy NE1 of the Local Plan (Part 1) 2018 and the requirements of the NPPF 2019.

#### 34. Sustainability

Policy CC1 of the Local Plan (Part 1) 2018 relates to climate change and states that development will be supported where it contributes to mitigating and adapting to the impacts of climate change, including measure that use renewable and low carbon energy supply systems, provide appropriate flood storage capacity, address issues of flood risk, provide high standards of sustainable design and construction with built-in resilience to climate change; or use green infrastructure and SuDS to help absorb heat, reduce surface water run-off and support habitat networks.

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

The application is supported by a Sustainability and Energy Statement, prepared by David Strong Consultancy, dated July 2020. The Statement highlights the sustainability credentials of the scheme, including a voluntarily proposal for all units to achieve the former Code for Sustainable Homes (CSH) Level 4, for all units energy efficient by maximising the performance of the building's external envelope, rather than relying on energy saving technology or renewable energy generation, utilising low impact construction materials and providing electric vehicle parking charging point with each unit.

Also proposed is the provision of appropriate SuDS system, various highways improvements to increase opportunities for sustainable modes of transport and a Landscape Ecological Management Plan to include measures to enhance the biodiversity of the site.

In light of the above, it is considered that that the proposed development would be sustainable and in accordance in Policies CC1 and CC2 of the Local Plan (Part 1) 2018.

35. Accessibility

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

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

36. Town Council Representations

The representation received by the Town Council is noted and has been carefully assessed by Officers in the report above.

It is considered that the concerns raised by the Town Council in respect of the natural environment, biodiversity, sustainable transport and the sustainable credentials of the proposal have been addressed in the above report.

37. Third Party Representations

A number of third party representations have been received, all of which have been taken into careful consideration in the assessment of this application.

It is considered that the majority of the concerns raised against this application have been addressed in the above report, although Officers make further response to the following:

Precedent

- The application before Members is for a development of 50 residential units on the site as outlined in red and not for any further potential development, which would be considered on their own merits if sought in the future. It would therefore be unreasonable to refuse this application on this basis.

Local Amenities and Infrastructure

- The development is not of a scale that would otherwise place a significant burdens on existing local amenities.

- The Utilities Appraisal Report, prepared by Stantec, reference 49215/2002, dated July 2020 advises that the relevant utilities providers for electricity, gas and telecommunication have capacity to accommodate the future residents of the site. Thames Water have already confirmed capacity for water and wastewater.

## AONB

- As discussed above in the report, the site lies outside of the AONB and therefore there is no requirement for the development to be an 'exceptional circumstance' in respect to National Policy.
- There have been many discussions with Natural England in respect to the boundary of the AONB on this site. After careful consideration of the definitive boundary maps and in discussion with the Surrey Hill AONB Officer, Natural England confirmed the proposal would affect the setting of the AONB.

## Ecology

- It is understood that the applicant has erected fences on the site which have been causing injury to wildlife. Whilst this is regrettable, there is nothing to prevent the installation of fencing on land up to 2.0 metres in height (or up to 1.0 metres when adjacent to a highway) as this can be carried out without the benefit of planning permission.
- The submitted Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020 details the flora on the site and Appendix 3 the result of all the bird and bat surveys carried out in the site. They have been considered to give a fair representation of the species within and around the site by the Council's Ecologist, Surrey Wildlife Trust. Furthermore, no objection has been raised by Surrey Wildlife Trust in respect to the suitability of proposed replacement flora on the site.
- Six herbicide treatments of Japanese knotweed have been carried out on the site between June 2018 and June 2020, with the next session to be carried out in July 2021. There will be a further visit in August 2021. Should permission be granted, it is understood that a physical extraction will take place.
- It is understood that the Natural Trust is looking to reintroduce beavers to the South Downs National Park. The South Downs National Park is aware of the location of the released beavers and should the National Park consider the proposed development to have an adverse impact upon this scheme, it would have been raised as a concern in their correspondence.

### 38. Planning Balance

As the Council cannot demonstrate a five year supply of deliverable housing sites, paragraph 11 (d) of the NPPF 2019 is engaged, as the policies which are most important for determining the application are out-of-date. There are no footnote 6 policies which would provide a clear reason for refusing permission and which would prevent the tilted balance from being applied.

The presumption is therefore to grant permission for sustainable development unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, or where specific policies in the Framework indicate that development should be restricted.

The development would make a significant contribution towards delivering the Council's housing target of 11,210 dwellings up until 2032. The proposal is a full planning application that would deliver 50 residential units, of which 15 would be affordable. The proposal would therefore be consistent with the Framework and Council policy in so far as it seeks to significantly boost the supply of homes and is a significant benefit of the scheme.

The level of affordable housing proposed meets the policy compliant 30% as set out in Policy AHN1 of the Local Plan (Part 1) 2018 and would be secured via a Section 106 Agreement. This proportion accords with the Council's policies in relation to affordable housing and is a significant benefit of the scheme.

The site is well-located for local services and would allow residents to access them without reliance on a private car. The provision of new public open space and Local Area of Play are also considered to be benefits of the proposed scheme.

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

The site is of currently of a moderate to medium value in landscape terms and the proposal would inevitably have an urbanising impact upon the site, given that is currently Greenfield land. It is therefore accepted that there would be a change in the perception of the site from undeveloped countryside to residential. However, apart from around the existing access into the site, no hedgerows or trees are to be lost around the periphery of the site and the majority of the trees of merit are to be retained within the site. Whilst there will be existing vegetation lost within the site, there would also be replacement, native planting and the periphery boundaries of the site would be further reinforced with native planting.

Furthermore, the proposed development would be viewed in context with existing residential development directly to the west of the site and the main settlement to the north, ensuring that it would not appear as remote or isolated from the landscape character of the area.

It is accepted that as with most development of greenfield sites there would be some adverse visual impacts in views from viewpoints outside of the site. However, with mitigation, these views would not be harmful to the local or wider character of the area or have any overbearing or oppressive views to individual receptors.

Although the site lies outside of the Surrey Hills AONB, it lies within its setting. The proposed development would inevitably change the overall landscape character of the site, however, as a result of the mitigation and in considering the presence of existing residential development along the south of Scotland Road, which would be seen in context with the proposed development, the proposal would not cause material harm to the setting of the AONB.

The proximity of Grade II Listed Buildings at Red Court means that the proposal would result in less than substantial harm to them. Although this harm leads to a presumption against granting planning permission, when the public benefits arising from the proposal (the provision of a significant sustainable housing development) are weighed in the balance (giving great weight to the preservation of the heritage asset), the proposed development is considered acceptable in this respect.

The proposed development would result in an increase in traffic generation. However, the effects have been considered extensively and the proposal is considered acceptable in this respect.

The proposal is considered to be acceptable in relation to ecology and conditions would be attached to the permission in order to secure ecological improvements on the site. With regard to the Wealden Heaths II SPA, the provision of a permissive footpath to a 2.3km circular walk through mature woodland, parkland and grassland habitats would reduce the potential for harm from the development to this SPA.

The proposal would also create short term economic benefits during the construction period, and more long-term benefits to the local economy due to the increased spending in the area.

The proposed development is considered to be acceptable in all other respects that are considered within this report.

The proposal would result in the loss of open Countryside beyond the Green Belt, the intrinsic character and beauty of which is recognised and safeguarded. The loss

of open countryside to built form in principle is considered to be an adverse effect of this application.

Furthermore, the proposed development would fail to meet the housing mix set out with the SHMA, although the mix proposed would reflect the characteristics of the area, whilst also offering a broad choice of different sized homes. Notwithstanding this, the under provision of smaller market and affordable units proposed on the site is considered to be an adverse effect of this application.

Overall, there whilst there are adverse effects in respect of this application, these would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, particularly taking into account that the tilted balance is engaged giving a presumption in favour of sustainable development. The application is therefore recommended for approval.

### **Recommendation A**

That, subject to completion of a S106 Agreement to the provision of affordable housing, the provision of a scheme of off-site scheme of pedestrian footpaths, secure management and maintenance of the amenity areas, hard and soft landscaping, SUDS in perpetuity, estate roads and footpaths, SPA avoidance measures and subject to the conditions as set out in this report, permission be GRANTED

#### 1. Condition

The plan numbers to which this permission relates are:

Site Location Plan 1:1250 PL\_01 b, Site Layout 1:500 PL\_02 a, Landuse 1:500 PL\_03 a, Access and Movement 1:500 PL\_04 a, Unit Mix Plan 1:500 PL\_05 a, Tenure Plan 1:500 PL\_06 a, Building Heights 1:500 PL\_07 a, Refuse/Cycle/Parking Plan 1:500 PL\_08 a, Slab Levels 1:500 PL\_09 a, Accommodation Schedule & Building Matrix PL\_10 e, Street Elevations (1 of 3) 1:200 PL\_20 a, Street Elevations (2 of 3) 1:200 PL\_21 a, Street Elevations (3 of 3) 1:200 PL\_22 a, Footway Improvement Midhurst Rd/Scotland La 17054-004 a, Swept Path Analysis of a Large Refuse Vehicle 17054-010 Rev G, Proposed Access and Associated Visibility Splays 17054-011 Rev A, Proposed Footway Improvements (4 Sheets) 17054-014 c, Landscape General Arrangement 1:500 at A1 389\_LMP\_01 a, Tree Planting Plan 1:500 at A1 389\_LMP\_02 a, Boundary Treatments 1:500 at A1 389\_LMP\_03 a, Ornamental Planting 1:500 at A1 389\_LMP\_04 a, Grassland 1:500 at A1 389\_LMP\_05 a, Blue Green Infrastructure 1:500 at A1 389\_LMP\_06 a, Buffer Planting 1:500 at A1 389\_LMP\_07 a, TSP (Tree Survey Plan) 10881.01, TRRP (Tree Retention/Removal Plan) 10881.02A, Indicative TPP (Tree Protection Plan) 10881.03, Proposed Drainage Layout 49215/2001/001, Manhole Schedule 49215/2001/002, Standard Details (Sheet 1 of 2) 49215/2001/010, Standard Details (Sheet 2 of 2) 49215/2001/010, Existing Services Layout 49215/2002/001, Preferred

Services Layout 49215/2002/002, House Type BF1- GF Plan (27-30) PL\_100, House Type BF1- FF Plan (27-30) PL\_101, House Type BF1- Elevations (27-30) PL\_102, House Type BF1- Elevations (27-30) PL\_103, House Type BF2- GF Plan (14-17) PL\_104, House Type BF2- FF Plan (14-17) PL\_105, House Type BF2- Elevations (14-17) PL\_106, House Type BF2- Elevations (14-17) PL\_107 , House Type T1 - Floor Plans (18,19) PL\_108, House Type T1 - Elevations (18,19) PL\_109, House Type T1 - Elevations (18,19) PL\_110, House Type T2/T3 - Floor Plans (25,26) PL\_111, House Type T2/T3 - Elevations (25,26) PL\_112, House Type T4- Floor Plans (31,32) PL\_113, House Type T4- Elevations (31,32) PL\_114, House Type T5 / 6- Floor Plans (35,36,37) PL\_115, House Type T5 / 6- Elevations (35,36,37) PL\_116, House Type T5 /6- Elevations (35,36,37) PL\_117, House Type T7- Floor Plans (34,49) PL\_118, House Type T7- Elevations (34,49) PL\_119, House Type T7a- Floor Plans (10,21) PL\_120 a, House Type T7a- Floor Plans (10,21) PL\_121 a, House Type T8- Floor Plans (5,50) PL\_122 a, House Type T8- Elevations (5,50) PL\_123 a, House Type T9- Plans (42) PL\_124, House Type T9- Elevations (42) PL\_125, House Type T10- Floor Plans (6,38) PL\_126, House Type T10- Elevations (6,38) PL\_127, House Type T11- Floor Plans (43) PL\_128, House Type T11- Elevations (43) PL\_129, House Type T11a- Floor Plans (1,13,45) PL\_130 a, House Type T11a- Elevations (1,13,45) PL\_131 a, House Type T11b- Floor Plans (39) PL\_132, House Type T11b- Elevations (39) PL\_133, House Type T11b- Elevations (39) PL\_134, House Type T11ba- Floor Plans (33) PL\_135, House Type T11ba- Elevations (33) PL\_136, House Type T11ba- Elevations (33) PL\_137, House Type T12 - Floor Plans (23,24) PL\_138, House Type T12- Elevations (23,24) PL\_139, House Type T12- Elevations (23,24) PL\_140, House Type T13 - Floor Plans (3) PL\_141, House Type T13- Elevations (3) PL\_142, House Type T14 - Floor Plans (4,47) PL\_143, House Type T14 - Elevation (4,47) PL\_144, House Type T14a - Floor Plan (48) PL\_145, House Type T14a - Elevation (48) PL\_146, House Type T14b - Floor Plan (12, 46) PL\_147, House Type T14b - Elevation (12, 46) PL\_148, House Type T14ba - Floor Plan (44) PL\_149, House Type T14ba - Elevation (44) PL\_150, House Type T16 - Floor Plan (8) PL\_151, House Type T16 - Elevation (8) PL\_152, House Type T19 - Floor Plan (22,41) PL\_153, House Type T19 - Elevation (22,41) PL\_154, House Type T19a - Floor Plan (2) PL\_155, House Type T19a - Elevation (2) PL\_156, House Type T20- Floor Plan (40) PL\_157, House Type T20 - Elevation (40) PL\_158, House Type T20a- Floor Plan (9) PL\_159, House Type T20a - Elevation (9) PL\_160, House Type T21- Floor Plan (7,11,22) PL\_161, House Type T21 - Elevation (7,11,22) PL\_162, Studio Garage S1 - Floor Plan (13) PL\_163, Studio Garage S1 - Elevations (13) PL\_164, Studio Garage S2 - Floor Plan (38) PL\_165, Studio Garage S2 - Elevations (38) PL\_166, Studio Garage S3 - Floor Plan (4,34,45,49) PL\_167 a, Studio Garage S3 - Elevations (4,34,45,49) PL\_168 a, Studio Garage S3a - Floor Plan (48) PL\_169, Studio Garage S3a - Elevations (48) PL\_170, Double Garage Dga PL\_171, Double Garage DGb PL\_172 , Double Garage DG combined A PL\_173, Double Carport DG combined B PL\_174, Substation and Garden shed PL\_175 , Bicycle and Bins Storage PL\_176.

The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise first agreed in writing with the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policy TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

2. Condition

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

Reason

In the interests of the character and amenity of the area, in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

3. Condition

The proposed modified vehicular access to Scotland Lane hereby approved shall be constructed and provided with visibility zones in accordance with the approved plans, Drawing No. 17054-011 Rev A, and thereafter and thereafter the visibility zones shall be kept permanently clear of any obstruction over 1m high.

Reason

In the interests of highway safety in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018

4. Condition

The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking and turning areas shall be retained and maintained for their designated purposes.

Reason

In the interests of highway safety in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018

5. Condition

No development shall commence until a Construction Transport Management Plan, to include details of:

- (a) parking for vehicles of site personnel, operatives and visitors



- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones
- (f) HGV deliveries and hours of operation
- (g) vehicle routing
- (h) measures to prevent the deposit of materials on the highway
- (i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- (j) on-site turning for construction vehicles

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

Reason

In the interests of highway safety in accordance with Policy ST1 of the Waverley Borough Local Plan (Part 1) 2018

6. Condition

The development hereby approved shall not be first occupied unless and until a pedestrian improvement scheme, including the resurfacing of the carriageway, has been provided connecting the site to Petworth Road in accordance with the approved scheme, Drawing No. 17054-014 Rev D and thereafter shall be retained and maintained for its designated purpose.

Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

7. Condition

The development hereby approved shall not be first occupied unless and until the provision of a footway and tactile paving has been provided at the junction of Scotland Lane and Midhurst Road in accordance with the approved plans, Drawing No. 17054-004\_A, and thereafter shall be retained and maintained for its designated purpose.

Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

8. Condition

The development hereby approved shall not be first occupied unless and until facilities for the secure, covered parking of bicycles within the development site, have been provided in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and thereafter the said approved facilities shall be provided, retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

9. Condition

The development hereby approved shall not be occupied unless and until each of the proposed dwellings are provided with a fast-charge Electric Vehicle charging point (current minimum requirements - 7 kw Mode 3 with Type 2 connector - 230v AC 32 Amp single phase dedicated supply) in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

10. Condition

The development hereby approved shall not be occupied unless and until a fleet of at least 5 electric bikes has been provided within the site in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority and thereafter retained and maintained to the satisfaction of the Local Planning Authority.

Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

11. Condition

Prior to the occupation of the development a Travel Statement shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework 2019 and Surrey County Council's 'Travel Plans Good Practice Guide'.

#### Reason

In recognition of Section 9 'Promoting Sustainable Transport' in the National Planning Policy Framework 2019 and in accordance with Policy ST1 of the Local Plan (Part 1) 2018.

#### 12. Condition

The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the SuDS Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

- a) Confirmation of groundwater levels, to confirm that a minimum of 1m is available between the base of the infiltration devices and the highest recorded groundwater level.
- b) Evidence that the proposed final infiltration based solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events and 10% allowance for urban creep, during all stages of the development. The final solution should follow the principles set out in the approved drainage strategy.
- c) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.)
- d) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected.
- e) Details of drainage management responsibilities and maintenance regimes for the drainage system.
- f) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

#### Reason

To ensure that the drainage system has been designed to fully accord with the requirements of the National SuDS Technical Standards and to avoid adverse environmental impact upon the community and to accord with Policy CC4 of the Waverley Borough Local Plan (Part 1) 2018 and retained policies D1 and D4 of the Local Plan 2002.

#### 13. Condition

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

#### Reason

To ensure that the drainage system has been designed to fully accord with the requirements of the National SuDS Technical Standards and to avoid adverse environmental impact upon the community and to accord with Policy CC4 of the Waverley Borough Local Plan (Part 1) 2018 and retained policies D1 and D4 of the Local Plan 2002.

#### 14. Condition

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

#### Reason

To avoid adverse environmental impacts upon the community and to ensure that the proposal would not cause damage to subsurface water infrastructure, in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

#### 15. Condition

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

#### Reason

To avoid adverse environmental impacts upon the community and to ensure that the proposal would not cause damage to subsurface water infrastructure, in

accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

16. Condition

Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.
- b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property.
  - The scheme shall include
  - All works to be undertaken
  - Proposed remediation objectives and remediation criteria
  - Timetable of works
  - Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Reason

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

17. Condition

Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with Condition 16 and shall be submitted to the Local Planning authority for approval prior to occupation of the development.

#### Reason

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

#### 18. Condition

Following commencement of the development hereby approved, if unexpected contamination is found on site at any time, other than that identified in accordance with Condition 16, the Local Planning Authority shall be immediately notified in writing and all works shall be halted on the site. The following shall be submitted and approved in writing by the Local Planning Authority prior to the recommencement of works:

- a) An investigation and risk assessment, undertaken in the manner set out in Condition 16 of this permission.
- b) Where required, a remediation scheme in accordance with the requirements as set out in Condition 16
- c) Following completion of approved remediation works, a verification report, in accordance with the requirements as set out in Condition 17

#### Reason

To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy TD1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Local Plan 2002.

#### 19. Condition

Prior to first occupation of any dwelling hereby permitted, the proposed permissive footpaths and 2.3k circular walk shall be established in accordance with the scheme to be submitted to and approved in writing by the Local Planning Authority.

#### Reason

To avoid likely adverse effects on the integrity of the Wealden Heaths II Special Protection Area, in accordance with Policies NE1 and NE3 of the Local Plan (Part 1) 2018.

#### 20. Condition

Hours of construction, demolition and site clearance including deliveries to and from the site shall be limited to 08:00 – 18:00 Monday to Friday; 08:00 – 13:00 on Saturdays and no work on Sundays and Bank or Public Holidays.

Reason

In the interests of the amenities of adjoining occupiers of the development, in accordance with TD1 of the Waverley Borough Local Plan Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

21. Condition

No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a) An indicative programme for carrying out of the works
- b) The arrangements for public consultation and liaison during the construction works
- c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s)
- d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination
- e) the parking of vehicles of site operatives and visitors
- f) loading and unloading of plant and materials
- g) storage of plant and materials used in constructing the development
- h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- i) wheel washing facilities
- j) measures to control the emission of dust and dirt during construction

The approved Construction Environmental Management Plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of the amenities of adjoining occupiers of the development, in accordance with TD1 of the Waverley Borough Local Plan Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

## 22. Condition

No development shall take place, including any works of demolition, until an Ecological Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include, but not be limited to:

- a) map showing the location of all of the ecological features, including location of biodiversity protection zones
- b) risk assessment of the potentially damaging construction activities
- c) practical measures (physical measures and sensitive working practices) to avoid and reduce impacts during construction
- d) location and timing of works to avoid harm to biodiversity features
- e) the times during construction when specialist ecologists need to be present on site to oversee works
- f) responsible persons and lines of communication
- g) the roles and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h) use of protected fences, exclusion barriers and warning signs.

The approved Ecological Construction Environmental Management Plan shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

### Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018

## 23. Condition

No development shall take place, including any works of demolition, until a Landscape and Ecological Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall include, but not be limited to:

- a) aims and objectives of management including biodiversity net gain to be achieved by reference to the biodiversity metric 2.0
- b) description and evaluation of features to be managed, including habitat creation and enhancement and ongoing management for invertebrates, amphibians, reptiles, birds, bats, hazel dormouse, and badger
- c) ecological trends and constraints on site that might influence management
- d) appropriate management options for achieving aims and objectives



- e) strategy for identifying and managing invasive non-native species
- f) prescriptions for management actions, together with a plan of management
- g) compartments, Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period
- h) details of the body or organisation responsible for implementation of the plan
- i) ongoing monitoring strategy that including details of how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- j) legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018

24. Condition

No development shall take place, including any works of demolition, until a Reptile Impact Avoidance, Mitigation and Translocation Plan detailing measures as to how killing and injuring is to be avoided and how the population will be restored or enhanced, during both construction and operational phases of development, has been submitted to and approved in writing by, the Local Planning Authority. The approved Plan shall be carried out in strict in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018.

25. Condition

No development shall take place, including any works of demolition, until a Reasonable Avoidance Measures Document detailing measures as to how killing, injuring and disturbance of dormice will be avoided during both construction and operational phases of development.

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018.

26. Condition

The applicant is required to obtain a mitigation licence from Natural England following the receipt of planning permission and prior to any works which may affect Hazel Dormouse commencing and undertake all the actions which will be detailed in the Method Statement which must support a mitigation licence which is expected to be based on the mitigation, compensation and enhancement actions presented within the Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018.

27. Condition

The development hereby permitted shall be carried out in strict accordance with the Ecological Enhancement Plan (Figure 7-2) of the Full Ecological Assessment, prepared by Engain, reference eg1812.002, dated 21 July 2020, otherwise agreed in writing by the local planning authority.

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018.

28. Condition

Development activities such as vegetation or site clearance should be timed to avoid the bird nest season of early March to August inclusive. If this is not possible and only small areas of dense vegetation are affected, the site could be inspected for active nests by an ecologist within 24 hours of any clearance works. If any active nests are found they should be left undisturbed with a buffer zone around them, until it can be confirmed by an ecologist that the nest is no longer in use.

Reason

To ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policy NE1 of the Waverley Borough Local Plan (Part 1) 2018.

29. Condition

The development hereby permitted shall not be occupied until a detailed scheme of external lighting has been submitted to and approved in writing by the Local Planning Authority. The development should be carried out in strict accordance

with the approved details. The scheme shall be maintained and shall not be altered without the prior written approval of the Local Planning Authority.

Reason

In the interests of the wider landscape character and to ensure that protected species of the Wildlife and Countryside Act 1981 are not endangered or disturbed by the development in accordance with Policies RE1, RE3, NE1 of the Waverley Borough Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Waverley Borough Local Plan 2002.

30. Condition

No development shall commence on site until a detailed Tree Survey and full Arboricultural Impact Assessment that complies with British Standard 5837 Trees in relation to design, demolition and construction has been submitted to and approved in writing by the Local Planning Authority. This shall include details of the compliant Tree Protection Measures. All works shall be carried out in strict accordance with the approved details.

Reason

To adequately protect all trees worthy of retention from development harm in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

31. Condition

No development shall take place until details of cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved in writing by the Local Planning Authority. Cross sections/details indicating the proposed finished ground levels, surface materials including sub-base and depth of construction and method/materials used for edging, within protected zone around retained trees shall be submitted and approved in writing by the Local Planning Authority.

Reason

To adequately protect all trees worthy of retention from development harm in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

32. Condition

No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to

existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason

To adequately protect all trees worthy of retention from development harm in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

33. Condition

No development shall take place until details of any services to be provided or repaired including drains and soakaways, on or to the site, shall be submitted to and approved by the Local Planning Authority in writing and shall be carried out as shown. This requirement is in addition to any submission under the Building Regulations. Any amendments of the details agreed shall be approved by the Local Planning Authority in writing.

Reason

To adequately protect all trees worthy of retention from development harm in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1, D4, D6 and D7 of the Waverley Borough Local Plan 2002.

34. Condition

The development shall not be first occupied until a detailed landscaping scheme has been submitted to and approved by the Local Planning Authority in writing. The landscaping scheme shall be carried out strictly in accordance with the agreed details and shall be carried out prior to the first occupation of the development or as otherwise agreed in writing with the Local Planning Authority. The landscaping shall be maintained to the satisfaction of the Local Planning Authority for a period of 5 years after planting, such maintenance to include the replacement of any trees and shrubs that die or have otherwise become, in the opinion of the Local Planning Authority, seriously damaged or defective. Such replacements to be of same species and size as those originally planted.

Reason

In the interests of the character and amenity of the area, in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

35. Condition

No development shall take place on site until a detailed levels plan, clearly identifying existing and proposed ground levels and proposed ridge heights, has been submitted to and approved in writing by the Planning Authority

Reason

In the interests of the character and amenity of the area, in accordance with Policies RE1, RE3 and TD1 of the Local Plan (Part 1) 2018 and retained Policies D1 and D4 of the Local Plan 2002.

36. Condition

No development shall take place on site, including demolition, until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Planning Authority

Reason

The site is within an Area of High Archaeological Potential and it is important that the archaeological information should be preserved as a record before it is destroyed by the development in accordance with Policy HE14 of the Waverley Borough Local Plan 2002

37. Condition

Prior to the occupation of the dwellings, details shall be submitted to and be approved in writing by the Local Planning Authority to confirm that the dwellings have been completed to meet the requirement of 110 litres of water per person per day

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018)

38. Condition

Prior to the first occupation of the dwellings here by permitted the highest available speed broadband infrastructure shall be installed and made available for use unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure sustainable construction and design in accordance with Policy CC2 of the Waverley Local Plan Part 1 (2018).

Informatives

1. 'IMPORTANT' This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice. If the conditions have not been subsequently satisfactorily discharged within the

time allowed to implement the permission then the development will remain unauthorised.

2. There is a fee for requests to discharge a condition on a planning consent. The fee payable is £116.00 or a reduced rate of £34.00 for household applications. The fee is charged per written request not per condition to be discharged. A Conditions Discharge form is available and can be downloaded from our web site. Please note that the fee is refundable if the Local Planning Authority concerned has failed to discharge the condition by 12 weeks after receipt of the required information.
3. In respect of Condition 2 above (submission of materials), the applicant is required, at the time of submission, to specify in respect of the materials the manufacturer, product name and product number. The materials samples will not be accepted by the Council without this information and without the appropriate fee for the discharge of the condition.
4. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see [www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs](http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs).
5. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/thetraffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/floodingadvice).

6. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.
7. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
8. In the event that the access works require the felling of a highway tree not being subject to a Tree Preservation Order, and its removal has been permitted through planning permission, or as permitted development, the developer will pay to the Council as part of its licence application fee compensation for its loss based upon 20% of the tree's CAVAT valuation to compensate for the loss of highway amenity.
9. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
10. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Please refer to: <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types
11. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk).
12. The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames

Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.

13. The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

14. Community Infrastructure Levy (CIL) The development hereby permitted is CIL liable. CIL

Form 6: Commencement Notice' must be received by the Council prior to the commencement of development. Commencement of development is defined in Regulation 7 of the CIL Regulations 2010 (as amended). Failure to adhere to the CIL Regulations and commencing work without notifying the Council could forfeit any rights you have to exemptions, payment by instalments and you may also incur surcharges. 8. For further information see our webpages ([www.waverley.gov.uk/CIL](http://www.waverley.gov.uk/CIL)) or contact [CIL@waverley.gov.uk](mailto:CIL@waverley.gov.uk).

15. This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at Waverley Borough Council, The Burys, Godalming, Surrey GU7 1HR, telephone 01483 523029 or e-mail [waverley.snn@waverley.gov.uk](mailto:waverley.snn@waverley.gov.uk) For further information please see the Guide to Street and Property Naming on Waverley's website.

16. 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 2019.