

## **WAVERLEY BOROUGH COUNCIL**

### **OVERVIEW & SCRUTINY COMMITTEE – SERVICES, 13<sup>TH</sup> DECEMBER 2021** **EXECUTIVE, 14<sup>TH</sup> DECEMBER 2021** **COUNCIL, 14<sup>TH</sup> DECEMBER 2021**

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**Title:**

**WAVERLEY BOROUGH LOCAL PLAN PART 2 - SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

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**Portfolio Holder:** Cllr A MacLeod, Portfolio Holder for Planning Policy and Services

**Head of Service:** Zac Ellwood, Head of Planning and Economic Development

**Key decision:** Yes

**Access:** Public

#### **1. Purpose and summary**

1.1 On 22<sup>nd</sup> September 2021 the Council agreed to consult on an Addendum to the Pre-submission version of Local Plan Part 2 (LPP2) (hereafter referred to as the Addendum). This addendum focussed on main modifications to the Pre-Submission Version of LPP2 that was consulted on in the Winter of 2020/21. The six-week period of consultation for the Addendum ended on 12<sup>th</sup> November 2021. It resulted in nearly 600 separate comments on the Addendum from 221 individual respondents.

1.2 In response to the representations on the Addendum, this report seeks comments and observations from the Overview and Scrutiny Committee on the recommendation to Executive and Council. These recommendations are that the Council should submit the main modifications set out in the Addendum, together with the Pre-submission version of LPP2 November 2020 for its examination. It is also recommended, that in addition to those minor changes to the pre-submission version to LPP2 agreed at its meeting of 22<sup>nd</sup> September 2021, the Council make further minor modifications to LPP2 on adoption. It is also recommended that it is agreed that the Council requests that the Local Plan Inspector considers two further main modifications to LPP2 at the examination if it is agreed that LPP2 should be submitted for examination.

#### **2. Recommendation**

That the Overview and Scrutiny Committee provides comments and observations to the Executive and Council on the following recommendations:

- 1) The Council agrees to submit to the Secretary of State for Levelling Up, Housing & Communities the Pre-submission version of LPP2 November 2020 (**Annexe 1** to this report) for examination as modified by the main

modifications set out in the Addendum to the Pre-submission version of LPP2 October 2021 set out in **Annexe 2**.

- 2) The Council agrees that the schedule of minor modifications to the Pre-submission version of LPP2, set out in **Annexe 5** to this report, be submitted to examination of LPP2 in addition to the minor modifications agreed on 22<sup>nd</sup> September 2021.
- 3) The Council requests that the Local Plan Inspector appointed to examine LPP2 considers making two further main modifications to LPP2 at the examination as set out in **Annexe 6** to this report.
- 4) The Head of Planning and Economic Development be authorised to formally request that the Local Plan Examination Inspector recommends further main modifications to the Pre-Submission version of LPP2 November 2020 and the Addendum to the Pre-submission version of LPP2 October 2021, if the Inspector considers that they are necessary to make the plan sound and/or legally compliant.
- 5) The Head of Planning and Economic Development be authorised to make any other minor modifications to the Pre-Submission version of LPP2 November 2020 and the Addendum to the Pre-submission version of LPP2 October 2021 with regard to factual updates and corrections before the Plan is submitted for its examination.

### **3. Reason for the recommendation**

- 3.1 To recommend to Council that the Pre-submission version of LPP2 November 2020 together with the main modifications set out in the Addendum to the Pre-submission version of LPP2 October 2021 is submitted for examination following consideration of representations on that document. To recommend to Council that further minor modifications to LPP2 are made on adoption and to request that the Local Plan Inspector considers further main modifications to LPP2 at examination. To also recommend to Council that the Head of Planning and Economic Development can request the Local Plan Inspector to suggest further main modifications to LPP2 through the examination and that the Head of Planning and Economic Development can authorise minor modifications to LPP2 before it is submitted for examination.

### **4. Background**

- 4.1 Local Plan Part 2 (LPP2) is the second stage of the new Local Plan for Waverley, following the formal adoption of Local Plan Part 1 (LPP1): Strategic Policies and Sites in February 2018. LPP2 comprises site allocations for Haslemere and Witley to meet the housing requirement for those settlements set out in LPP1. LPP2 also allocates sites to meet the identified need for traveller accommodation across the Borough. It also sets out the 'day to day' development management policies.

4.2 In October 2020 the Council agreed to consult on a pre-submission version of LPP2. This consultation was carried out between 27<sup>th</sup> November 2020 and 29<sup>th</sup> January 2021. This version of LPP2 was the version that the Council considered was sound and should be submitted to the Secretary of State for examination.

4.3 The responses to the consultation on the pre-submission version of LPP2 November 2020 led to the consideration of new evidence. As a result of this, in September 2021 the Council agreed the following:

- 1) That Council agreed the changes to the Pre-submission version of LPP2, set out in the Addendum concerning the proposed housing site allocations in Haslemere and that the Council should undertake a public consultation on the Addendum for a period of 6 weeks under Regulation 19 of the Local Planning Regulations.
- 2) The Council agreed that the schedule of other minor changes to the pre-submission version of LPP2 that have not been the subject of public consultation, be submitted for the examination of LPP2.
- 3) The Head of Planning and Economic Development be authorised to formally request that the Local Plan Examination Inspector recommends further main modifications to LPP2, if the Inspector considers that they are necessary to make the plan sound and/or legally compliant.
- 4) The Head of Planning and Economic Development be authorised to make any other minor modifications to the Pre-Submission version of LPP2 with regard to factual updates and corrections before the Plan is submitted for its examination.

4.4 The consultation on the Addendum October 2021 ran between 1<sup>st</sup> October 2021 and 12<sup>th</sup> November 2021. This report considers the representations made to the main modifications consulted on and recommends the Council submit the Pre-submission version of LPP2 November 2020 together with the main modifications set out in the Addendum October 2021 to the Secretary of State.

## **5.0 The Addendum to the Pre-submission version of Local Plan Part 2**

5.1 The consultation on the Addendum (**Annexe 2**) focussed solely on main modifications to the proposed site allocations in Haslemere set out in Chapter 7 of the Pre-submission version of the LPP2 November 2020, along with consequential modifications to the map in LPP2 showing the Haslemere settlement boundary in Chapter 3. In summary the main modifications to the Pre-submission version of LPP2 consulted on were:

- The removal of the allocation of Red Court, Scotland Lane, Haslemere for 50 dwellings.
- Consequential to the removal of Red Court as an allocation, the proposed settlement boundary for Haslemere in LPP2 was modified so that the Red Court site remains outside the settlement boundary.
- The addition of a new site allocation at the Royal Junior School in Hindhead for approximately 90 dwellings.

- A modification to the housing allocation at the Old Grove, High Pitfold from 18 dwellings to 40 dwellings that resulted from an increase in the allocated site area from 0.73 ha to 2.47 ha.
- Changes to the proposed yields for the following existing Haslemere site allocations:
  - Haslemere Key Site – A decrease from 40 dwellings to 30 dwellings to take account of its appropriateness for mixed use
  - Land at Wey Hill Youth Campus, Haslemere – a decrease from 40 dwellings to 34 dwellings as a result of a change to the allocated site area from 1 ha to 0.88 ha)
  - The Haslemere Prep School, The Heights, 5 Hill Road, Haslemere – an increase from 21 dwellings to 24 dwellings to reflect the recent planning permission granted on appeal
  - The Fairground Car Park, Wey Hill, Haslemere – A decrease from 55 dwellings to 20 dwellings to acknowledge the site’s potential for mixed-use development and the need to retain parking spaces on it where possible

5.2 Table 1 below shows all the housing allocations in Haslemere in LPP2 resulting from the main modifications in the Addendum. This is shown against the outstanding minimum requirement for allocations to provide 316 homes as of 1<sup>st</sup> April 2021 to ensure that the adopted LPP1 total housing requirement for Haslemere of 990 homes between 2013 and 2032 is met.

**Table 1 – Proposed LPP2 Housing Allocations for Haslemere set out in the Addendum**

Ref	Sites	Net Yield (no of dwellings)	Site area (ha)
DS01	Haslemere Key Site, Haslemere	30	2.5
DS02	Barons of Hindhead (Central Hindhead), London Road, Hindhead	38	1.6
DS03	Andrews of Hindhead, Portsmouth Road, Hindhead	35	0.55
DS04	Wey Hill Youth Campus, Haslemere	34	0.88
DS05	Haslemere Prep School, The Heights, Hill Road, Haslemere	24	1
DS06	The Royal Junior School, Hindhead	90	9.6
DS07	Fairground Carpark, Wey Hill, Haslemere	20	0.6
DS08	The Old Grove, High Pitfold, Hindhead	40	2.4
DS09	National Trust Car Park, Branksome Place, Hindhead Road, Haslemere	13	0.4
DS10	Hatherleigh, Tower Road, Hindhead	5	0.49
DS11	34 Kings Road, Haslemere	5	0.3
	<b>Total</b>	<b>334</b>	

## **6.0 Issues Raised in the Consultation on the Addendum to the Pre-submission version of LPP2**

6.1 The main issues raised by the main modifications to the Haslemere housing site allocations set out in the Addendum October 2021 (**Annexe 2**) that require consideration are:

- The removal of Red Court, Scotland Lane, Haslemere as a housing allocation in LPP2 and the consequential change to the Haslemere settlement boundary
- The allocation of a new housing site at the Royal School, Hindhead and increasing the yield on the Old Grove, High Pitfold as a result of the removal of the housing allocation at Red Court, Scotland Lane
- The change to yields of existing housing allocations in Haslemere
- The need for additional allocated housing sites to meet the strategic housing requirement

6.2 **Annexe 3** to this report sets out an overview of the comments raised on the main modifications in the Addendum with regard to the above, together with the Council's proposed response. **Annexe 4** sets out an overview of key consultees' responses to the Addendum.

6.3 Having considered the issues raised through the representations to the main modification set out in the Addendum it is recommended that no further main modifications to LPP2 are required to be included in the Plan for submission. Therefore, it is recommended that the Pre-submission version of LPP2 consulted on between November 2020 and January 2021 together with the main modifications in the Addendum forms the version of LPP2 that is submitted to the Secretary of State for examination.

6.4 However, it is acknowledged that some minor changes to LPP2 are needed in response to the representations to the Addendum. Minor modifications do not materially affect the plan's policies and are not subject to the formal examination process. They will be made to LPP2 on adoption. They include factual corrections and updates. **Annexe 5** sets out these minor modifications that the Council wishes to make. These changes are in addition to the minor modifications the Council agreed to submit in September 2021.

## **7.0 Representations on LPP2 that were not subject to the main modifications in the Addendum to the Pre-submission version of Local Plan Part 2 October 2021**

7.1 In addition to representations promoting sites for allocation outside of Haslemere, the consultation on the Addendum also resulted in comments on LPP2 that were not the subject of the main modifications in the addendum. The representations have commented on the following issues: the allocation for gypsy and traveller accommodation at 7 Burnt Hill, Plaistow Road, Dunsfold; the allocation of Secretts as a housing site in Witley/Milford; and the boundary of the Area of Strategic Visual Importance in Rowledge.

7.2 As these representations are outside of the scope of the matters in LPP2 that the Council has sought comments on through the consultation on the main modifications

in the Addendum, these representations are not duly made. Consequently, they have not been considered and will not be submitted to the examination.

- 7.3 Representations were also received which identified that there are some differences between the settlement boundary for Haslemere in LPP2 and the settlement boundary in the Haslemere Neighbourhood Plan which was 'made' on 12<sup>th</sup> November 2021. Although this matter is outside the scope of the Addendum consultation, officers consider that as the Neighbourhood Plan has been through a successful referendum and been 'made' since the publication of the Addendum, the matter should be considered. The Neighbourhood Plan, and the settlement boundary contained within it, has the support of the local community and therefore it is considered that a conflicting settlement boundary should not be put forward in LPP2. Although the settlement boundaries in the adopted Neighbourhood Plan and the proposed LPP2 are largely the same, there are some differences. Given that the boundary in the Neighbourhood Plan has now been adopted, it is not considered necessary to include a different boundary within LPP2, particularly as it is no longer necessary to amend the settlement boundary to accommodate proposed housing allocations. A modification is therefore proposed to remove the Haslemere settlement boundary from LPP2 and make a consequential amendment to the ASVI boundary in Weydown Road to align it with the settlement boundary in the Haslemere Neighbourhood Plan.
- 7.4 Additionally, some representations were received which identified an error in the ASVI Topic Paper (published in November 2020) relating to one of the amendments made to the ASVI boundary in Rowledge. The current ASVI boundary runs through the middle of the affected site. The reasons for the amendment at this location were to ensure that it followed a defined boundary on the ground and to take account of a planning permission for one dwelling under application WA/2015/0955. LPP2 therefore currently proposes to change the boundary to exclude the site from the ASVI. This planning permission, which was referred to in the ASVI Topic Paper and provides part of the justification for making the amendments, had expired at the time of publishing the ASVI Topic Paper in November 2020. Although a new planning application was made on the site, this was refused and subsequently an appeal against this decision dismissed. Although this matter was also outside the scope of the Addendum consultation, it raises a factual error and therefore has been considered. As there is now no extant planning permission on the site, a modification is proposed to include the site within the ASVI. This would then align with the boundary of the built-up area in the Farnham Neighbourhood Plan.
- 7.5 Although these two modifications are not considered to affect the soundness of LPP2, they cannot be categorised as minor modifications. Therefore, they must be considered as main modifications to LPP2. However, main modifications that the Council wants to form part of LPP2 that is formally submitted for examination must be consulted on for a period of at least 6 weeks prior to submission. Officers are not proposing to delay submission and undertake a further consultation on these two issues. Instead, it is open to the Council to put forward additional main modifications as part of the submission, and request that the Inspector consider these proposed further amendments as part of the examination. It is therefore recommended that the proposed main modifications set out in **Annexe 6** are also submitted to the Local Plan Inspector for consideration at the examination alongside the pre-submission version of LPP2 and the main modifications set out in the Addendum.

## **8.0 Conclusion**

8.1 Having considered the representations to the Addendum October 2021 (**Annexe 2**) further main modifications to LPP2 are not required. Therefore, the main modifications to LPP2 in the Addendum, together with the pre-submission of LPP2 November 2021 (**Annexe 1**) should be submitted to the Secretary of State for examination. However, it is considered that a small number of further minor modifications should be made on adoption of the plan as set out in **Annexe 5**. In addition, the proposed further modifications outlined in paragraphs 7.3 to 7.5 and set out in **Annexe 6** should also be submitted for the Inspector to consider at the examination.

## **9.0 Relationship to the Corporate Strategy and Service Plan**

9.1 The adoption of LPP2 is directly required to ensure that the objectives of the Corporate Strategy are met. In particular LPP2 will support the following:

- facilitate open, democratic and participative governance;
- a financially sound Waverley, with infrastructure and services fit for the future;
- high quality public services accessible for all, including sports, leisure, arts, culture and open spaces;
- a thriving local economy, supporting local businesses and employment.
- responsible planning and development, supporting place-shaping and local engagement in planning policy; and
- a sense of responsibility for our environment, promoting biodiversity and protecting our planet.

9.2 The preparation of LPP2 is a key objective for the Council's Planning and Economic Development Service

## **10.0 Implications of decision**

### **10.1 Resource (Finance, procurement, staffing, IT)**

There are no direct financial implications arising from this report. Any spend required detailed in the report will be met from existing approved budgets and earmarked reserves.

### **10.2 Risk management**

A sound LPP2 needs to be in place to provide detailed development allocations and development management policies in accordance with the adopted strategic policies in LPP1 so that development that meets the needs of the Waverley community can be managed appropriately.

### **10.3 Legal**

This report has been checked and approved by Legal Services.

### **10.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary, across the council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.” LPP2 has been assessed for this purpose. LPP2 makes positive contributions to equality and diversity by supporting allocations for the Gypsy and Traveller community and supporting the National Space Standards on bedroom size.

### **10.5 Climate emergency declaration**

LPP2 contains both development allocations and development management policies to support the strategic policies set out in the adopted LPP1. They have been prepared considering the requirement to reduce carbon emissions and mitigate the impact of development on climate change. The Council is currently preparing a Climate Change and Sustainability Supplementary Planning Document that will give more detailed advice and guidance to support the implementation of LPP1 policies.

### **11.0 Consultation and engagement**

11.1 The preparation of LPP2 has been subject to public consultation. The issues raised as a result of the consultation on the Addendum to pre-submission version of LPP2 October 2021 is the subject of this report

### **12.0 Other options considered**

12.1 The Council is required to produce a Local Plan for the Borough. The Council is keen to progress LPP2 and submit it for examination.

### **13.0 Governance journey**

13.1 This report is for Overview and Scrutiny: Services to make comments and observations to Executive.

### **Annexes:**

- Annexe 1 The Pre-submission version of LPP2 November 2020
- Annexe 2 The Addendum to the Pre-submission version of LPP2 October 2021
- Annexe 3 Overview of the Main Issues raised in the Consultation on the Addendum to the Pre-submission version of LPP2 and the Council's Response
- Annexe 4 Overview of Consultees' responses to LPP2 Regulation 19 Addendum Consultation
- Annexe 5 Additional Minor Modifications to LPP2 Schedule (November 2021)
- Annexe 6 Schedule of proposed Main Modifications to LPP2 for submission (December 2021).

### **Background Papers**

There are / are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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