



The countryside charity
Surrey

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WAVERLEY BOROUGH PRE-SUBMISSION LOCAL PLAN PART 2 CONSULTATION

CPRE Surrey welcomes the exclusion from the allocated sites the AONB sites proposed for allocation in LPP2PO to which CPRE Surrey expressed considerable concern. We do, however, consider that the DM policies need significant strengthening, particularly in relation to the rural areas outside the settlement boundaries and outside the GB, where we consider that the Council will not have adequate control over proposals for inappropriate development. Specifically we consider that Policy DM 15 needs to be substantially revised.

CPRE Surrey's full comments are as follows:

DM1 and DM4 The Development Management policies fail, in our view, to deal satisfactorily with two important provisions in saved policies D1 and D4 which have been accepted by Planning Inspectors in various appeals where the Inspector has supported refusals by the Council. These provisions have not been challenged as being inconsistent with the NPPF. First D1 (b) provides that development should avoid "harm to the visual character and distinctiveness of a locality". Second D4 (a) requires a development should "be appropriate to the site in terms of scale, height, form and appearance". The draft does not capture these points with the same effect as the saved policies. We think that Policy DM 1 and DM4 should be amended accordingly.

DM1 (a) refers to light pollution only in the context of harming the amenity of neighbouring properties or future occupants. Light pollution wherever it occurs should however be avoided for benefit of the general community. DM1 should include "limiting the impact of light on intrinsically dark landscapes and nature conservation." DM1 should refer to the need for tranquillity. Both contribute to wellbeing.

DM1 (g) refers to the need to 'avoid negative impacts upon biodiversity and maximise opportunities to deliver net gain in relation to ecological and geological assets...'. We believe this policy should be significantly strengthened by setting minimum net gain targets as proposed in the forthcoming Environment Bill 2019-2021. We also note the Surrey Nature Partnership's formal recommendation (Nov 2020) that Surrey' local planning authorities adopt a policy for Biodiversity Net Gain (BNG) requiring developers to demonstrate the post-development achievement of a minimum 20% increase in biodiversity units in support of their planning application(s). We further note that Guildford Borough Council has proposed a BNG rate of

20% in their emerging Local Plan and we would urge Waverley Borough Council to take a similarly ambitious approach.

DM4 (g) refers to ancillary features that need to be designed in to a proposal from the outset but should also include as examples garages and workshops and other facilities permitted under PDRs.

DM8 deals with the need for comprehensive development and DM4 stipulates that regard will be had to the cumulative effects of development. Neither however tackle the manipulation of planning rules when a developer seeks permission for housing for only part of a larger site, with the objective, or likelihood, of seeking to develop the whole site by stealth over a period of time, using single applications in order to avoid the need for affordable housing and to avoid cumulative adverse impacts being considered at the beginning of the development. DM8 needs to be amended to enable this abuse to be tackled and the words “or potential development” should be added in DM4 in the penultimate paragraph after “development”.

We welcome the requirement for masterplans of large developments; however (2.53) 100 homes or more is, in our view, too large a number and incentivises the splitting of sites. In a rural context the redevelopment of a farm with multiple barn conversions or set of buildings would justify requiring a masterplan.

DM11: Biodiversity, landscape and local amenity features of a site can often be damaged by pre-application felling of trees, hedgerows and shelter belts and site clearance of other vegetation. The baseline for these features can thus be significantly reduced for the environmental, landscape and other reports required with the application. TPOs are rarely if ever imposed by the Council to control this abuse, and action rarely taken by the Environment Agency or Forestry Commission. LPP2 should seek to tackle this. DM11 should be amended by including words to the effect that regard should be had to any pre-application felling of trees, hedgerows and shelterbelts, in order to enable the Council to impose planning obligations to mitigate the adverse effects of such felling.

Excessive site clearance is sometimes undertaken after permission is granted, to the detriment of biodiversity, landscape and local amenity. Enforcement action should be taken when this is beyond the clearance permitted by the application.

Developers often include impressive landscape schemes in their planning applications but fail to make adequate provision for management and maintenance of such schemes on development sites once construction has completed. The provisions in DM11 to ‘ensure future protection and management of important trees including new planting’ are welcome but need to be properly monitored and enforced.

DM13 Settlement Boundaries –Haslemere Draft LPP2 has set a settlement boundary for Haslemere that is in direct conflict with the one proposed in the emerging Haslemere Neighbourhood Plan and approved by the Haslemere Town Council in November 2020. The key points of dispute relate to the Waverley’s inclusion of the Red Court site (AGLV/AONB) and other such sites inside their version of the settlement boundary whereas the NP/HTC-approved version seeks to protect such sites from development by setting the boundary to reflect the existing built area and exclude greenfield AONB/AGLV sites

DM13 Green Belt and Settlement Boundaries - Godalming-- Land South East of Binscombe

The Council and the Inspector into LPP1 decided to remove the Green Belt and AGLV status of this land to free it up for development for the purpose of facilitating housing development in Binscombe; it had been indicated that this land was available for the building of 24 housing units. CPRE Surrey objected on the basis that the development clearly would not be reconcilable with the Green Belt principles in the NPPF and would be a material encroachment into the Countryside and sprawl from Farncombe; and that the decision would also frustrate application of AONB protection pending the AONB Boundary review and wrongly gave no weight to the adverse effects on the historic hamlet of Binscombe and its conservation area.

WA/2018/1525 for 24 houses on the site was refused by the Council and the Appeal dismissed. In refusing the Appeal, the Inspector concluded "... due to the urbanising effect on the setting of the CA and Listed Buildings, particularly Binscombe Farmhouse, and associated detrimental effect on their significance derived from the rural setting, the proposal would cause significant harm to the heritage assets, to which great weight should be placed". In view of this, it must be very unlikely that the protection afforded to heritage assets will cease to be given great weight or that any future application to develop the site could be justified to over-ride the Inspector's decision on Appeal.

Paragraph 7.34 moreover states that in relation to Godalming, the minimum housing target of 1,520 set in Local Plan Part 1 has been exceeded by 219 dwellings. As a result, it has been decided that housing allocations for Godalming are no longer required in LPP2.

In the light of the refusal by the Council of WA/2018/1525 and the Appeal being dismissed, we consider that GB and AGLV status should be restored to this land. There are no longer "exceptional circumstances" (LPP1 paragraph 13.11) to justify the removal of GB status.

DM13 applies the same policy as regards development within settlement boundaries for the market towns, large villages and medium and small villages; yet the Spatial Strategy provides for housing developments to be focussed on the market towns and larger villages. There should be a differentiation in this policy regarding the medium and smaller villages and others, as is provided in Policy RD1 of the 2002 Plan, where even a few cases could have much greater adverse impact on the character of the village; there are also sustainability issues and transport problems. DM 13 should in our view provide that applications for development within the settlement boundaries of the medium and small villages "will be assessed in accordance with the policies in the Development Plan", instead of the words "development will be permitted".

DM14 should be amended so as to apply not only to the Green Belt but also to all rural areas in the same way as in the RD2 policies in the 2002 Plan.

DM 15 Paragraph 3.33 recognises that the introduction of substantial built form into the countryside has the potential to have a harmful urbanising effect on the countryside. It states that the benefits of any such development will need to be considered against the level of harm and recognises that all rural areas are potentially sensitive to development. Paragraph 3.34 recognises that development in the rural areas will often not have good public transport connections to everyday services. We agree with this, yet Policy DM15 does not reflect what is stated in the Explanatory text and does not recognise that the development should not normally proceed if the conditions are not met. Further paragraph b) fails to conform with RE1 by omitting the words "and safeguard" after "Recognise", and including words which should be the subject of a separate paragraph.

We consider therefore that DM15 should be revised to follow more closely Saved Policy RD1. DM15 or DM14 (see above) should also specifically deal with extensions, alterations, replacement buildings and infilling in rural areas, as is the case in the Saved RD2 policies.

DM 13 and DM15 should also recognise that regard should be paid as to whether the village has met its housing allocation and to any relevant provision in a Neighbourhood Plan, whether adopted or emerging.

DM 30 We consider that telecommunications masts and towers should be located on retail and industrial buildings before residential sites and this policy could be helpfully amended to reflect this.

Chapter 7 DS 06 Red Court, Scotland Lane, Haslemere – 50 dwellings

CPRE considers that the allocation of this site should be removed on the following grounds:

- 1) The development's size and location would fail to conserve and enhance the Surrey Hills AONB contrary to AONB policy in LPP1, the Surrey Hills AONB Management Plan, the NPPF and the emerging Haslemere Neighbourhood Plan, and fail to protect the setting of the AONB and the AGLV contrary to RE3 of LPP1. Furthermore, we note that the developer is proposing a second larger phase of development consisting of a further 130 houses located in a part of the site that is designated AONB. The cumulative effect of Phases 1 and 2 of Scotland Park together with the nearby Sturt Farm development (with outline planning permission for 135 houses) will result in more than 300 houses in a nationally protected area and a major degrading effect on the entire south Haslemere AONB.
- 2) It does not respect the emerging Haslemere Neighbourhood Plan which explicitly states that large-scale developments should be kept within the boundary of the town or limited to brownfield sites and not allocated on AONB/AGLV areas which are such a fundamental part of the town's charm, landscape and nature.
- 3) It does not respect the recent national pledge to safeguard biodiversity or Waverley's own climate policy declaration on climate emergency. Defra advisor, Professor Tom Oliver, considers the site to lie in an area of high biodiversity and is of unique importance to regional ecological networks to sustain biodiversity. He has stated that the proposed allocation would result in substantial net biodiversity loss which conflict with both local and national policy targets.
- 4) The existing infrastructure issues around water supply must be addressed before further significant development in the town can be contemplated.

DS09 National Trust car park, Branksome Place, Hindhead Road, Haslemere- 13 dwellings

CPRE is not satisfied that the allocation of the National Trust Car park is appropriate in the absence of further information. The site is set in a beautiful heavily-wooded location which abuts important habitats and wildlife corridors. Caution is required in assessing this site with regard to the important habitats that surround it.

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