

# **Haslemere Neighbourhood Development Plan 2013-2032**

**A report to Waverley Borough Council on the  
Haslemere Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by Waverley Borough Council in March 2021 to carry out the independent examination of the Haslemere Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 12 April 2021.
- 3 The Plan proposes a series of policies and seeks to bring forward positive and sustainable development in the plan area. There is a very clear focus on ensuring that new development is sensitively-located and takes account of the distinctive character of the neighbourhood area. It proposes the designation of a series of local green spaces and Green Fingers.
- 4 The Plan has been underpinned by community support and engagement. The community has been engaged in its preparation in a proportionate way.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Haslemere Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**6 July 2021**

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## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Haslemere Neighbourhood Development Plan 2013-2032 ('the Plan').
- 1.2 The Plan has been submitted to Waverley Borough Council (WBC) by Haslemere Town Council (HTC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012. The NPPF continues to be the principal element of national planning policy. It was updated in both 2018 and 2019.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a comprehensive range of environmental and community issues.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by WBC, with the consent of HTC, to conduct the examination of the Plan and to prepare this report. I am independent of both WBC and HTC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the various appendices.
- the Basic Conditions Statement.
- the Consultation Statement (and its appendices).
- the WBC SEA/HRA screening report.
- the appendices of the Plan.
- the representations made to the Plan.
- the Town Council's responses to the clarification note and to the supplementary clarification note.
- the Borough Council's responses to the clarification note.
- the Waverley Local Plan Part 1.
- the saved elements of the Waverley Local Plan 2002.
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259.
- the National Planning Policy Framework.
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 12 April 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood development plan examinations should be held by written representations. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing. In coming to this decision, I took account of the detailed nature of several of the representations, including those from potential developers. I advised WBC of this decision once I had received HTC's responses to the questions in the clarification note.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. The Statement reflects the neighbourhood area and its policies. It also provides specific details on the consultation process that took place on the pre-submission version of the Plan from March to May 2020.
- 4.3 The Statement sets out details of the consultation events that were carried out in relation to the initial stages of the Plan. Details are provided about the engagement with the statutory bodies and the public consultation events in the area. Specific matters highlighted include:
  - a series of drop in events and on-line surveys to seek community views on the issues and opportunities for the neighbourhood area (April to October 2013);
  - based on an analysis of the responses from that initial round of consultations, two further rounds of consultation were held one in Autumn 2014 and one in Autumn 2015 to seek the views of the community on alternative policies and actions that might address issues and opportunities identified. For each one a detailed survey document was delivered by Royal Mail to 7,000+ households; and
  - newspaper articles publicised the consultations and 23 local organisations, agreed to e- mail members the link to the on-line version of the survey as a personal reminder. A total of 4000+ personal e-mails were sent each time.
- 4.4 The Statement also sets out details of the responses received to the consultation process on the pre-submission version of the Plan. It also sets out how the Plan responded to those representations. The exercise has been undertaken in a very thorough fashion.
- 4.5 The Statement is helpfully underpinned by a series of appendices. They provide details of the feedback from the earlier consultation events in general, and from the pre-submission consultation process (Appendix 11) in particular.
- 4.6 From all the evidence provided to me as part of the examination, I conclude that the Plan has sought to develop an inclusive approach to seeking the opinions of all concerned throughout the process. WBC has carried out its own assessment of this matter as part of the submission process and has concluded the consultation process has complied with the requirements of the Regulations.

### *Representations Received*

4.7 Consultation on the submitted plan was undertaken by the Borough Council for a six-week period that ended on 19 March 2021. This exercise generated comments from a range of statutory and local organisations and local residents. They are listed below:

- Southern Water
- Waverley Borough Council
- Redwood South West
- South East Water
- Southern Water
- Godalming and Haslemere Ramblers
- Surrey Hills AONB Board
- Transition Haslemere
- Haslemere South Residents Association
- Haslemere Community Land Trust
- Environment Agency
- Surrey County Council
- Natural England
- Witley Parish Council
- Highways Agency
- The National Trust
- Council for the Protection of Rural England

4.8 In addition to these comments 121 representations were also received from local residents. In the main they offer support to the Plan's policies. In some cases, specific objections are made to the contents of the part of Policy H2 which refer to density of new housing requirements within 1km of the railway station.

4.9 I have taken account of all these representations as part of the examination of the Plan. Where it is appropriate and relevant to do so I refer specifically to the representation concerned in this report.



## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area covers the parish of Haslemere. In 2011, it had a population of 16,826 persons living in 7,223 households. It was designated as a neighbourhood area on 19 February 2013.
- 5.2 The neighbourhood area is located about seven miles south of the county town of Guildford. It includes Haslemere itself and a series of satellite villages and hamlets set in the Surrey Hills Area of Outstanding Natural Beauty (AONB). It also contains some scarce and protected areas of lowland heath. Some parts of the neighbourhood area also fall within the Green Belt. The A3 runs in a north-east to south-west direction through the northern part of the neighbourhood area.
- 5.3 Haslemere is the principal settlement in the neighbourhood area. It provides the main retail centre for the community and offers a good mix of shops and services. It has excellent accessibility to the A3 and to the strategic rail network. Shottermill and Critchmere are located to the immediate west of Haslemere itself. Hindhead and Beacon Hill are located to the immediate north of the A3. Grayswood is located to the north-east of Haslemere.

### *Development Plan Context*

- 5.4 The Waverley Local Plan Part 1 (Strategic Policies and Sites) was adopted by WBC in February 2018. It includes a spatial strategy showing the level of development that will be delivered in the Borough to 2032 and how it will be distributed. It includes strategic policies on a range of issues, including transport, housing and employment and infrastructure. It also includes a series of strategic site allocations for developments. Some Local Plan 2002 policies have been retained until the Local Plan Part 2 is adopted.
- 5.5 Part 1 of the Local Plan includes a series of policies which have a specific impact on the neighbourhood area as follows:

#### *Policy SP2: Spatial Strategy*

The strategy sets out to avoid major development in the AONB and to safeguard the Green Belt. It identifies Haslemere as one of four main towns in which new development will be focused. For the purposes of this policy Beacon Hill and Hindhead are included in the built-up area of Haslemere

#### *Policy ALH1: The amount and location of new housing*

The policy identifies the need for the delivery of 990 new homes in Haslemere in the Plan period up to 2032.

- 5.6 The Local Plan Part 1 includes a wide range of other policies. The Basic Conditions Statement helpfully captures these against the various policies in the submitted Plan.

In summary, the following Local Plan policies have been particularly important in underpinning policies in the submitted Plan:

AHN2 Rural Exception Sites  
 AHN3 Housing types and sizes  
 EE1 New Economic Development  
 EE2 Protecting Existing Employment Sites  
 TCS1 Town Centres  
 RE2 Green Belt  
 RE3 Landscape Character  
 HA1 Protection of Heritage Assets  
 NE1 Biodiversity and Geological Conservation  
 CC4 Flood Risk Management

- 5.7 WBC is in the process of preparing the Local Plan Part 2 (Site Allocations and Development Management Policies). It will contain detailed policies for development management purposes. It will also allocate additional sites for housing in parts of the Borough, review the boundaries of the town centres and local landscape designations, and allocate sites for Gypsy and traveller accommodation. Consultation on the pre-submission Plan took place between November 2020 and January 2021. The Plan included a series of policies which allocated sites for housing purposes in the neighbourhood area (Policies DS01 to DS11). Overall, the sites would deliver 320 homes.
- 5.8 It is clear that the submitted Plan has been prepared within the context provided by the Local Plan. In doing so it has relied on up-to-date information and research. This is good practice and reflects key elements included in Planning Practice Guidance on this matter.

*Unaccompanied Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 12 April 2021. I maintained the social distancing requirements that were in place at that time. I arrived in the neighbourhood area at Hindhead off the A3 and then drove onto Haslemere itself. The journey from Hindhead to Haslemere drew my attention to the interesting topographical landscape of the neighbourhood area and its sylvan character.
- 5.10 I looked initially at the area to the immediate south of the town centre. I saw its rising nature and the way in which the settlement boundary was drawn along Scotland Lane. I saw the range of large houses in large plots. I then walked down College Hill and into the town centre. I saw the attractive grouping of buildings around the Town Hall which include the White Horse P.H. and The Swan Inn. More generally they sat within the rich backcloth of brick buildings in this part of the town many of which displayed tile hanging features and stone details. I saw the attractive war memorial and the beautifully maintained landscape area within which it is located and mown to reflect its triangular shape.

- 5.11 Thereafter I looked at the other parts of the town centre. I saw Charter Walk (and the impressive bust of Queen Elizabeth 1) and West Street. The various retail units and cafes were taking advantage of the greater flexibilities as the Covid restrictions were being relaxed. I then took the opportunity to walk to Grayswood to the north. In doing so I saw the various buildings along the northern part of High Street including the Georgian Hotel (as being refurbished) and the interesting collection of buildings at Number 72 with their very well detailed bricks/stonework/tile hanging. I also saw the way in which Nightingale Place was a good modern development which had incorporated local vernacular details. I walked up Church Lane and looked at St Bartholomew's Church and the adjacent Church Hill House. I saw that they sat in a very pleasant part of the town complemented by the green space to their south and east.
- 5.12 The walk beyond the northern edge of Haslemere also highlighted the topographic and landscape issues of the setting of the town and its immediate area. Once I arrived in Grayswood I looked at All Saints Church. I saw the building itself and the beautifully-maintained grounds. I then looked at the Village Hall and the adjoining play area. I saw the importance of the school. I then walked along Lower Road, Clammer Hill and The Mount.
- 5.13 I then walked back into Haslemere town centre. I looked at the area around the railway station and around Lower Street and Wey Hill. I saw the significance of the railway station in the wider community and the interesting and attractive range of local shops in Wey Hill.
- 5.14 Thereafter I drove to Hindhead via Woolmer Hill Road/ Bramshott Common. I saw the interesting layout of spacious houses off Tower Road. I then walked to London Road. I saw the way in which this part of the village had responded positively to the removal of through traffic along the line of the former A3 with the opening of the Hindhead Tunnel. The new housing and housing courts fitted very comfortably with the shops and cafes. I took the opportunity to walk into the National Trust estate at Hindhead Common and up to Gibbet Hill. I was rewarded with long distance views of London to the north. I also saw the way in which the former route of the A3 was being sensitively assimilated into its wider natural environment.
- 5.15 I then looked around Beacon Hill. I saw the nature of its residential environments and the way in which they related to the surrounding landscape to the south, the north and the east. As with other parts of the visit it further highlighted the topographic issues of the neighbourhood area. Wood Road highlighted the sylvan character of the southern part of the village.
- 5.16 Throughout the visit I looked at Plan's proposed settlement boundaries, the Local Green Spaces and the Green Fingers.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 6.3 I assess the Plan against the basic conditions under the following headings:
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Haslemere Neighbourhood Plan:
- a plan led system – in this case the relationship between the neighbourhood plan and the Waverley Local Plan Part 1 and the saved policies in the Waverley Local Plan 2002;
  - delivering a sufficient supply of homes;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. In particular it includes a series of policies on the scale and nature of new development. It proposes the designation of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

*Contributing to sustainable development*

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for housing development (Policies H1-H4) and to stimulate employment and retail development (Policies H15-H18). In the social role, it includes policies on housing mix and affordable housing (Policies H5/6) and green spaces (Policy H13). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on design (Policy H7), water capacity (Policy H10) and trees, woodland and biodiversity (Policies H11 and H14). HTC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

*General conformity with the strategic policies in the development plan*

- 6.12 I have already commented in detail on the development plan context in Waverley Borough in paragraphs 5.4 to 5.8 of this report. The submitted Plan clarifies that the detailed allocation of housing sites in the parish will be determined in Part 2 of the Local Plan. In this specific context I am satisfied that subject to the incorporation of the modifications recommended in this report that the submitted Plan is in general conformity with the strategic policies in the development plan.
- 6.13 I also consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation and Habitat Regulations*

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement WBC commissioned a screening report on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 6.16 The screening report includes a separate Habitats Regulations Assessment (HRA) of the Plan. It takes account of the likely effects of development in the neighbourhood area on the following protected sites within the context of the HRA work previously undertaken on the Waverley Local Plan Part 1:
- Thames Basin Heaths SPA;
  - Wealden Heaths Phase I & II SPA (Thursley, Hankley & Frensham Commons SPA, Thursley, Ash, Pirbright & Cobham SAC and Thursley & Ockley Bogs Ramsar);
  - Ebernoe Common SAC;
  - Mole Gap to Reigate Escarpment SAC;
  - The Mens SAC;
  - Butser Hill SAC; and
  - Woolmer Forest SAC.
- 6.17 It concludes that the Plan is not considered to have the potential to cause a likely significant adverse effect on this or another other European protected site. It also concludes that there will be no likely significant in-combination effects. Its level of detail provides assurance that this important matter has been comprehensively addressed.

- 6.18 The screening reports include the responses received as part of the required consultation. In doing so they provide assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.19 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

*Summary*

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.



## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Town Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a series of non-land use Opportunities after the policies
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-2)*

- 7.8 These introductory elements of the Plan set the scene for the policies. They are commendable in the way that they are proportionate to the neighbourhood area and the Plan's policies. The Plan itself is well-presented. It is helpfully supported by photographs, figures and maps.
- 7.9 Section 1 introduces the Plan and provides an overview of its contents. It begins with a distinctive Vision and a set of Objectives. It continues with a profile of the neighbourhood area, an indication of its key challenges and an assessment of the impact of Covid 19.
- 7.10 Section 2 sets out details about the neighbourhood area. It identifies the following Principles for the Plan:
- Delivering the required housing numbers;
  - Setting a settlement boundary;
  - Balancing land scarcity and housing development densities;
  - Preserving the character of the town;
  - Achieving a suitable housing mix;
  - Managing our road network and parking needs;



- Protecting the local environment; and
- Promoting and encouraging a vibrant local economy.

- 7.11 The Principles very succinctly capture the nature of the neighbourhood area and its key challenges. They helpfully identify the tension between its historic and environment characteristics on the one hand and the need to deliver its strategic housing targets on the other hand. Paragraph 2.9 comments that WBC and HTC have agreed that WBC will identify housing sites in the neighbourhood area to meet the residual element of its strategic housing target in its emerging Local Plan Part 2.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 above.

#### Policy H1: Designation and purpose of settlement boundaries

- 7.13 This policy sets an overall spatial strategy for the Plan. It defines settlement boundaries and focuses new development within the identified boundaries.
- 7.14 As paragraph 3.1 of the Plan comments there is no formal settlement boundary to define the built area and give effect to many of the neighbourhood plan policies. Grayswood is washed over by the Green Belt and the other three areas (Haslemere, Beacon Hill and Hindhead) are defined by the Green Belt and countryside beyond the Green Belt boundaries. In this context the Plan defines the settlement boundaries as the built-up areas that are bordered by the land designated as Green Belt or the wider countryside. This approach reflects the approach proposed in the emerging Local Plan in which Waverley Borough Council have identified settlement boundaries in the pre-submission version of the Local Plan Part 2. The policy has three related parts. The first defines the settlement boundaries. The second and third parts set out a policy approach both for sites within and outside the defined boundaries
- 7.15 I recommend that the order of the second and third parts of the policy is reversed. This will bring a sharper focus to the intent of the policy to focus new development within the settlement boundaries. I recommend a detailed modification to the wording of the part of the policy relating to development within settlement boundaries. In particular it incorporates a connection to the wider development plan rather than simply to the submitted Plan as included in the submitted policy. I recommend a consequential modification to the supporting text.
- 7.16 The element of the policy relating to development outside the settlement boundaries is partly explanatory text and partly policy. In addition, its approach only to support development on previously-developed is more onerous than that in national policy as set out in paragraph 79 of the NPPF. I recommend that this part of the policy is modified so that it has the clarity required by the NPPF. In this context its format becomes much simpler and results in a seamless relationship with national and local policy.
- 7.17 The supporting text provides helpful context to the policy approach. However, I recommend that the final sentence of paragraph 3.4 is deleted. It has no bearing on

future development management decisions and, in any event no specific details are included.

- 7.18 The policy has a degree of overlap with Policy H3. I recommend modifications to that policy later in this report. The two sets of recommended modifications will provide a clear context for the management of development in the neighbourhood area.
- 7.19 The consultation exercise has generated a significant degree of commentary on the proposed settlement boundary for Haslemere. In most cases the comments are based around the differences between the approaches in the submitted Plan and that in the pre-submission Local Plan 2. In particular the latter includes land at Scotland Lane to the south of the town in the settlement boundary. This reflects WBC's identification of proposed housing allocations in that Plan. Whilst most are within the built format of the town the proposed Scotland Lane site (DS 06) is outside the existing built form of the town. It is anticipated to deliver approximately 50 dwellings. This proposed local plan allocation has also attracted a significant degree of comment as part of its own consultation process.
- 7.20 The Scotland Lane site is being actively promoted by Redwood Homes South West. The company has made a detailed set of representations on the submitted neighbourhood plan. It also submitted a planning application (WA/2020/1213) for the development of the site for 50 homes in July 2020. At the time of preparing this report WBC had not made a decision on that proposal.
- 7.21 I looked at the Scotland Lane site very carefully during my visit to the town. Plainly there is a degree of tension between maintaining the character and landscape setting of the town on the one hand and delivering new housing growth within its context of being one of the four principal towns in the Borough.
- 7.22 Given that WBC and HTC have agreed that the development of Local Plan Part 2 would identify housing allocations in the town the processes that have been followed at this stage are entirely appropriate. In particular I am satisfied that it is appropriate for HTC to identify a settlement boundary which reflects the existing built-up area of the town. This is consistent with its approach elsewhere in the Plan which seeks to concentrate new development within Haslemere and other urban areas and to deliver sustainable density levels. In any event, the examination of a neighbourhood plan is based on the adopted development plan rather than an emerging local plan.
- 7.23 National planning policy anticipates that such circumstances will arise as different plans are prepared. It will not always be practicable for plans to be prepared in a phased way and legislation allows neighbourhood plans to be prepared before the local planning authority concerned is producing its local plan. Planning Practice Guidance (41-009-20190509) comments that:

*'A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood*

*plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.*

*Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan (or spatial development strategy) and the adopted development plan with appropriate regard to national policy and guidance.*

*The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination*

*The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan'*

- 7.24 In this wider context I recommend modifications to Section 4 of the Plan to ensure that there is a closer functional relationship between any potential review of a made neighbourhood plan and the eventual adoption of Local Plan Part 2. In particular the modifications will ensure that, where necessary, any made neighbourhood plan can be reviewed so that it would be consistent with the wider development plan. I also recommend consequential modifications to the supporting text.

#### **Reverse the order of Policies H1.2 and H1.3.**

**Replace Policy H1.3 (as submitted) with: 'Development proposals within the settlement boundaries that comply with development plan policies will be supported'**

**Replace Policy H1.2 (as submitted) with: 'Development outside the settlement boundaries will be strictly controlled. Development proposals in such locations will only be supported which otherwise conform with national and local planning policies'**

*Delete the final sentence of paragraph 3.4.*

*At the end of paragraph 3.4 add: Policy H1.2 offers support to development proposals within settlement boundaries where they otherwise comply with development plan policies. At this stage this consists of policies in Local Plan Part 1 and in this neighbourhood plan. This situation will evolve as Local Plan Part 2 is adopted'*

*Insert a new paragraph at the end of Section 4 to read:*

*‘Waverley Borough Council is currently producing the Local Plan Part 2. It will include a series of detailed development management policies, identify settlement boundaries and a package of housing allocations. The adoption of this Plan will alter the composition of the wider development plan. In this context section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that any conflict between different elements of the development plan must be resolved in favour of the policy which is contained in the last document to become part of the development plan. In this context the Town Council will assess the need for a full or a partial review of the made neighbourhood plan within six months of the adoption of Local Plan Part 2. In the event that a review is required the Town Council will ensure that it is undertaken as quickly as its resources and capacity permit’*

#### Policy H2: Housing Density

- 7.25 This policy has been designed to achieve two related purposes. The first is to provide more homes in sustainable locations. The second is to make best use of brownfield sites.
- 7.26 The policy comments that developments of more than 10 dwellings should be delivered at 45 dwellings per hectare in general, and at 75 dwellings per hectare within 1000 metres of the railway station. It also makes a general commentary that proposals which make the optimum use of land will be supported.
- 7.27 In its response to the clarification note HTC confirmed that the approach in the Plan was intended to apply to housing allocations in the neighbourhood area which will arise from the LPP2.
- 7.28 I sought information from HTC on how it had developed the policy in general, and how it had determined the density figures in particular. I was advised that:

*‘The densities included in the consultation derived from consideration of achieving the housing numbers, making best use of brownfield sites, and protecting employment use. The community were unwilling to compromise the surrounding countryside or the need to retain space for employment uses. They indicated acceptance of greater densities as a route to protecting that which they wished to protect.*

*When the decision was made by the previous council to not allocate sites in the neighbourhood plan, the community’s opinions on densities from the consultation, information from surveys sent to developers and densities of recent developments, were used to inform policy H2. (The figure of) 75 dwellings per hectare was selected because, although it was not as high as the density of some development in the central area (near the station and shopping areas), it was sufficiently high to encourage developers to build the smaller homes that there was an identified need for. There is significant unmet need in the area for central and spacious downsizer apartments, provision of which would free up many singly occupied 3, 4 & 5+ bed properties in*

*which the area over indexes. 75 dwellings per hectare reflects the need for this type of property.*

*Consideration was given to larger distances (up to 1 mile), but this incorporated large areas that are within Green Belt, AONB or AGLV. In addition, walking distances were not as comfortable, especially given the topography of the town. Using smaller distances excluded key areas where any redevelopment (whether small or large scale) would reasonably be expected to be at higher densities to fit with surrounding development. Setting the boundary on 1km walking distance (a 10-minute walk), as opposed to as-the-crow-flies was experimented with but it was felt to be nebulous in nature and a clear circle would be easier to work with in practice'*

7.29 The policy has sought to reflect the nature and the character of the neighbourhood area. In addition, it seeks to make the optimum use of land within the identified settlement boundaries to reduce the pressure on the surrounding countryside. Nevertheless, it raises a series of specific issues as follows:

- the overlap between the policy and the identification and allocation of housing sites in Local Plan Part 2 – the supporting text associated with the policy acknowledges that WBC will be allocating sites in the neighbourhood area in that Plan. However, this process will reach its own judgements on the scale of development on a site-by-site basis. A rigid implementation of this policy will not necessarily deliver high quality development;
- the impact of such an approach on the character of the immediate locality of an application site – the policy comments that developments should achieve high quality design and take account of the sites setting and topography. Nevertheless, this is within the context of achieving the densities proposed rather than as the principal driver of the outcomes; and
- the 1000m distances from the railway station – the response to the clarification note helps to understand HTC's approach. However, it is very matter of fact and has the ability to result in unintended consequences if it is applied in a prescriptive way.

7.30 I have considered all the information available to me very carefully including the representations on this matter. In all the circumstances I recommend that the policy is recast so that its primary focus is on densities which respect the character of the immediate locality and produce good design. In this context the modification offers particular support for proposals which take this approach and also meet the relevant density figure as proposed by HTC. As such the final paragraph of the policy on the optimum use of land is not needed. I also recommend consequential modifications to the supporting text.

**Replace the policy with:**

**'The density of development proposals should be consistent with the character, appearance and the topography of their immediate locality and the delivery of high-quality designs.**

**Development proposals which meet these requirements and provide 45 dwellings per hectare in general, or 75 dwellings per hectare within 1000 metres of the Haslemere railway station will be particularly supported'**

*Replace 3.8 with:*

*'Policy H2 provides a context to this matter. It seeks to ensure that the density of new development takes account of the circumstances of the site concerned and the need to produce high quality design. In this context it offers particular support for developments which achieve these objectives and make the best use of the site concerned. This is generally expected to be 45 dwellings per hectare. However, within 1000 metres of the railway station this is anticipated to be 75 dwellings per hectare'*

*Delete the final sentence of paragraph 3.12.*

Policy H3: Sustainable development outside settlement boundaries

- 7.31 This policy sets out the Plan's approach towards development outside the settlement boundaries. It complements the approach taken in Policy H1.
- 7.32 The policy has two overlapping elements. The first comments about the relationship between the proposed settlement boundaries included in the Plan and the various environmental designations. It comments that proposals for development on previously developed land outside the settlement boundaries or on land designated as within AONB, Areas of Great Landscape Value, Green Belt or the countryside beyond the Green Belt which satisfy a recognized exception to planning policy will be given favourable consideration where they contribute to the protection, management and enhancement of biodiversity; reduce negative impacts on ecology or habitat; and conserve and enhance landscape character and quality
- 7.33 The second identifies a series of criteria against which development proposals in such location will be assessed. In this context paragraph 3.17 of the Plan comments that the policy sets higher standards of sustainability for development outside the settlement boundary and seeks to encourage developers to showcase the best in environmentally friendly design. All development proposals should aim to achieve these higher standards of sustainability and energy efficiency.
- 7.34 In the clarification note I sought comments from HTC on the extent to which the policy added any value to national and local policies on the location of new development. I was advised that the policy 'does not now appear to add many requirements that are not already included in the NPPF, Waverley's Local Plan policies CC1 and CC2, the Surrey Hills AONB Management Plan or in other policies in this Neighbourhood Plan. Items vi and viii are the only provisions not explicitly covered elsewhere'
- 7.35 The HTC response acknowledges that many of the detailed criteria in the policy are already addressed in local planning policies which have been adopted as the neighbourhood plan was being prepared. As such this largely negates the need for the second element of the policy.



- 7.36 I have considered carefully the purpose and effect of the first part of the policy. In doing so I have considered the value that it would bring beyond Policy H1.2 of the submitted Plan. The policy raises two overlapping matters. The first is that it applies to previously developed land. The second is that it has a focus on biodiversity and landscape matters. In both cases I can readily understand why HTC should have included such matters given the character and attractiveness of the neighbourhood area. Nevertheless, its focus on previously-developed land is more onerous than that in national policy. In addition, its details about biodiversity and landscape have the ability to cut across policies which apply to some of the affected environmental designations. For example, the Green Belt has a focus on the openness of the land concerned. In any event national and local policy on Green Belt and the other environmental designations is already well-developed.
- 7.37 Taking account of all the information available to me I recommend that the policy is deleted. The detail of how development proposals outside identified settlement boundaries will be assessed is already captured in Policy H1 and I have recommended modifications to that policy to ensure that it meets the basic conditions.
- 7.38 Given the nature of the recommended modification and its wider implications on the structure of the Plan I also recommend that the associated supporting text is deleted. Nevertheless, to provide a broader context to the recommended modifications to Policy H1 I recommend that some of the paragraphs of the supporting text are repositioned into the text associated with that policy

#### **Delete the policy**

*Delete paragraphs 3.14 to 3.20.*

*Insert the contents of paragraph 3.15 (without 'but should any.... for this development') at the beginning of paragraph 3.4.*

#### **Policy H4: Windfall Development**

- 7.39 This policy comments about windfall development. Paragraph 3.23 comments that in recent years an average of 39 dwellings per annum have been permitted on windfall sites and that there is strong community support for encouraging such development to continue. This policy seeks to encourage windfall development that meets the unmet needs identified within the local community such as affordable housing and housing for downsizers.
- 7.40 The policy offers support to developments of up to nine dwellings. This threshold relates to the sizes of sites which WBC is considering as allocations in the emerging local plan and the approach to density included in Policy H2 of the submitted Plan. It also has overlaps with Policy H1.
- 7.41 In principle I am satisfied that it is appropriate for the Plan to comment about windfall development. It has the ability to complement the delivery of housing on the allocated sites which will emerge as part of the emerging local plan. Similarly, I am satisfied that a suitably-detailed policy has the ability to complement Policy H1

7.42 Nevertheless I recommend modification to the policy and to the supporting text to address the following matters:

- the proposed nine homes threshold – the policy’s approach attempts to establish a strategic connection to the emerging local plan and to Policy H2 of the submitted Plan. However, the nine dwellings threshold is over-prescriptive and is a matter which can be controlled by criteria in both this policy and other relevant policies in the Plan;
- the supporting text about the emerging local plan approach – paragraph 3.21 attempts to connect this policy to WBC’s approach in its emerging local plan. However, this level of detail is unnecessary in general terms. In any event it seeks to anticipate the eventual outcome of a process which has not yet reached its own examination stage; and
- the particular support for certain types of homes – the policy highlights the need for affordable housing for local residents, downsizers and those who work in the town. However, I recommend that it is incorporated into the policy in a way which offers particular support to such forms of houses which otherwise meet the wider approach taken in the Plan.

**Replace the policy with:**

**‘Proposals for the residential development of windfall sites within the settlement boundaries (as defined by Figure 1a-c) will be supported where they:**

- **provide an appropriate mix, type and design of housing to the site concerned; and**
- **respond positively to the character and appearance of the immediate locality’**

**Development proposals which meet these requirements and which contribute towards delivering the housing needs of the local community, downsizers, those who work in the town and affordable housing will be particularly supported’**

*Replace paragraph 3.21 with ‘The Town Council and the Borough Council have agreed that the emerging local plan will identify allocated housing sites. In this context Policy H4 of this Plan sets out an approach to windfall development within the identified settlement boundaries.’*

Policy H5: Provide sufficient affordable housing of the right type

7.43 This policy sets a context for the delivery of affordable housing. The supporting text provides details on the importance of this issue in the neighbourhood area.

7.44 The policy has been designed to meet the intentions in paragraph 3.32. They are that new developments within the Plan area provide the type and size of affordable homes that meet the specific needs identified for the neighbourhood area, a proportion of the area’s affordable housing is genuinely affordable and remains affordable in perpetuity



and that in mixed developments of market and affordable homes and affordable homes are indistinguishable in terms of external quality finishes.

- 7.45 The policy is well-constructed. It meets the basic conditions.

Policy H6: Provide an appropriate mix of housing types

- 7.46 The policy sets out to ensure that housing which comes forward provides an appropriate mix of housing types to address local housing needs. In doing so the supporting text identifies information from the West Surrey Housing Market Assessment (HMA) (December 2015).
- 7.47 The policy itself sets out an approach based on larger and smaller sites (based on a threshold of ten homes). The supporting text comments that the intention of the policy is to ensure that the mix of dwelling types and sizes required to meet the needs of current and future households in the Plan area will be achieved in relation to all larger sites and to ensure larger sites do not contain large uniform areas of the same type and size of housing.
- 7.48 The approach in both parts of the policy is driven by this intention. However, its distinction between larger and smaller sites is unclear. In addition, the focus on the larger sites is the delivery of smaller homes rather than the broader mix as anticipated in the HMA. In a broader sense it fails to take any account of the character and the location of the sites concerned.
- 7.49 I recommend modifications to remedy these matters. In the round they maintain the intentions of the policy whilst taking account of the very distinctive and sensitive nature of the neighbourhood area. I also recommend consequential modifications to the supporting text.

**Replace the policy with:**

**‘New residential developments should provide a range of dwelling types and sizes to meet the needs of the neighbourhood area taking into account the most up-to-date evidence and reflect the character of existing development in the surrounding area.**

**In the town centre and in the immediate vicinity of the railway station area, the development of one and two bedroomed homes will be particularly supported’**

*Replace paragraph 3.35 with ‘Policy H6 sets out to ensure that new developments reflect the strategic requirements as described in Tables 1 and 2. In particular smaller properties are suitable for young singles, couples, people starting families and residents wishing to downsize. It is evident that increasing numbers of elderly residents will wish to downsize from large houses to more modest homes and apartments (2-3 bedroomed) in Haslemere during the Plan period. The policy also offers particular support for smaller houses in the town centre and close to the railway station. This approach reflects the character of existing housing development in the town’.*

*Replace paragraph 3.36 with: 'Policy H6 aims to ensure that the mix of dwelling types and sizes required to meet the needs of current and future households in the Plan area will be achieved in relation to new development. The most up-to-date evidence of housing need for the Plan area is currently in the West Surrey Strategic Housing Market Assessment (December 2015).'*

Policy H7: High quality external design

- 7.50 This policy sets out a context for high quality design within the Plan period. It does so both in its own right and in particular to provide a broader strategic framework for the expected levels of development needed within the neighbourhood area.
- 7.51 The policy has been designed with two key ambitions in mind. The first is that development proposals should take account of the Haslemere Design Statement. The Design Statement has been adopted by WBC and is a material consideration for the determination of planning applications. The second is that its approach should be non-prescriptive. As paragraph 3.39 comments 'it is not designed to restrict development by imposing a requirement that all design must mimic one or other existing styles. Instead, they are intended to challenge developers to propose high quality design that responds to its immediate surroundings and is appropriate for the Haslemere Neighbourhood Plan area. Contemporary designs are welcomed; however, they should be of a high standard, add interest and character to the street scene and, where possible, enhance adjacent properties'
- 7.52 In the round the policy takes an excellent approach to this increasingly important element of national policy. In addition, it responds effectively to local circumstances. I recommend modifications to ensure that the policy provides the clarity required by the NPPF in two important areas. The first is the way in which development proposals should respond to the Design Statement. The second is the way in which the policy should be applied on a proportionate basis to reflect the scale, nature and the location of the development concerned.
- 7.53 I also recommend other detailed modifications to the main part of the policy and to its second and third components. The recommendations take account of HTC's response to the clarification note. Otherwise, the policy meets the basic conditions.

**In Policy H7.1 delete the initial commentary about the Haslemere Design Statement.**

**Replace the following paragraph with 'As appropriate to their scale, nature and the location development proposals should respond positively to the relevant sections of the Haslemere Design Statement. In particular proposals should be of a high-quality design and respect the character and appearance of the surrounding area by:'**

**In vii replace 'it' with 'the existing settlement and the proposed development concerned'**

**Replace Policy H7.2 with: ‘New developments of 10 or more dwellings should meet the Accessible Natural Green Space Standard. This may be achieved by providing additional public green space which contributes towards meeting this Standard. Where practicable the green space provided should connect to other open spaces within the town via safe pedestrian/cycle access’**

**Replace H7.3 with: ‘Applications for major developments which meet Building for a Healthy Life standards will be particularly supported’**

Policy H8: Consultation requirements for planning applications

- 7.54 This policy comments about HTC’s ambitions for major planning applications to be underpinned by a development brief and detailed information about pre-application engagement which has taken place with the local community.
- 7.55 I sought comments from HTC on its intentions for the policy. I was advised that ‘our intention is that developers engage in meaningful consultations with the community from the start of the planning application process. The community is keen to be consulted about development proposals and planning applications frequently garner high levels of responses when submitted to the local authority. In some cases, planning application decisions have been delayed and applications for some sites are resubmitted many times. By outlining a consultation process, including the requirement that developers state how any issues or concerns raised by the consultation have been addressed, it is hoped that there will be increased community support for developments and planning applications can be determined more quickly’
- 7.56 Plainly the broader approach has considerable merit. Some developers operate in such a way on a voluntary basis. However, the approach included in the Plan is process-based rather than an expression of policy. In addition, it is prescriptive and offers no guidance about the outcome of development proposals which do not engage with the local community in this way. In these circumstances I recommend that it is deleted as a policy. Nevertheless, in order to retain the HTC’s intentions, I recommend that the matter is repositioned as a further ‘Opportunity’. I recommend consequential modifications to the supporting text.

### **Delete the policy**

*Delete Policy H8 in the policy title*

*In paragraph 3.45 replace ‘Requiring a development brief and evidence of consultation with the community for major developments is not considered an onerous requirement since the content will be a necessary part of the planning application’ with ‘Opportunity [insert number] sets out an approach whereby developers can engage with the local community. In many circumstances the approach will not be onerous and will underpin any subsequent planning application’*

*Reposition the policy to the Opportunities Section. In doing so replace the opening sentence with: ‘In order to secure early engagement of the development process the Town Council suggests that major planning applications should be accompanied by:’*

## Policy H9: Access and transport

- 7.57 This policy aims to limit the growth of motorised traffic and make Haslemere a more attractive, welcoming and accessible destination for all who seek to use its facilities. It also seeks to extend and improve routes and facilities for pedestrians and cyclists and encourage the use of public and non-motorised transport in the town. Its provisions aim to ensure new development contributes to enhancing the streetscape and to promoting a shift from car transport. It encourages improvements to infrastructure for public, commercial and alternative transport modes and their connections to surrounding destinations and places of interest.
- 7.58 The policy sets out a detailed approach which addresses its intentions. In general terms it does so in a well-developed fashion. In order to bring the clarity required by the NPPF I recommend the following package of modifications:
- Generally – to use language appropriate for a neighbourhood plan and to simplify the approach used. This includes the deletion of elements of various policies which are supporting text;
  - Policy 9.3 – to delete the final paragraph of the policy which makes general comments rather than setting out a policy;
  - Policy 9.4 - to delete the very prescriptive design guidelines on future connectivity arrangements and spacings; and
  - Policy 9.6 - to replace the policy with one which makes a more appropriate relationship between new development proposals and planned transportation projects.

**In Policy 9.1 replace ‘must’ with ‘should’**

**In Policy 9.1 replace the first criterion with ‘off street parking to comply with approved standards’**

**In Policy 9.2 replace ‘Is to’ with ‘should’ and fourth criterion with ‘be designed to be accommodated satisfactorily in the local highway network’**

**In Policy 9.3 delete the final paragraph.**

**In Policy 9.4 delete the third criterion of ii).**

**Replace Policy 9.6 with: ‘Development proposals should respect the proposed new footpath/cycleway routes shown in Figure 3 Haslemere High Street to Wey Hill and Figure 4 Station to Devil’s Punchbowl. Where practicable, development proposals within the immediate vicinity of the two routes should provide safe and attractive connections to the route concerned and be designed to contribute towards its attractiveness’**

## Policy H10: Water and connectivity

- 7.59 This policy highlights the community's concern about the capacity of water supplies. As submitted the policy is largely supporting text and sets out a series of process-related matters relating to contacts between developers and the statutory agencies.
- 7.60 In its response to the clarification note HTC proposed a series of modifications to the policy. I recommend that the policy is replaced by a simpler policy which draws attention to the need for this matter to be managed in a practical fashion and which directly relates to the scale, nature and location of development proposals. The other elements of the submitted policy are supporting text and I recommend that they are repositioned accordingly.
- 7.61 The second part of the policy comments about the importance of incorporating digital technology into new development. Plainly this is an important matter. However, it sits uncomfortably within this policy. I recommend that it is repositioned into Policy H16 of the Plan. I also recommend consequential modifications to the policy title and to the supporting text.

**Replace Policy H10.1 with: 'As appropriate to their scale, nature and location development proposals should incorporate appropriate water and sewage capacity facilities'**

### Delete Policy H10.2

*At the end of paragraph 3.57 add: 'Planning applications for major development should include evidence that developers should ensure they have formulated arrangements with the relevant water/waste water company to ensure that any potential water and waste water network infrastructure reinforcement requirements are met. Where capacity constraints are identified phasing conditions will be used to ensure that any necessary infrastructure upgrades are delivered before the occupation of the relevant phase of development'*

*Delete paragraph 3.58.*

*Delete the second element of the Intent of the Policy.*

*Delete 'and connectivity' from the policy title.*

## Policy H11: Trees, woodlands and hedges

- 7.62 This policy comments about the importance of safeguarding trees, woodland and hedges. It is a very detailed policy which relies on extensive supporting text. In particular it draws a very effective relationship between the existing vegetation in the neighbourhood area and the way in which new development should be designed to take account of this important element of its character during construction and in future maintenance arrangements.

- 7.63 In general terms it is an excellent policy which meets the basic conditions. I recommend detailed modifications to some of the elements of the policy to ensure that they take account of the importance and the value of the vegetation concerned. This approach acknowledges that an otherwise matter-of-fact application of the policy as submitted could have unintentional consequences and prevent acceptable development from coming forward.

**In Policy H11.1 add ‘of value’ after ‘woodlands’**

**In Policy H11.2 add ‘of value’ after ‘trees’**

**In Policy H11.3 add ‘of value’ after ‘hedgerows’**

**In Policy H11.4 add ‘of value’ after ‘woodland’**

*At the end of paragraph 3.60 add: ‘Policy H11 provides an important level of protection for these aspects of the neighbourhood area. It acknowledges that different elements of the existing vegetation will have different levels of importance. As such its focus is on features of value’*

Policy H12: Dark Skies

- 7.64 This policy sets out an approach for a dark skies environment. As WBC comment such an approach reflects its location in the AONB and on the edge of the South Downs National Park.
- 7.65 The policy takes an appropriate and measured approach to this matter. In particular it adopts the lighting hierarchy and is based on Institute of Lighting Professionals technical guidance. I recommend detailed modifications to clarify the remit and effect of the main part of the policy. Otherwise, it meets the basic conditions.
- 7.66 The final part of the policy comments that planning conditions requiring the efficacy of measures to be monitored will be used and that post-development mitigation to meet the standards specified will be required when appropriate. I have taken account of HTC’s response to the clarification note on the practicability of this approach. Nevertheless, I recommend its deletion from the policy. The issues raised are process related, and in any event, it would be unlikely that WBC would grant permission for proposals where it is not satisfied that the development (or any conditions associated with the planning permission) would be capable of ensuring a successful outcome.

**Replace the opening component of the policy with: ‘Development proposals should be designed to minimise the effect of external lighting. In particular development proposals should meet this objective by:’**

**Delete the final paragraph of the policy**

### Policy H13: Green Spaces

- 7.67 This policy celebrates the rich diversity of green spaces in the neighbourhood area. As paragraph 3.76 comments ‘(these) areas create green screens between residential developments and link town and country. They improve quality of life by providing visually attractive green spaces close to where people live and promote health and well-being by providing recreation and leisure opportunities for all ages. They can be an important community resource for public events, religious festivals, fêtes and fairs. Furthermore, these spaces can provide safe havens for wildlife and may act as vital corridors or stepping stones that connect one habitat to another’
- 7.68 The policy identifies two types of green spaces. The first is those proposed to be designated as local green spaces (LGSs) in Policy H13.1. The second is a series of ‘Green Fingers’ (in Policy H13.2). The Green Fingers are parcels of land which already benefit from a degree of protection (through designations such as Green Belt or AONB). The Plan acknowledges that the Green Finger are extensive tracts of land and as such are too large to be considered as LGSs. The policy is underpinned by the LGS Assessment Paper (November 2020). It is an excellent piece of work in its own right and which provides an evidence-based approach to the policy.

#### *Local Green Spaces*

- 7.69 I looked carefully at the proposed LGSs when I visited the neighbourhood area. On the basis of all the information available to me, including my own observations, I am satisfied that the proposed LGSs comfortably comply with the three tests in the NPPF and therefore meet the basic conditions. The wider exercise has been undertaken in a very measured fashion. In combination Table 4 and the Assessment Paper provide a robust evidence base for the way the proposed designations meet national policy.
- 7.70 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.71 The policy itself has two related parts. The first lists the proposed LGSs. The second sets out the implications for LGS designation. The second part seeks to follow the approach as set out in paragraph 101 of the NPPF. However, it comments that ‘inappropriate’ development will not be permitted. I recommend a modification so that the policy takes the matter-of-fact approach in the NPPF. In particular it removes any reference to ‘inappropriate’ development which is not otherwise defined in the Plan. The recommended modification also takes account of the recent case in the High Court



and the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).

- 7.72 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by WBC. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter.

**Replace Policy H13.1 with:**

**'The areas identified in Table 4 (below) and Figures 6a-d are designated as Local Green Space. Development proposals within the designated local green spaces will only be supported in very special circumstances'**

*Replace paragraph 3.80 with: 'The sites identified in Table 4 and Figures 6a-d satisfy the criteria for LGS designation and are afforded special protection in Policy H13.1. The policy follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the Borough Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'*

**Green Fingers**

- 7.73 The proposed Green Fingers are shown on Figure 7. In most cases they overlap with the very distinctive topography, landscape and ecology in the neighbourhood area. The number and significance of such sites contributes much to its character. This matter was immediately obvious during my visit.
- 7.74 As the various elements of background information identify many of the Green Fingers are already protected by existing designations. They include Green Belt, the AONB and Areas of Great Landscape Value. In some cases, these designations overlap. In this context I sought HTC's comments in the clarification note on the extent to which the policy adds any value to the policy implications of the various existing designations in these locations. It commented that

*'We believe that it does since the existing designations could be removed in the future. Due to the scarcity of land in Haslemere development is frequently proposed on designated and protected land. The Sturt Farm development has planning permission for 135 homes in AONB and Scotland Park has a submitted planning application for 50 homes in AGLV. Local Plan part 2 proposed sites on AONB and AGLV including one that is owned by the National Trust and a common land site was recently exchanged so that development can occur. Even though there are designations, deeds of covenant and ownership that would indicate that these green fingers will be protected, additional protection is deemed necessary for these particular sites in the event that existing designations are lost or changed over time. The Community strongly supports this policy'*



- 7.75 I also sought further information from both WBC and HTC on the overlapping nature of the existing designations. I was provided with a more detailed version of Table 5.
- 7.76 Taking account of all the information available to me I am satisfied in general terms that the policy meets the basic conditions and responds positively to the character and the appearance of the neighbourhood area. Nevertheless, I recommend modifications to the policy so that it directly reflects the existing environment designations which affect the various Green Fingers and takes account of their different policy regimes. I also recommend that the updated Table provided replaces that in the submitted Plan.

**Replace Policy H13.2 with: ‘The areas identified in Table 5 and the map in Figure 7 are designated as “Green Fingers”. Development proposals within a Green Finger will only be supported where they otherwise comply with the policy implications of the relevant environment designations as set out in Table 5. In particular development proposals should respect the undeveloped, open character of the Green Finger concerned and its ecological, landscape or recreational contribution both to its immediate locality and to the wider neighbourhood area’**

*At the end of paragraph 3.81 add: ‘Policy H13.2 addresses this important aspect of the environment of the neighbourhood area in a policy context which makes a direct connection with their existing environmental designations’*

*Replace Table 5 with the update table provided by HTC in its response to the supplementary clarification note*

Policy H14: Protecting and enhancing biodiversity

- 7.77 This policy comments about biodiversity. It follows the detailed approach in other policies of the Plan.
- 7.78 Paragraph 3.83 comments that wildlife habitats are subject to a range of pressures, including those from development. New development can cause direct loss and degradation of wildlife habitats fragmenting the ecological network and hindering the movement of wildlife through the landscape. Harm can be caused by the degradation, narrowing or severance of corridors, by the introduction or enlargement of barriers such as buildings, roads, hard landscaping or inappropriate landscaping, artificial lighting, and by the culverting or re-direction of watercourses. The intent of this policy is to ensure that such harm does not occur.
- 7.79 The policy has four related elements as follows:
- defining the biodiversity network (H14.1);
  - a general policy approach to the network (H14.2);
  - the Plan’s approach to Biodiversity net gain (H14.3); and
  - the potential for exceptional circumstances to be considered (H14.4).

7.80 In the round the policy takes a positive and well-balanced approach to this important matter. I recommend modifications on the following issues:

- the policy wording – to bring the clarity required by the NPPF;
- the supporting text within policies – there are several places where supporting text is included in the policies. I recommend that it is relocated into the supporting text associated with the relevant policy;
- a proportionate and evidence-based approach – the policy fails to acknowledge that different types of development will have different effects on land based on its designations and status. It also fails to acknowledge that certain types of development could come forward where any harm can be mitigated or where its wider benefits outweigh the harm. Such an approach would have regard to paragraph 175 of the NPPF; and
- biodiversity net gain – the policy sets out a very specific and ambitious approach to this issue. Whilst it includes a degree of evidence to support the approach taken I am not satisfied that it is sufficiently compelling to support a higher level of biodiversity net gain than is anticipated to be included in forthcoming national legislation.

7.81 I also recommend consequential modifications to the supporting text.

**At the end of the first sentence of Policy H14.1 add ‘as appropriate to their existing designations and biodiversity status’**

**In Policy H14.1 second sentence replace ‘permitted’ with ‘supported unless appropriate mitigation is incorporated within the proposal’**

**In Policy H14.1 delete the final sentence.**

**In Policy H14.2 (first and third sentences) replace ‘will’ with ‘should’**

**Replace Policy H14.3 with ‘Development proposals should result in a net gain for biodiversity’**

**In Policy H14.4 replace ‘permitted’ with ‘supported’**

*In paragraph 3.87 retain the first sentence. Replace the remainder with: This matter is incorporated within Policy H14.3.*

*At the end of paragraph 3.88 add: ‘The Ecological Network consists of Internationally designated Wildlife Sites; Nationally designated Wildlife Sites; Local Wildlife Sites; Protected and Priority Species and their habitats; Priority habitats; Ancient Woodland; rivers, streams and ponds; Wildlife Corridors (particularly those shown on Figure 9) and Local Green Spaces and Green Fingers identified in Policy H13’*

*In paragraph 3.93 replace the final sentence with ‘New developments should deliver a net gain for biodiversity’*

Policy H15: Encouraging growth of new and existing businesses

- 7.82 This policy seeks to support proposals for the growth of existing businesses or the development of new businesses. It has two related parts – the first is general in its effect. The second comments about the importance of business premises having access to communications infrastructure.
- 7.83 The policy responds well to national and local planning policy. It also has the ability to encourage the development of local business and provide opportunities for local employment. I recommend technical modifications to the format of the first part of the policy so that it becomes criteria-based and bring the clarity required by the NPPF. As submitted the policy simply requires that certain matters need to be ‘considered’.

**Replace the first part of the policy with:**

**‘Development proposals to provide new employment space, including through the conversion or division of existing employment space and the creation of new premises will be supported, subject to the following criteria:**

- **they do not generate unacceptable traffic generation, parking, noise and other forms of pollution; and**
- **their scale and design respect the character of the immediate locality’**

Policy H16: Retaining, protecting and developing local employment

- 7.84 This policy seeks to retain and protect local employment. It has three related parts as follows:
- the need for evidence to support any changes of use from existing employment uses;
  - proposals for change of use which would retain employment uses would be supported; and
  - proposals which would bring forward new local employment opportunities will be supported.
- 7.85 The first part of the policy comments about the evidence which would be required in order for an application which would result in the loss of existing employment to be supported. However, its approach is process - related (the information required) rather than policy based (the outcome of a planning application). WBC also comments about the overlaps between the policy and Policy EE2 of Local Plan Part 1 in general, and the very prescriptive nature of the 12 months requirement for marketing. In these circumstances I recommend that this part of the policy is reconfigured so that it adds value to the approach in Policy EE2 of the local plan. In addition, in the absence of any specific information on the appropriateness of the 12-month marketing campaign I recommend that this issue is captured in the supporting text rather than the policy itself.
- 7.86 I am satisfied that the general nature of the first part of the policy is appropriate. The supporting text provides commentary about the most significant employment sites

within the neighbourhood area. In addition, the emerging local plan has decided not to include a schedule of employment sites as WBC took the view that the designations could become out of date very quickly given that commercial properties constantly change as a result of planning permission and permitted development.

- 7.87 The second part of the policy seeks to anticipate circumstances where a change of use between different commercial classes would arise and retain employment levels. It has taken account of the updates to the Use Classes Order in September 2020. As submitted the intentions of the policy are clear. However, it is a potentially complicated policy which could be affected by future changes in the composition of the Order. In addition, the policy does not address the complicated matrix of permitted development rights between commercial use classes captured in the Order. In these circumstances I recommend that the policy takes on a more general nature which acknowledges permitted development rights. I also recommend that the policy takes on a criteria-based approach for the same reasons as I have recommended to Policy H15.
- 7.88 The third part of the policy generally meets the basic conditions. However, it largely repeats the contents of the first part of Policy H15. As such I recommend that it is deleted.
- 7.89 I recommend that the element of policy and supporting text from Policy H10 is repositioned into the wider context of this policy. In doing so I recommend that the approach is applied proportionately. Paragraph 7.61 of the report explains the wider context to this matter.

**Replace Policy H16.1 with:**

**‘Proposals for the change of use of existing employment sites to residential and other alternative uses will be supported where it can be clearly demonstrated that there is no reasonable prospect of the site being used for employment use’**

**Replace Policy H16.2 with:**

**‘Insofar as planning permission is required proposals which retain employment provision through a change of use will be supported subject to the following criteria:**

- **they do not generate unacceptable traffic generation, parking, noise and other forms of pollution; and**
- **their scale and design respect the character of the immediate locality’**

**Delete Policy H16.3**

**At the end of the policy add a new element (Policy H16.3) to read:**

**‘As appropriate to their scale and nature new developments should provide up to date information technology and communications infrastructure’**

*At the end of paragraph 3.99: add: ‘These matters are addressed in Policy H16 of the Plan. In particular the first part of the policy sets out the way in which proposals which*

*would involve the loss of existing commercial and employment uses would be considered. The approach seeks to add local value to Policy EE2 of Local Plan Part 1. Proposals for the redevelopment or change of use of a site where the most recent use was employment to another use should be supported by evidence that the applicant has taken all reasonable steps over a sufficient period to establish that there is no likely prospect of any employment use. Such evidence could include demonstrating that actively marketing the property on a realistic basis, for a period of 12 months was unsuccessful and conversion for occupation by micro business or small businesses is not an economically viable option'*

*After paragraph 3.100 add a new paragraph to read: 'Policy H16.3 comments about the need for new development to provide appropriate technology. It does so on a proportionate basis to take account of the different levels of development which will come forward in the Plan period. The NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Even before the Covid 19 pandemic, the Plan area, with its higher level of self-employment than the rest of England, had seen a growth in the need for suitably provisioned workspaces within the town. During the pandemic lockdown it has become important for households to have access to high-quality telecommunication and internet connection. Ensuring new development has adequate telecommunications and information technology infrastructure is essential given that working from home is likely to continue throughout the Plan period'*

Policy H17: Retaining enhancing and managing changes to retail

- 7.90 This policy seeks to retain retail uses on the ground floor of buildings in the primary shopping areas in Haslemere. The policy intends to provide flexibility for first floor uses where they do not impact on the ground floor use. In its helpful response to the second clarification note HTC advised that the policy has a focus on Haslemere. It now excludes the areas of Beacon Hill and Hindhead which were incorporated in the pre-submission Plan. HTC expects that the Article 4 Direction obtained for Beacon Hill (on changes of use) and the application of Local Plan Policy TC31 to planning applications, will provide suitable protection to those areas. I recommend modifications to the supporting text to provide clarity on the remit of the policy.
- 7.91 As submitted the policy is unclear in its effects. Firstly, it comments that proposals should 'seek' to retain Class E uses in the relevant buildings. Secondly the retention of such uses would not need planning permission. In general terms the policy is complicated as it refers to Class E uses which cover a wide range of town centre related uses (including financial and professional services) whereas the policy's title and the intent of the policy (paragraph 3.108) is focused on retail uses.
- 7.92 I recommended modifications to remedy these matters and to bring the clarity required by the NPPF. The modifications offer support to proposals which would retain Class E uses, safeguard existing uses in the primary shopping areas and refine the submitted approach towards the use of the upper floors of premises in such locations.

**Replace the policy with:**

**‘Insofar as planning permission is required, development proposals affecting the ground floors of premises which retain Class E uses (shops, financial and professional services, food and drink, business, non-residential institutions, assembly & leisure) will be supported.**

**Within the defined primary shopping areas proposals for the change of use from a Class E use will only be supported where it can be demonstrated that the proposal would not have significant harmful effects on the frontage concerned and the vitality and viability of the town centre or would not result in an over-concentration of non-retail uses.**

**Proposals for the use of upper floors in the primary shopping areas will be supported where it can be demonstrated that they would not have an unacceptable impact on the continuing vitality and viability of the ground floor use in the primary shopping area concerned’**

*In paragraph 3.108 replace the first sentence with: ‘To prevent loss of key retail frontages in the High Street/West Street and Wey Hill, Haslemere’*

Policy H18: Encouraging an expanded visitor economy

- 7.93 This policy sets out a positive approach towards tourism related development. It takes account of the Waverley Economic Development Strategy and the proximity of the neighbourhood area to the South Downs National Park.
- 7.94 The policy is well-developed and is criteria-based. The criteria are both distinctive and appropriate to the neighbourhood area. In particular they seek to ensure that proposals take account of their natural settings and, where appropriate, propose sustainable transport measures. I recommend that the commentary about the policy also applying outside the defined settlement boundaries is deleted. In the wider context of national and local policy it is unnecessary.

**Delete ‘including development outside the settlement boundaries’ from the policy**

Opportunities

- 7.95 Section 5 sets out a series of issues which have naturally arisen during the preparation of the Plan but which are not land use based. They are properly incorporated into a separate section of the Plan as suggested in national policy.
- 7.96 I am satisfied that the various Opportunities are appropriate and distinctive to the neighbourhood area. In some cases, they supplement the policies. The following Opportunities are particularly noteworthy:
- the development of site-specific briefs (Opportunity 8);
  - traffic reduction in central Haslemere (Opportunity 11);

- improvement to the Shopping Areas (Opportunity 12); and
- a tree and hedgerow survey (Opportunity 19)

7.97 I have recommended that a policy becomes an additional Opportunity. HTC can incorporate it within the wider schedule as it sees fit.

#### Other Matters - General

7.98 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for WBC and the Town Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2032. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Haslemere Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications. This report has recommended some modifications to the policies in the Plan. Nevertheless, it remains fundamentally unchanged in its role and purpose.

### *Conclusion*

- 8.3 On basis of the findings in this report I recommend to Waverley Borough Council that subject to the incorporation of the modifications set out in this report that the Haslemere Neighbourhood Development Plan should proceed to referendum.

### *Referendum Area*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council on 19 February 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The Town Council's responses to the clarification note were particularly helpful and detailed.

**Andrew Ashcroft**  
**Independent Examiner**  
**6 July 2021**