



EWHURST PARISH COUNCIL WITH ELLENS GREEN

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Minutes of the EWHURST PARISH COUNCIL WITH ELLENS GREEN PARISH COUNCIL EXTRA ODRDI NARY MEETING held on Tuesday 6th June 2017 8pm at the EYSC

Attendees: Parish Councillors: Mike Turner (Chair); Val Dixon Henry; Tom Fawcett; Ian Davis; Julie Francis; Elaine Benson (left the meeting during discussion on application WA/2106/1209 due to her interest in that application).

Jane Bromley Parish Council Clerk.

4 members of the public.

122 (2017) APOLOGIES FOR ABSENCE. Parish Councillors Richard Cleaves and Rob Matthews.

123 (2017) DECLARATION OF INTEREST. Councillor Henry WA/2017/0772 (Interest by virtue of proximity of Councillors property to the site); Councillor Benson WA/2016/1209 (Pecuniary interest due to proximity of Councillors property to this site)

124 (2017) CHAIRMAN'S STATEMENT. No statement.

125 (2017) ADJOURNMENT: - A resident asked whether the property Chanrossa was still within the Ewhurst Conservation Area following the revision of this by Waverley Borough Council. Councillor Henry confirmed that it was.

126 (2017) THE PARISH COUNCIL TO CONSIDER AND RESOLVE TO APPROVE OR OTHERWISE AMEND THE PLANNING COMMITTEE PLANNING OBSERVATIONS ON APPLICATIONS:

WA/2017/0772

CHANROSSA, THE GREEN, HORSHAM LANE, EWHURST.

Outline Application with all matters reserved except access for up to 18 dwellings (5 affordable); revision of WA/2016/2116.

OBJECTION:

The Parish Council wishes to OBJECT to this application on the following grounds:

The application follows-on from an earlier application ref. WA/2016/2116 which was refused in January 2017.

The reasons for refusal were:

1. The proposed development due to the number of dwellings and consequent density, scale, layout and extent of hardstanding, would cause material harm to the intrinsic character, beauty and openness of the Countryside beyond the Green Belt due to its urbanising impact and harm to the rural landscape character of the area. As such it is considered contrary to Policies C2, D1 and D4 of the Waverley Local Plan 2002, Policies RE1 and TD1 of Part 1 of the Draft Local Plan and Paragraphs 17 and 64 of the NPPF.
2. The proposal, by reason of the number of dwellings, urbanising impact and loss of trees would appear incongruous and out of keeping with its surroundings. Consequently, the proposal would fail to preserve or enhance the character and appearance of the Ewhurst Green Conservation Area. The proposal would result in less than substantial harm to the significance of the heritage asset. There have been no public bene-

fits identified that would outweigh the harm caused to the designed heritage asset. As such, the proposal is contrary to Policies D1, D4, D6, D7 and HE8 of the Waverley Borough Local Plan 2002, Policy HA1 of Part 1 of the Draft Local Plan 2016 and paragraphs 131 to 134 of the National Planning Policy Framework 2012.

3. The proposal, by reason of the number of dwellings and urbanising impact would cause a harmful impact on the setting of an adjacent Grade II Listed Building. The proposal would result in less than substantial harm to the significance of the heritage asset. There have been no public benefits identified that would outweigh the harm caused to the designated heritage asset. As such, the proposal is contrary to Policy HE3 of the Waverley Borough Local Plan 2002, Policy HA1 of Part 1 of Draft Local Plan 2016 and paragraphs 131 to 134 of the National Planning Policy Framework 2012.
4. In the absence of a completed legal agreement, the proposed development would fail to provide on site affordable housing and as such, the development would fail to provide a sustainable, inclusive and mixed community. The proposal would be contrary to Policy H5 of the Waverley Borough Local Plan 2002, Paragraphs 17 and 50 of the NPPF 2012 and Policy ANH1 of Part 1 of the Draft Local Plan 2016.
5. In the absence of a completed legal agreement, the proposed development would fail to secure contributions towards education, greenspace provision, recycling containers and highway works and, as such, would fail to mitigate the effects of the proposal upon infrastructure. It would therefore conflict with Policies D13 and D14 of the Waverley Borough Local Plan 2002 and Paragraph 203 of the NPPF 2012.
6. It has not been sufficiently demonstrated that protected species (Great Crested Newts) and their habitats would not be materially affected or harmed by the proposed development. Therefore the proposal conflicts with Policy D5 of the Waverley Borough Local Plan 2002 and the requirements of the National Planning Policy Framework 2012.

Whilst the current application is for a lesser number of units, circumstances giving rise to the previous refusal remain unchanged.

In addition, the previous objections raised by the Parish Council also remain, largely, unchanged. These may be summarised as follows:

- i) Ewhurst Parish Council is preparing a Neighbourhood Plan (NP), suitability of sites via site assessments and sustainability appraisals are shortly to be carried out. A number of sites have been put forward as a result of 'call for sites' and the community would like to decide on the selection of sites for the Neighbourhood Plan as a comparison of all available. This application is premature to the adoption of the NP and granting permission at this time would have a severe impact upon the hard work, enthusiasm and credibility of many members of the local community who have given their time and dedication to the production of the Plan. The Parish Council firmly supports the aims of the Localism Act 2011 and engaging with the local community in evolving a widely supported strategy for the long-term sustainability of the area. The application is unwelcome in this context.
- ii) The site lies within the Ewhurst Green Conservation Area and in Countryside Beyond the Greenbelt. It is a sensitive site with the potential to have an urbanising impact upon the rural setting. The application is in outline only and very little detail, indicative or otherwise, is provided to describe how the development will appear and what impact it may have upon the Conservation Area heritage asset. Similarly, a listed building (Broadstone Cottage) lies close to the western development boundary and impact upon setting cannot be properly assessed given the level of detail provided and the scale of the development proposal.
- iii) The applicant states that 'no harm' will be caused to the heritage assets. It must be the case that 'less than substantial harm' will be caused and this must be weighed against the planning benefits, such as they can be assessed.
- iv) No details are provided of the proposed housing mix. It is therefore difficult to assess whether the 7 affordable units will be relevant to the needs of the Parish, or the Borough, and what benefit they may

provide. It is also not possible to assess compliance with the West Surrey SMHA and whether the mix of housing provided will comply with the proven need.

- v) The new Local Plan is sufficiently well advanced to demonstrate a five year housing land supply. In this context, the proposed development is not necessary.
- vi) The proposed new access involves the removal of a mature (grade B) oak tree which will be harmful to the rural and Conservation Area setting. The root protection areas of remaining important trees will also be compromised, leading to their inevitable loss and further exposure of the development to public views, harming the rural setting.
- vii) The development will connect to a foul drainage network which has no additional capacity, either locally or at the point of treatment.
- viii) Concern has been raised by local residents that actual traffic speeds along this stretch of The Green are in excess of the stated limit (see attached data recorded from the EPC VAS). The sight lines to the new point of access should address this matter. It is noted that no traffic calming measures are proposed.

In January 2017 there was a Neighbourhood Plan Resident Consultation regarding future development in the Parish. A range of site selection and development criteria were consulted on and 95% of respondents agreed with these criteria which are to form part of the Neighbourhood Plan.

The current application is in conflict with a number of important aspects of this Consultation, namely:

- Criterion 3 – Rural Character and Landscape Impact
‘Development of the site must preserve the intrinsic beauty and character of the Countryside and the rural setting of the Village (especially preserving the look and feel of the entrance points to the village); have on significant adverse visual or landscape impact; and conform to national policy, adopted and emerging local policies, local planning decisions and Appeals and the Ewhurst and Ellens Green Village Design Statement’.
- Criterion 6 – Built Environment
‘Archaeological sites, ancient monuments, listed and non-listed heritage assets (and their settings), the parish townscape and conservation areas are protected, conserved and enhanced in accordance with paras. 132,135 and 137 of the NPPF and the Ewhurst and Ellens Green Village Design Statement.’
- Criterion 9 – Proximity to Settlement Boundary
‘The site boundary is contiguous (at least one boundary must physically adjoin in whole or part) with the Ewhurst Village Settlement Boundary as defined in the amended Plan.
Sites which are not contiguous with the settlement boundary may be appropriate for development in exceptional circumstances where clear benefits have been evidenced (such as brownfield sites) that align with national and local policy.’
- Criterion 11 – Infill
‘The development of the site does not result in an extension to the village boundary which, in turn, creates are of ‘natural infill’ or undesirable precedent.’
- Criterion (a) – Layout & Design
‘The development is of a high quality, in all aspects, including layout and design. In addition, high standards of sustainable construction are expected as well as the inclusion of renewable and low carbon energy generation where feasible.’
- Criterion (d) – Density
‘The density of new development must respect its location and, in the case of sites which extend the settlement boundaries, reflect the prevailing density of the village which is 11dph.’
- Criterion (e) – Amenity
‘New development within the parish may be sited upon the settlement boundary. In such circumstances it is likely that existing residents will have enjoyed a high level of private amenity, some degree of tranquillity and a boundary with the Countryside. In order to assimilate new development with the existing community, these qualities should be respected.’
- Criterion (l) – Lighting

Careful consideration should be given to the design of lighting. There are relatively few streetlights within the village and outside the settlement they are rare. Low-level or bollard lighting for pedestrian safety is more appropriate in the rural setting. Similarly, external garden lighting should be low-level. Roof lanterns can result in intrusive light pollution to neighbouring properties.

In conclusion, the application remains in conflict with the previous objections to the earlier application on this site (WA/2016/2116) and the Borough's reasons for refusal of that application.

The proposals are potentially in conflict with the emerging Ewhurst and Ellens Green Neighbourhood Plan which is shortly to undergo site assessment and the sustainability appraisal of sites.

Waverley Borough now has a proven five year housing land supply and Ewhurst Parish has accepted formal responsibility, through its Neighbourhood Plan process, to allocate land as it sees fit to meet the housing numbers allocated to this settlement which has limited accessibility to local services.

WA/2016/1209

**LAND SOUTH OF CRANLEIGH ROAD AND WEST OF GADBRIDGE LANE,
EWHURST**

Outline application for the erection of 20 dwellings with associated works following demolition of existing stables (as amended by plans and documents received 22/08/2016 and 05/04/2017) (amended description).

Ewhurst Parish Council wishes to OBJECT to the amended application ref. WA/2016/1209, on the following grounds.

The proposed amendment now increases the number of dwellings to 20 units and is in conflict with the description (specifying 18 dwellings). Not only has this caused confusion with local residents, the number of units is a fixed parameter within the application, which should now be withdrawn and resubmitted to allow proper consultation to take place.

The change in the number of units has a number of impacts:

- i) Density
- ii) Proportion of affordable housing
- iii) Sustainability
- iv) Relevance to the emerging Neighbourhood Plan
- v) Housing mix
- vi) Car parking and traffic
- vii) Foul drainage and service supplies
- viii) S106 contributions

The revised illustrative layout retains a range of harmful features:

- ix) Less than substantial harm to the setting of a neighbouring listed building, Gadbridge Farm.
- x) Harmful impacts upon the character of this Countryside location. These impacts bear upon the setting of the Village as a whole, being prominent in the main access route to the settlement, and upon the Character of Gadbridge Lane, part of which lies within the Ewhurst Green Conservation Area.
- xi) Impacts upon the amenity of neighbouring properties. These impacts include; setting, access to sunlight, daylight and private amenity.
- xii) Ecology.
- xiii) Removal of hedgerows and landscape features, particularly along a significant stretch of Cranleigh Road.
- xiv) Access and conflicts with traffic speeds on this stretch of road.

Ewhurst Parish Council wishes to expand upon several of these points, as follows.

Impact (i), Density

The amended layout has the effect of increasing density on the site from 21.43dph to 23.81dph.

The 2015 Appeal decision (APP/R3650/W/14/3000887) at the nearby 'Penlan' site made reference to a number of factors, pertinent to density, which are in conflict with the current proposals. Should the Bor-

ough Council choose to grant permission, it would be in conflict to the Inspector's decision in the 2015 case. Such a contradiction should be very carefully considered and soundly justified.

The 2015 Appeal proposals would have been visible between the gaps in houses along the Cranleigh Road, causing concerns of urbanisation and a failure to reinforce the more 'informal and rural appearance of Cranleigh Road'. The current proposal is in a more prominent location with much higher visibility. Its implementation would cause significant identified harm to the character and appearance of the Countryside and the Village Setting which forms a gateway to the Surrey Hills AONB.

The 2015 Penlan decision also provided guidance on density. The Appeal site proposed 22dph and the Inspector noted the prevailing density to be 'somewhat below that proposed'. No justification was found for such a density in this location. At 23.81dph the current application exceeds this.

The prevailing density of development within the Village Settlement Boundary is 11dph and a development at more than twice this intensity is clearly out of character at an important entrance to the Village and in a transition point from the rural character of the Village, to Open Countryside.

Another recent Appeal decision, in March 2017 (APP/R3650/W/16/3150906 – Land at Backward Point), is significant in the evaluation of the current application. This Appeal Inspector allowed a density of 24dph, comparable with the application site. The Inspector noted, however, that the Appeal site was in a 'backland location', on a site 'not prominent from other vantage points' and most critically, 'visually well contained'. None of these observations apply to the application site and the March 2017 Appeal decision provides no justification for the density proposed by the current application.

Impact (iv), Relevance to the emerging Neighbourhood Plan

In January 2017 there was a Neighbourhood Plan Resident Consultation regarding future development in the Parish. A range of site selection and development criteria were consulted on and 95% of respondents agreed with these criteria which are to form part of the Neighbourhood Plan.

The current application is in conflict with a number of important aspects of this Consultation, namely:

- Criterion 3 – Rural Character and Landscape Impact
'Development of the site must preserve the intrinsic beauty and character of the Countryside and the rural setting of the Village (especially preserving the look and feel of the entrance points to the village); have on significant adverse visual or landscape impact; and conform to national policy, adopted and emerging local policies, local planning decisions and Appeals and the Ewhurst and Ellens Green Village Design Statement'.
- Criterion 8 – Coalescence
'The impact of the development of the site individually, or cumulatively, around the edges of the settlement does not result in the actual or perceived coalescence of settlements.'
- Criterion 9 – Proximity to Settlement Boundary
'The site boundary is contiguous (at least one boundary must physically adjoin in whole or part) with the Ewhurst Village Settlement Boundary as defined in the amended Plan.
Sites which are not contiguous with the settlement boundary may be appropriate for development in exceptional circumstances where clear benefits have been evidenced (such as brownfield sites) that align with national and local policy.'
- Criterion 11 – Infill
'The development of the site does not result in an extension to the village boundary which, in turn, creates are of 'natural infill' or undesirable precedent.'
- Criterion (d) – Density
'The density of new development must respect its location and, in the case of sites which extend the settlement boundaries, reflect the prevailing density of the village which is 11dph.'
- Criterion (e) – Amenity
'New development within the parish may be sited upon the settlement boundary. In such circumstances it is likely that existing residents will have enjoyed a high level of private amenity, some degree of tranquillity

and a boundary with the Countryside. In order to assimilate new development with the existing community, these qualities should be respected.'

- Criterion (f) – Siting
'New buildings should be sited at a generous distance from existing boundaries, rather than seeking to maximise housing numbers on development sites, thereby compromising amenity and creating an urbanised environment. The minimum distance from the rear elevation of a new property to an existing one is generally accepted to be 21m in the case of modern estate layout or for extensions in existing residential settings (Residential Extensions SPD, Waverley Borough Council). For extensions to rural settlements such as Ewhurst there will be a higher expectation of privacy. 21m should therefore be considered inadequate and a minimum of 26m should be provided.'
- Criterion (g) – Buffers and Fencing
'Levels of private amenity should be enhanced through well thought-out landscape buffers through the use of native species appropriate to the local context. Suburban types of fencing are considered a crude and inappropriate means of protection and are no substitute for physical separation.'
- Criterion (h) – Plot Sizes
'Where new development abuts the side of an existing property, such as an infill site, care should be taken to provide separation which is in character with the locality and reflects the prevailing condition. The low density character of the village usually exhibits generous plot sizes with wide gaps between buildings affording countryside views or landscaped backdrops.'
- Criterion (i) – Sunlight and Daylight
'Proposed development should not cause problems by blocking daylight or sunlight to existing property, either to habitable rooms or to outdoor amenity space in close proximity to the existing home. Standard tests can be carried out at the design stage to highlight overshadowing, particularly in seasons when sun angles are low.'
- Criterion (k) – Siting of Car Parking
'Siting car parking adjacent to established boundaries should be avoided, where noise and light pollution can cause disturbance particularly in the early morning/late evening.'
- Criterion (m) – Visual Impacts
'The visual impact of new development should be thoroughly assessed through a visual impact assessment (in accordance with guidance published by the Landscape Institute) at the design stage to ensure that buildings sit comfortably within the rural environment, causing no harm unless adequately mitigated, and provide a seamless extension to the Village with the aim of becoming indiscernible from the established fabric albeit with the passing of reasonable time to allow materials to weather and landscaping to mature.'
- Criterion (q) – Footpaths
'All new housing developments must, when appropriate and practical, provide safe pedestrian access to link with existing or proposed footpaths, ensuring residents can walk safely to bus stops, schools and other Parish facilities.'

In conclusion, the application in its current form is confusing and ambiguous. The application should be withdrawn to allow for full and proper consultation.

The application proposals are in direct conflict with recent appeal decisions in the same road.

The proposals are potentially in conflict with the emerging Ewhurst and Ellens Green Neighbourhood Plan which is shortly to undergo site assessment and the sustainability appraisal of sites. A number of sites have been put forward as a result of 'call for sites' and the community would like to decide on the selection of sites for the Neighbourhood Plan as a comparison of all.

Waverley Borough now has a proven five year housing land supply and Ewhurst Parish has accepted formal responsibility, through its Neighbourhood Plan process, to allocate land as it sees fit to meet the housing numbers allocated to this settlement which has limited accessibility to local services.

127(2017) NEXT MEETING of the Parish Council, 19th June 2017