

Date: 12th December 2018

Report: Planning Adviser's Annual Report 2017/2018

Written by: Clive Smith

Purpose of Report

To report on the work of the Board's Planning Adviser during 2018.

Summary

This is a report of your Planning Adviser's ninth year of appointment. It sets out the national and emerging local planning policy context affecting the Surrey Hills AONB and the main risks to the future integrity of the AONB. It updates Board Members of the latest local plan positions of constituent Surrey Hills planning authorities. The Adviser's workload responding to local authority consultations on planning applications and local plans remains at the higher level of recent years. This is an opportunity for Members of the Board to comment on any issues arising.

Recommendation

Members are asked to note the report.

Background papers: None

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1. National Planning Policy.

1.1 The Government revised its National Planning Policy Framework (NPPF) this year driven mainly by the need to provide more homes for the nation. The fear had been that the document might encourage planning decision takers to give more weight to the need for more homes than protecting designated landscapes. That has not materialised as it contains no weakening of the Government's protection of the landscape and scenic beauty of AONBs and National Parks that should continue to be given great weight.

1.2 If anything NPPF paragraph 172 has strengthened the Government's planning policy towards AONBs by adding the word "enhancing" in the first sentence. It now reads "*Great weight should be given to conserving and enhancing landscape beauty in National Parks, the Broads and AONBs which have the highest status of protection in relation to these issues.*" Consequently, it can be argued that development proposals should not just conserve landscape and scenic beauty but enhance it which is a more stringent test. The same could be directed to any AONB development allocations in local plans where it is necessary for planning authorities to justify them by other relevant planning considerations outweighing national and AONB Management Plan policies.

1.3 A new sentence has been introduced reading as follows *The scale and extent of development within these designated areas should be limited*". This seems to conflict with the first sentence of NPPF paragraph 172 but indicates that where development has been justified for other overriding planning reasons, development should be limited in its scale and extent. Those words can be open to interpretation by planning decision makers, namely planning authorities and Planning Inspectors both in the case of local plans and planning appeals. In this regard there is still no Government definition of what constitutes "major development" within an AONB. Paragraph 172 states that "*major development should be refused other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.*" A footnote to this sentence then states the following:
"For the purposes of paragraph 172 and 173, whether a proposal is "major development" is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined."

1.4 This is a similar Government approach to major development in an AONB to that of recent years. By way of illustration of what is meant by "*nature, scale and context*" a development of say 20 dwellings on the edge of a small village or hamlet may be regarded as a major development but not where it would be on the edge of a town.

1.5 Your Planning Adviser's contact with other AONB and National Park Planning Advisers suggests that local authorities vary in the importance they give to protecting an AONB. Thankfully constituent Surrey Hills AONB planning authorities do recognise the importance of protecting the AONB. It is different from many other AONBs as virtually all of it is also within the Green Belt with the double protection that affords. Further, it appears the Surrey Hills AONB has a high profile in the opinion of many Surrey residents. However, the term AONB is convoluted and

difficult for many to remember correctly or comprehend and few realise Government attaches as much landscape protection to an AONB as a National Park which most people consider enjoy greater protection. It is hoped the Glover Review of National Parks and AONBs addresses this.

2. Local Plans.

2.1 As last year work on the complexity of the emerging local plans and in some cases, neighbourhood plans, can be time consuming but is important.

2.2 The Guildford Local Plan avoided any housing allocations within the AONB. In the Modifications to the Plan following the Inspector's report and requirements that remains the welcome position.

2.3 The Waverley Local Plan Part 1 has been formally adopted. High Court appeals to the Inspector's requirement for the Borough to increase its housing provision in the Plan by taking half of the Woking Local Plan's unmet housing need and also in relation to the new settlement at Dunsfold were recently dismissed. Consequently, the Plan still stands adopted.

2.4 The Borough Council published in the summer Waverley Local Plan Part 2 – Site Allocations and Development Management Policies Preferred Options Consultation. A submission was made on behalf of the Board expressing concern at 4 AONB sites at Milford, Godalming and 4 AONB sites at Haslemere being allocated for housing development. Also, concern was expressed that more AONB land had been identified than necessary in the Plan at Chiddingfold to meet the Part 1 allocation of 130 dwellings in the village. There was also an AGLV site at Red Court, Haslemere, adjacent to the AONB and affecting its setting allocated for housing where concern was expressed. Natural England has similar concerns to those expressed on behalf of the Board. Representatives from Natural England, Waverley Planning Department and myself jointly visited the sites concerned.

2.5 The Borough Council's response to these concerns has been very welcome. In a report to the Council's Overview and Scrutiny Committee on the Pre-Submission Local Plan Version, being the next stage of the Local Plan, all 4 AONB housing allocations at Haslemere were dropped. Further 2 of the 4 AONB sites in Milford were dropped and the extent of proposed housing land at Chiddingfold reduced. The larger AONB site for 100 dwellings at Milford still remains together with a smaller one but a site at Witley outside the AONB has now been included for housing to replace the dropped AONB sites. The view remains there is another site at Secretts Nurseries Milford beyond the AONB which seems more suitable for housing than the two AONB sites. Regrettably, the AGLV site at Red Court Haslemere still remained allocated for 50 dwellings. The Plan was deferred at the subsequent Council meeting for further consultations. The revised programme is for the Pre-Submission Plan to be agreed next summer following further consultation. Thus the AONB situation in the Waverley Local Plan looks much improved with the Borough Council's very welcome responses to the AONB issues that have been raised.

2.6 The hearing into the Reigate and Banstead Development Management Plan has been taking place during October and November. There are not thought to be any proposals adversely impacting upon the Surrey Hills AONB.

2.7 No major AONB issues have arisen in the Tandridge Local Plan so far. Responses to the Draft Plan are being assessed and the Submission Version of the Local Plan is expected to be published in January 2019.

2.8 The Draft Mole Valley Local Plan is expected to be published in June 2018 with adoption in early 2020. It is too early to tell whether the proposals will have any implications for the AONB.

2.9 Responses on behalf of the Board have been submitted to consultations on several emerging Neighbourhood Plans. In the case of the Elstead Neighbourhood Plan which is entirely within the AONB, a preference was expressed for two main sites in the Waverley Local Plan rather than another site in the neighbourhood Plan that was considered to have a greater adverse impact upon the AONB.

3. Surrey Hills AONB Boundary Review.

3.1 Natural England has postponed carrying out work on the Surrey Hills AONB as work is still progressing on the boundary review for Suffolk Heaths and Coast and more particularly pending the outcome of the Glover Review of National Parks and AONBs in England reported elsewhere on this agenda. No indication has been given of a possible commencement date.

4. Planning applications.

4.1 The Planning Adviser responded to 292 planning application consultations in the financial year 2017/18, similar to the preceding year. Since April the consultations have been running at a similar rate. With the exception of Guildford there is a little variation in the degree to which Councils consult on applications. Some consult on nearly all applications in the AONB while others only consult on the more significant proposals. The geographical extent of the AONB in Reigate and Banstead and Tandridge is also less than the other constituent authorities. Some authorities consult on applications in the AGLV as their local plans apply similar protection to the AONB until such time as the AONB Boundary Review has been carried out.

4.2 Site visits in all cases is not always possible. Where none has been made the advice refers to it being based upon a desktop exercise. A particular regret is there is not the considerable time to prepare for and attend Planning Inquiries and Hearings to support Council's AONB or AGLV reasons for refusals. Inspectors will still have before them to take into account the original reports submitted on behalf of the Board.

4.3 The Statutory Members Group agreed a charging schedule for pre-application consultations in 2017 just as the constituent planning authorities do. For part of the

last financial year the income was only £840. In the next financial year this income is likely to be higher but not substantially so.

4.4 Liaison with officers in Planning Departments continues to be good. In a few cases, revisions have been made to planning applications to improve mostly the design proposal in accordance with the AONB advice provided. Sometimes, the need for AONB views is only picked up by officers at a late stage in the determination of the application. These cases are few and the reasons for late consultation are understood. Where this occurs AONB advice is normally submitted quickly so as not to delay the Council's decision making. It is thought that consultation on just a few proposals having an impact upon the AONB are overlooked altogether., but the decision to consult rests with Planning Case officers.

4.5 Plans for the exploratory oil and gas drilling at Leith Hill have been abandoned because the Forestry Commission as landowners have not renewed the necessary licence to the operators.

4.6 As has previously been drawn to the Board's attention probably the greatest threat to the integrity of the Surrey Hills AONB is the cumulative effect over the years of many smaller developments such as large unsympathetically designed replacement dwellings, their further extension, the redevelopment of rural buildings for housing and large house extensions. The threat does not seem to be so much from larger developments on green field AONB sites as developers tend to avoid them because of the clear policy restrictions. That is not the case in some other AONBs in the country subject to substantial housing proposals. For instance, the neighbouring Kent Downs AONB currently has 3 planning applications for a total of 6,300 dwellings.

4.7 Last year's annual report referred to two proposals being permitted, one on appeal, for completely new houses, not replacements, in Waverley and sought to be justified because of their truly outstanding or innovative design. NPPF paragraph 55 provides for such developments in the countryside subject to satisfying three other criteria. They include being sensitive to the defining character of the local area and for the immediate setting to be significantly enhanced. The fear that these permissions might lead to further similar proposals has not so far materialised. One in Tandridge was refused..

4.8 As reported last year, with property values in the Surrey Hills being amongst the highest in the country outside Central London the economic incentive to gain planning permission to enlarge houses or convert or redevelop rural buildings to residential use, is substantial. The vigilant exercise of development management powers of Councils and Inspectors is therefore important for the short, and especially collectively over the longer term, integrity of the Surrey Hills. There is an increasing trend to redevelop rundown rural buildings to dwellings and sometimes to redevelop them for houses.

4.9 Farmland contributing to the character of the AONB is being reduced by equestrian developments. Whole farms are beginning to be lost to equestrian centres which command a higher value. A continuation of this trend of losing the attractive patchwork of farmland to horsiculture that can be untidy and result in some loss of landscape character, is worrying. The review of the Management Plan may need to

address this and seek to prevent such loss of farmland. As is also beginning to be seen, in time, just a few equestrian centres with their extensive development are being proposed for housing development. The economic incentive to convert or redevelop rural buildings in the Surrey Hills to provide desirable homes is substantial and is driving progressive changes to the appearance and character of this landscape.

4.10 The following table sets out the number of application responses by each Authority.

Table of planning application numbers by Authority in 2017/2018 with also those for 2016/2017 and 2015/2016.

Authority	Number of planning application consultations in 2017/2018	2015/2016	2014/2015
Guildford	135	73	70
Mole Valley	38	46	29
Reigate and Banstead	27	35	25
Tandridge	29	55	36
Waverley	43	48	45
Surrey	13	18	6
Pre-application consultations	7	7	4
Total	292	293	215