
Land at Dunsfold Park, Cranleigh

Statement of Case

on behalf of POWCampaign Ltd

and

the Joint Parish Councils of Alfold, Bramley, Busbridge, Chiddingfold, Dunsfold,
Hambleton, Hascombe, Loxwood, Plaistow & Ifold, Shalford and Wonersh

Planning Inspectorate reference: APP/R3650/V/17/3171287

May 2017

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Rule 6(6) Statement of Case

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POWCampaign Ltd

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Hambledon, Hascombe, Loxwood, Plaistow & Ifold, Shalford and Wonersh**

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1.0 INTRODUCTION

- 1.1 The Statement of Case has been prepared by Barton Willmore LLP on behalf of POW Campaign Ltd (Protect our Waverley Campaign or POW) and the Joint Parish Councils of Alfold, Bramley, Busbridge, Chiddingfold, Dunsfold, Hambledon, Hascombe, Loxwood, Plaistow & Ifold, Shalford and Wonersh (Joint Parishes) in relation to an application called-in by the Secretary of State following Waverley Borough Council's (the Council) resolution to grant outline planning permission residential led development on land at Dunsfold Park ('the Site') (LPA ref: WA/2015/2395).
- 1.2 POW is a non-political organisation which aims to represent a significant number of concerned Waverley residents whose interest is in sustainable, balanced and appropriate development. POW are seeking development to be led by a robust Local Plan and sustainable developments that meet local need as encouraged under the National Planning Policy Framework (NPPF).
- 1.3 The Joint Parish Councils (Joint Parishes) includes parish councils across the Boroughs of Waverley, Guildford and Chichester. These parish councils (comprising Alfold, Bramley, Busbridge, Chiddingfold, Dunsfold, Hambledon, Hascombe, Loxwood, Plaistow & Ifold, Shalford and Wonersh), together represent over 20,000 people. POW have combined with the Joint Parishes to oppose this application.
- 1.4 POW and the Joint Parishes made numerous representations on the planning application. This statement has been prepared in accordance with Rule 6 of the Town and Country Planning (Inquiries Procedure) (England) Rules 2000 and the Planning Inspectorate's Procedural Guide of August 2016.
- 1.5 This statement includes the following information:
- Planning history
 - Policy context
 - Key issues for POW/Joint Parishes

2.0 PLANNING HISTORY

- 2.1 Reference will be made to the planning history of the Site, including the application for (WA/2008/0788) submitted on 4 April 2008. This application was refused by Waverley Borough Council on 24 September 2008 and was upheld by the Secretary of State decision on the subsequent appeal published on 15 July 2009 (APP/R3650/A/08/2089143).

3.0 PLANNING POLICY CONTEXT

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with development plan policies, unless material considerations indicate otherwise. In relation to the determination of this planning application, the Development Plan is considered to consist of the saved policies of the Waverley Borough Local Plan 2002 (adopted April 2002), the Surrey Waste Plan 2008 (adopted May 2008) and the Surrey Minerals Plan 2011 (adopted July 2011) for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 3.2 Reference will be made to the policies of the Development Plan that relate to the development proposed. Reference will also be made to other policy and draft policy, including the Council's Local Plan Part 1: Strategic Policies and Sites (submitted for examination on 21 December 2016), National Planning Policy Framework and Planning Practice Guidance.
- 3.3 We reserve the right to refer to other policies, plans and guidance where this is appropriate. In addition, we may make reference to any representations submitted by ourselves, appellant, Local Planning Authority or any other third party to Development Plan documents and Supplementary Planning Documents prepared by the Council.

4.0 THE KEY ISSUES FOR POW/JOINT PARISHES

- 4.1 The evidence presented on behalf of POW/Joint Parishes will demonstrate that the proposals do not accord with the Development Plan, that the proposals do not accord with the NPPF and that other material considerations do not weigh in favour of the proposal to the extent that the conflict with the Development Plan and NPPF should be overridden. Further, if the test in paragraph 14 of the NPPF is held to apply, the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits. Planning permission should therefore be refused.
- 4.2 The evidence will draw attention to the Site's inherently unsustainable location within the borough, remote from facilities, services, schools, employment opportunities and good road and public transport links. It will demonstrate the Site's location in relation to these will result in an unsustainable form of development, even taking into account the nature and details of the development proposed. Attention will be drawn to the views of Surrey County Council in their capacity as the Highway Authority on this matter.
- 4.3 It will note that the proposal would detract from the rural character of the area, including the adjacent Surrey Hills, an Area of Outstanding Natural Beauty; and of Areas of Great Landscape Value (AGLV). The unresolved objections of the Surrey Hills Area of Outstanding Natural Beauty officer and the views of the Campaign to Protect Rural England (CPRE) in relation to landscape impact will be drawn attention to. The heritage value of the Aerodrome will also be addressed, including reference to Historic England's position.
- 4.4 Evidence will be presented demonstrating that there are already traffic issues in relation to the Site and these will be significantly increased and that the trip assessment and highway capacity analysis submitted as part of Transport Assessment fails to accurately assess the impact of the development on the surrounding highway network both within and beyond Waverley Borough. Given the inherently unsustainable location of the Site, the evidence will explain that the proposal will result in a significant increase in vehicle movements, including HGVs, on the local highway network both within and beyond Waverley Borough. The evidence will demonstrate that the proposed highway works do not adequately mitigate the impact of the development proposals on the highway network and the deliverability of the works raise significant concern regarding the viability of the proposal. To this extent, the evidence will demonstrate that, when correctly assessed, the likely vehicle trips associated with the development will result in a severe residual impact on the highway network local to the Site, contrary to the NPPF. Further, that the new settlement will inevitably be a largely car-based community.

- 4.5 Because the proposal includes a significant increase in business space, especially warehousing, in addition to housing, the development would generate a significant increase in HGV traffic. Due to the rural location of the Site, many of the routes on the local network are unsuitable for use by HGVs due to the geometry and conditions of the routes. The evidence will demonstrate that the significant increase in HGV's, as a result of the development proposals, will result in vehicles utilising unsuitable routes to the detriment of highway safety and public amenity and resulting in a severe impact, contrary to the NPPF.
- 4.6 The evidence will refer to the numerous objections received in relation to the application including the unresolved objections of the Environment Agency in relation to foul drainage. Wider concerns about the adequacy of all infrastructure in the area will also be highlighted.
- 4.7 Evidence will be prepared highlighting concerns about the costs of delivering the scheme, including seeking to mitigate its inherently unsustainable location and the infrastructure required, which raise significant concerns about its overall viability and ability to contribute towards land supply in the short term.
- 4.8 The identification of the Site as part of a wider area proposed to be allocated in the emerging Waverley Borough Local Plan will be addressed, noting that there is considerable uncertainty about the scale of development required across the borough and a failure of the Council to consider reasonable alternatives to meeting the borough's development needs before seeking to approve the planning application.
- 4.9 The importance of a plan-led system will be emphasised, noting that the decision to pre-empt the Local Plan process when the Plan is at a key stage of its process, with matters of spatial strategy and housing need unresolved, is wholly inappropriate and premature.
- 4.10 The evidence will note the provision of affordable homes to meet the needs of Waverley but will demonstrate that these homes, together with open market homes, should be provided in sustainable locations, where the housing is required rather than in a remote rural location.
- 4.11 The evidence will reflect on the extent to which the report to the Joint Planning Committee correctly guided its Members through the matters to be taken into account, including the identification of the Development Plan, status of the NPPF/emerging Local Plan and the accuracy in reporting other material planning considerations.

- 4.12 The weight to be given to the 2009 Secretary of State decision to refuse the appeal for 2,601 dwellings will be discussed in the evidence, including justification as to why the decision remains a significant precedent in relation to the determination of this application.
- 4.13 Evidence will be prepared to question the Applicant's claim that over 80% of the Site is brownfield land. The majority of the Site is open grassland, cut for hay, with ancient and other woodland, and has in recent years received EU subsidies for agricultural land. Although the NPPF states that there should be encouragement towards the effective use of brownfield land (provided it is not of high environmental value), this needs to be understood within the wider context of national planning policy.

5.0 DOCUMENTS

5.1 The following documents are considered to be of relevance to the determination of the application:

Planning Application Documentation

- Relevant documents, plans, minutes/records of meetings, correspondence and representations between the applicant, council, planning inspectorate, statutory consultees, parish councils, individuals and other organisations relating to the application proposal, subsequent resolution to permit by the Council and call-in by the Secretary of State;

Waverley Borough Council Documentation

- Saved policies of the Waverley Borough Council Local Plan 2002 (adopted April 2002);
- The emerging Waverley Borough Council Local Plan Part 1: Strategic Policies and Sites (submitted for examination on 21 December 2016) including any previous or subsequent drafts, any evidence prepared in support of the emerging Local Plan, associated committee reports/minutes, representations received during consultations & subsequent evidence, statements and correspondence prepared in relation to the examination of the Plan by the Planning Inspector, Jonathan Bore, on behalf of the Secretary of State;
- Any report and related material prepared by officers of Waverley Borough Council to committees in relation to planning policy matters in general; and

Relevant Planning Policy Documentation (other than produced by the LPA)

- Surrey Waste Plan 2008 (adopted May 2008);
- Surrey Minerals Plan 2011 (adopted July 2011);
- The National Planning Policy Framework; and
- Other national guidance or policy relevant to this application.

Other Relevant Documentation

- Draft South East Plan Examination-in-Public Secretariat: Panel Report on the Regional Spatial Strategy for South East England

- Any material produced in respect of other applications determined by Waverley Borough Council or by the Secretary of State insofar as they are relevant to the determination of this application including:
 - Copies of the previous Secretary of State decision referred to within this statement (Reference: APP/R3650/A/08/2089143) and relevant evidence;
 - Any other relevant applications submitted to Waverley Borough Council, other relevant appeal decisions or case law pertinent to this application;
- Correspondence and papers relating to the Council's consideration of designating Dunsfold Aerodrome as a conservation area;
- Correspondence and determinations by Historic England on the listing status of those structures on Dunsfold Aerodrome for which listing has been requested; and
- Any other material which becomes relevant before or during the Secretary of State's determination.

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