

Cranleigh Neighbourhood Development Plan 2021-2032

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

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Executive Summary

- 1 I was appointed by Waverley Borough Council in October 2023 to carry out the independent examination of the Cranleigh Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 25 October 2023.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its character and appearance. It proposes three housing allocations and a package of local green spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Cranleigh Neighbourhood Development Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
18 December 2023

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Cranleigh Neighbourhood Development Plan 2021-2032 (the 'Plan').
- 1.2 The Plan has been submitted to Waverley Borough Council (WBC) by Cranleigh Parish Council (CPC) 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) 2012 and its updates in 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether 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 because 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. It has a clear focus on maintaining the character and appearance of the neighbourhood area, allocating three housing sites and designating a package of local green spaces.
- 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 CPC, to conduct the examination of the Plan and to prepare this report. I am independent of both WBC and CPC. 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. I have 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of examining neighbourhood plans. 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 as submitted proceeds 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 I have considered the following documents during the examination:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the HRA Determination Statement;
- the Sustainability Report;
- the various appendices of the Plan;
- the representations made to the Plan;
- CPC's responses to the clarification note;
- the adopted Local Plan Part 1 Strategic Policies and Sites (LPP1) (February 2018);
- the adopted Local Plan Part 2 Site Allocations and Development Management Policies (LPP2) (March 2023);
- the National Planning Policy Framework (September 2023);
- Planning Practice Guidance; and
- the First Homes Ministerial Statement (May 2021).

3.2 I visited the neighbourhood area on 25 October 2023. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.15 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. 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.

3.4 The NPPF was updated in September 2023 after the Plan was submitted. For clarity I have assessed the submitted Plan against the most recent version of this important element of national policy.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control 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) (Amendment) Regulations 2012, CPC prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (August to October 2021) and the subsequent focused consultation on revised site allocations (February to March 2023). It captures the key issues in a proportionate way and is then underpinned by more detailed appendices. It is an excellent example of a Consultation Statement.
- 4.3 Section 1 of the Statement sets out details of the comprehensive range of consultation events and activities that were carried out in relation to the initial stages of the Plan. Feedback from the events is set out in Section 2.
- 4.4 The Statement also provides details of the way in which CPC engaged with statutory bodies. I am satisfied that the process has been proportionate and robust.
- 4.5 Appendices C (on the 2021 consultation exercise) and D (on the 2023 consultation exercise) of the Statement provide details about the comments received during the consultation process from statutory bodies and the wider community at these pre-submission versions of the Plan. They identify the principal changes that worked their way through into the submission version of the Plan. This process helps to describe its evolution.
- 4.6 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I am satisfied that CPC sought to engage with residents, statutory bodies and the development industry as the Plan has been prepared.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by WBC and ended on 15 September 2023. This exercise generated comments from the following organisations:
- Gleeson Land Limited
 - Natural England
 - Royalton Group

- Bewley Homes
- Cranleigh and South East Agricultural Society
- Land and Partners
- Waverley Borough Council

4.9 A representation was also received from a parishioner.

4.10 I have taken account of the various representations as part of the examination of the Plan. Where it is appropriate to do so, I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Cranleigh. Its population in 2011 was 11492 persons living in 5011 houses. It was designated as a neighbourhood area on 16 July 2013. It is situated in the rural eastern corner of Waverley borough. Cranleigh is located 10km east of Godalming, 15km south-east of Guildford, and 18km north-west of Horsham. The village centre was designated as a Conservation Area in 1973 and was extended in both 1985 and 2016.
- 5.2 The parish has an attractive location. Land to the north of the village is in the Green Belt encompassing the small rural settlement of Rowly. The Surrey Hills National Landscape also lies to the north and west of the village, and is further designated as an Area of Great Landscape Value.
- 5.3 Cranleigh is a service centre for the surrounding smaller villages and settlements including Rowly, Ewhurst, Alfold, Shamley Green and Dunsfold. The High Street hosts a mixture of supermarkets and national retail names and a wide range of independent and locally owned retailers, cafes, and restaurants.

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.
- 5.5 Policy SP2: Spatial Strategy of the Plan seeks to avoid major development on land of the highest amenity and landscape value, such as the Surrey Hills Area of Outstanding Natural Beauty and to safeguard the Green Belt. It also focuses development at the four main settlements of Farnham, Godalming, Haslemere and Cranleigh. Policy ALH1 continues this approach and identifies the need for new housing development across the Borough. It identifies the need for 1700 new homes in Cranleigh.
- 5.6 The following other policies in the Plan are particularly relevant to the submitted Plan:
- Policy ST1 supports the delivery of active and sustainable transport measures as part of new development;
 - Policy ICS1 seeks to deliver new infrastructure to support new development. It also resists the loss of key services and facilities;
 - Policies AHN1 – AHN4 establish the requirements for affordable housing and mix of housing types and sizes to meet housing needs;
 - Policies EE1 and EE2 seek to protect existing employment sites and support the provision of new employment related development;
 - Policy LRC1 seeks to retain existing open space, leisure, and recreation facilities, and require new provision in line with established standards;

- Policies RE1 – RE3 seek to protect the quality and character of the landscape and areas of countryside outside defined settlement boundaries;
- Policy TD1 promotes high quality design that responds to local character, linked to which Policy HA1 seeks to protect the significance of heritage assets in the Borough;
- Policies NE1 – NE3 seek to conserve and enhance biodiversity, watercourses, and designated areas of significance; and
- Policies CC1 – CC4 support sustainable design and construction and help respond to the climate emergency, including the approach to development, flood risk and renewable energy.

5.7 The Local Plan Part 2 (Site Allocations and Development Management Policies) was adopted in March 2023. It contains detailed policies for development management purposes and allocates additional sites for housing in parts of the Borough. It also reviews the boundaries of the town centres and local landscape designations, and allocates sites for Gypsy and traveller accommodation. It also provides guidance on the Area of Strategic Visual Importance.

5.8 The submitted Plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the Borough. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Unaccompanied Visit

5.9 I visited the neighbourhood area on 25 October 2023. I approached from Milford to the north and west along the Guildford Road (B2128). This allowed me to understand its setting in the wider landscape and its restricted access to the strategic highways network. I saw the significance of the Green Belt to the north of Cranleigh and the way in which it washed over the settlement of Rowly

5.10 I looked initially at The Common. I saw that it provided an attractive and interesting setting to the village.

5.11 I then looked at the village centre. I saw the range of shops and its vibrancy. I saw several instances where modern businesses had been successfully incorporated into historic buildings.

5.12 I walked along High Street to the east up to Cranleigh Arts and the interesting mileposts at the roundabout. I enjoyed coffee and cake in the Arts Centre. I also looked at St Nicholas' Church and its attractive lychgate.

5.13 I then looked at the two proposed housing sites in the village centre and then walked down to the third proposed site off Knowle Lane

5.14 I then drove to the Agricultural Showground to look at the area proposed as a Local Green Space.

- 5.15 I then drove to Horsham Road/Northdowns and Knowle Lane to look at the proposed extensions to the Area of Strategic Visual Importance.
- 5.16 I left the neighbourhood area along Knowle Lane and drove to the south to Bucks Green. This provided me with another indication of the way in which the village related to the surrounding landscape.

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 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 September 2023.

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 particularly relevant to the Cranleigh Neighbourhood Plan:

- a plan led system – in this case the relationship between the neighbourhood plan and the adopted Waverley Local Plan Parts 1 and 2;
- 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 relevant 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 subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area with a focus on safeguarding its landscape setting, allocating sites for residential use, and designating 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 matter is reinforced in Planning Practice Guidance. 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. Many of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan has regard to national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the way in which the submitted Plan contributes towards sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for residential development (Policies 1A-1C) and for employment development (Policies 4 and 5). In the social dimension, it includes a policy on local green spaces (Policy 12). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on design and character (Policies 2 and 3), the natural landscape (Policy 6) and energy efficiency (Policy 10). CPC 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.
- 6.13 I 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. Subject to the recommended modification in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Planning (General) (Amendment) 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 explaining why an environmental report is not required.
- 6.15 In order to comply with this requirement WBC undertook a screening exercise (2016) 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 was concluded that SEA was required.
- 6.16 A Sustainability Report (SR) was submitted in March 2023. It takes a very comprehensive approach and assesses the policies in the Plan against a series of sustainability criteria. It also includes an assessment of reasonable alternatives for the delivery of housing in the parish. The site assessment proforma is shown in Appendix E of the Report. I address this matter in greater detail in Section 7 of this report.
- 6.17 Paragraphs 7.1 and 7.2 of the SR set out the following conclusions:

‘The assessment in Section 5 demonstrates that the policies in the Plan make a positive contribution towards the achievement of sustainable development. They are expected to have a number of positive effects but none of these are expected to be significant. Section 6 reinforces the importance and need to apply the monitoring indicators (identified in Table 5.1) to the assessment of the Plan once it is made. There are a small number of potential negative effects in individual criterion in a limited number of policies. However, none of these negative effects are significant and all are considered capable of being mitigated in full.’

Habitat Regulations Assessment

- 6.18 The screening statement also included a separate section on the need for a Habitats Regulations Assessment (HRA) of the Plan. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives (either alone or in combination) and taking account of the precautionary principle. On this basis it concludes that Appropriate Assessment is not required.
- 6.19 The HRA report is both thorough and comprehensive. It comments about the likely effects of the Plan on the following protected sites:
- Thursley, Hankley and Frensham Commons SPA;
 - Thursley, Ash, Pirbright and Chobham SAC;
 - Thursley and Ockley Bogs Ramsar;
 - The Mens SAC; and
 - Ebernoe Common SAC.

In the round, the HRA provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.20 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 the basic conditions.

Human Rights

- 6.21 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. Based on 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

- 6.22 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. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 The modifications 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 modifications 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 neighbourhood area. The wider community and CPC 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 (ID:41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of Projects and Investment Priorities.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. I address the Projects after the policies.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing modifications to the text of the Plan are set out in italic print.

The initial section of the Plan

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in an effective fashion. It makes good use of well-selected maps. A very clear distinction is made between the policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction addresses the background to neighbourhood planning. It comments about how the Plan has been prepared and how it will be used. It defines the Plan period (in paragraph 1.1) and the neighbourhood area (in paragraph 1.5).
- 7.10 The Plan also comments about the way in which the community was engaged as the Plan was developed. It overlaps with the submitted Consultation Statement.
- 7.11 The Cranleigh Today section provides a very interesting and comprehensive description of the parish.
- 7.12 The Vision Statement section comments about the Vision and the Objectives for the Plan. They are commendably distinctive to the neighbourhood area. The Vision is as follows:

'In 2032, Cranleigh will have maintained its village character, whilst adapting to the needs of a diverse and growing community with well-designed, sympathetic development and protected green spaces.'

- 7.13 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 of this report.

General Format of the Policies and the Recommended Modifications

- 7.14 A key element of the policy is the way in which they are underpinned by the supporting text. In each case the policy is underpinned by information about the way in which the issue was identified during the Plan preparation process and the way in which the policy was developed and its relationship to the evidence base. Each policy also sets out the relevant section in the NPPF and policies in LPP1/LPP2. This approach is best practice. It provides assurance to all concerned that the Plan has been properly prepared and has used appropriate evidence.
- 7.15 The recommended modifications are presented in one of two ways. The first describes the recommended modifications in relation to the submitted policy. The second recommends a replacement policy when this approach would be the easiest for WBC and CPC to understand. In both cases the outcome is a modified policy which will meet the basic conditions whilst retaining the general approach of the policy concerned as included in the submitted Plan.

General Comments on new housing development

- 7.16 The Plan helpfully sets the scene about the way in which it has addressed the delivery of new housing in the parish. Paragraph 4.6 comments about the strategic context as follows:

'Cranleigh is required to deliver a minimum of 1,700 new dwellings over the Local Plan period to 2032 (the same period as the Neighbourhood Plan). The majority of this was to be delivered through strategic site allocations in the Waverley Local Plan Part One – land at Horsham Road, Cranleigh (Policy SS4) was allocated for around 250 homes and land south of Elmbridge Road and the High Street, Cranleigh (Policy SS5) was allocated for around 765 homes. As at 1st September 2022, 1,671 new dwellings had either been completed since the start of the Local Plan period (1st April 2013) or were classified as outstanding permissions. With an allowance of 36 dwellings for small windfalls, this totals 1,707 dwellings, slightly in excess of the minimum requirement over the plan period.'

- 7.17 Paragraph 4.7 continues the approach by describing the way in which the three proposed allocations relate to the strategic context in the Borough. It advises that:

'As part of the Neighbourhood Plan process an assessment was undertaken of all promoted/known development sites larger than 0.1 hectares. As a result of this process, three sites collectively totalling a minimum of approximately 78 dwellings were considered suitable, available, and achievable for housing development within the plan period. Consequently, these sites have been allocated for housing development in the Neighbourhood Plan. (They will help to) address the objectives of the Neighbourhood

Plan and provide a buffer to ensure that the Local Plan minimum requirement for Cranleigh can be delivered in full.'

- 7.18 Various representations from the development industry comment about the dated nature of Local Plan Part 1, the delivery of the strategic housing requirement for the neighbourhood area in Local Plan Part 2, and the potential need for an early review of any made neighbourhood plan.
- 7.19 In its comprehensive response to these matters in the clarification note CPC advised that:

'The Parish Council acknowledges that the Local Plan Part 1 is now more than 5 years old. Whilst it is acknowledged that there is legal requirement to review local plans at least every five years, this does not automatically render the Local Plan Part 1 out of date, nor does it place any additional requirements on the Neighbourhood Plan to try to second-guess future strategic policy. Paragraph 33 of the NPPF states:

"Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future." (our emphasis)

The Parish Council cannot know whether these matters will require attention by Waverley Borough Council as part of its Local Plan review. Most of those making representations to the Regulation 16 Neighbourhood Plan on this matter considered that, because the 5-year period for reviewing a local plan had passed, the Neighbourhood Plan must allocate an undefined number of additional houses. It is simply not appropriate or, more importantly, necessary to for it to do so in order to meet the Basic Conditions. In this respect, the Parish Council has worked closely with planning officers from Waverley Borough Council to ensure that the position on housing allocations is robust. However, in the absence of evidence coming forward as part of any Local Plan review that Waverley Borough Council chooses to undertake, it would not be appropriate for the Neighbourhood Plan to allocate further sites.

It is important to be clear that there is no 'revised strategic housing requirement for the neighbourhood area in Local Plan Part 2'. Whilst the inspector for the Local Plan Part 2 examination requested up-to-date housing figures for Cranleigh, this was not for the purpose of changing the strategic housing requirement. Paragraph 31 of the Inspector's report² on the Local Plan Part 2 states:

"In this context, the Council's position that it is not necessary for LPP2 to identify a five-year supply is a soundly-based one, as it is only one component of the policies directed to this matter in relation to the Borough as a whole. I therefore find no inconsistency with the Framework (at paragraph 68) in these regards, insofar as the requirement for planning policies to identify a five-year supply is concerned, as this LPP2 does not contain all of the development plan policies relevant to the area. Neither is the expressed purpose of the LPP2, as set out either in the terse description given in the LDS, or in the fuller explanation set out in the Plan's introduction, to establish a five-year supply. Furthermore, due to the modular nature of the development plan relevant

to the Borough, neither is it necessary for the LPP2 to seek to meet the area's objectively addressed needs, or its affordable housing requirement in full. Nevertheless, meeting the requirements for the settlements named above is a legitimate focus for its policies..."

This is clear that the Inspector did not consider it necessary or appropriate to amend the housing requirement for Cranleigh (or any other location) from that in Local Plan Part 1, irrespective of the position with its 5-year housing supply.

The Inspector states rightly that meeting the requirements for its settlements is a legitimate focus for the Local Plan Part 2 policies. It should be noted that the representations by Neame Sutton (on behalf of Bewley Homes) consider that progress against the requirement for Cranleigh should be tied to the updated figures requested by the Local Plan Part 2 inspector in September 2022. This showed that as at April 2022, there was a shortfall against the 1,700-dwelling target. Yet this data has since been updated as of September 2022 by Waverley Borough Council's formal monitoring data. The figures presented as part of the Regulation 16 submission documents (entitled 'Housing numbers'3) show that, as at September 2022, the housing requirement has been met. It should be noted that since this time, there have been further completions.

The Parish Council recognises that the Neighbourhood Plan is likely to need early review. However, it is not clear why this would be necessary now that Local Plan Part 2 has been adopted (pending the outcome of the current judicial review). The relevant paragraph from the Local Plan Part 2 Inspector's report and the Parish Council's response above to the issues raised in Regulation 16 representations relating to housing delivery in Cranleigh are considered to explain why this is not considered appropriate. The expectation is that the Local Plan Part 1 review will be commenced in the near future and therefore there will be a new strategy and robust housing need figures for Cranleigh that may require an update of the Neighbourhood Plan. In this regard, the Parish Council would be open to taking forward a review of the Plan at this time (although this would be subject to agreement at a full Parish Council meeting at the appropriate time).'

- 7.20 I have considered all the information on this matter very carefully. I am satisfied that CPC has addressed the strategic delivery of new housing in the parish in a positive fashion. It has taken account of the delivery of the strategic sites in LPP1 and has sought to provide a buffer to secure the strategic delivery anticipated by LPP1 for the parish.
- 7.21 Since the Plan was submitted the judicial review of the adoption of the LPP2 has been considered and dismissed. Whilst the 5-year housing land position is an important matter for WBC to address, it is not directly a matter for CPC to address in the Plan. I comment on the potential for a review of any made Cranleigh Plan later in this report.
- 7.22 The SR comments about the reasonable alternatives which were considered for the delivery of new homes. In the round I am satisfied that this issue has been addressed in a positive and robust fashion. I have reached this conclusion for the following related reasons:

- the process has carefully followed the progress and adoption of LPP1 and LPP2;
- the extensive number of alternative housing sites which have been assessed;
- the on-going engagement with WBC throughout the process;
- CPC's decision to provide a degree of headroom to the strategic need for 1,700 new homes in the parish;
- the thoroughness of the site assessment process (Appendix E of the SR); and
- the way in which some of the proposed allocations in the Plan are already delivering new homes.

7.23 The next sections of this report comment on the three proposed housing allocations.

Policy CRAN1A: Land at the rear of the former Manns store

7.24 This is the first proposed allocated housing site. It relates to 0.3 hectares to the rear of the former Manns store on the High Street for approximately 38 dwellings.

7.25 I looked at the site carefully during the visit. I saw that development was taking place to provide specialist accommodation for older persons.

7.26 The policy takes a positive approach to the matter. I recommend detailed modifications to its various elements to bring the clarity required by the NPPF. However, the thrust of the policy remains unaffected.

7.27 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In Part A delete 'within Use Class C3'

Replace the remainder of the policy with:

'B. Development proposals which would maximise the number of properties to meet the needs of older people will be particularly supported.

C. Development proposals should preserve or enhance the character of the Conservation Area and the setting of listed buildings near the site.

D. The development should be designed and arranged to restrict views into the adjacent school playing field.'

Policy CRAN1B: Land at West Cranleigh Nurseries

7.28 This is the second proposed allocated housing site. It relates to 6.74 hectares on the site of the former West Cranleigh Nurseries for an additional 36 dwellings. It is a part of LPP1 strategic allocation SS5 – Land South of Elmbridge Road and the High Street, Cranleigh.

7.29 I looked at the site carefully during the visit. I saw the way in which it would relate to earlier development on this important strategic site.

- 7.30 The policy takes a positive approach to the matter. I recommend detailed modifications to its various elements to bring the clarity required by the NPPF based on the comments made by WBC. However, the thrust of the policy remains unaffected.
- 7.31 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In part A of the policy replace ‘as part of’ with ‘further to’

Policy CRAN1C: Land off Bloggs Way

- 7.32 This is the third proposed allocated housing site. It relates to 0.1 hectares on land off Bloggs Way for approximately 4 dwellings.
- 7.33 I looked at the site carefully during the visit. I saw its relationship with the surrounding buildings and land uses. Whilst its development presents a series of challenges, I am satisfied that they are not beyond the ability of the development industry to overcome.
- 7.34 The policy takes a positive approach to the matter. I recommend detailed modifications to Part B to bring the clarity required by the NPPF. However, the thrust of the policy remains unaffected.
- 7.35 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace Part B of the policy with: ‘The development should be designed and arranged to restrict views into the adjacent school playing field.’

Policy CRAN2: Design of Development

- 7.36 The Plan advises that this policy seeks to respond to the NPPF’s increased focus on design, including through the inclusion of design codes, to create better places in which to live and work and help to make development acceptable to communities.
- 7.37 The policy comments that development is expected to demonstrate a high quality of design which responds and integrates well with its surroundings, is accessible and inclusive to meet the changing needs of residents and plans for the impact of climate change. It also advises that development proposals will be expected to demonstrate how they have sought to address a series of detailed matters.
- 7.38 In general terms the policy takes a positive approach to this matter. In addition, it sets out a good local response to Section 12 of the NPPF. Within this context, I recommend a package of modifications to bring the clarity required by the NPPF and to allow the policy to be applied consistently through the development management process. The recommended modification to the opening element of the policy introduces a proportionate element. This acknowledges that not all the criteria will apply to all development proposals.
- 7.39 I recommend that criterion H (on gated developments) is repositioned into the supporting text. As submitted the suggested policy approach is very absolute and does not reasonably relate to the positive approach taken by the other criteria. Otherwise,

the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the policy with:

‘Development proposals should demonstrate a high quality of design which responds and integrates well with its surroundings, is accessible and inclusive.

As appropriate to their scale, nature and location, development proposals should demonstrate how they have addressed the following matters:’

Replace part B with: ‘Any relevant guidance in the Cranleigh Design Statement.’

In part C replace ‘The policies’ with ‘Any relevant policies’

Replace parts D and E of the policy with:

‘D. Development over two storeys or exceeding the prevailing roofline will be supported if it is demonstrated that it will not have an unacceptable impact on views, streetscape, or character of the local area. In general, taller buildings should be located towards the centre of development sites particularly when abutting open countryside.

E. Proposals for new homes should complement the character and location of the area and avoid using standard designs.’

Delete criterion H

At the end of paragraph 4.27 add: ‘Policy CRAN2 sets out a comprehensive approach to these issues. Its ambition is to secure the development of high quality, accessible proposals throughout the Plan period. In this context it is not anticipated that gated communities would comply with such ambitions.’

Policy CRAN3: Character of Development

- 7.40 This is a wide-ranging policy. It is underpinned by the Cranleigh Design Statement.
- 7.41 The policy comments that development is expected to preserve and enhance the character area in which it is located. It also advises that development proposals should take account of character and quality of the immediate local context and avoid designs which reinforce standard housing designs and layout that are replicated nationwide. Innovation in design is encouraged where this demonstrably enhances the quality of the built form in a character area.
- 7.42 The policy includes a series of detailed criteria with which development proposals should comply.
- 7.43 In general terms the policy takes a positive approach to this matter. Within this context, I recommend a package of modifications to bring the clarity required by the NPPF and to allow the policy to be applied consistently through the development management process. The recommended modification to the opening element of part B of the policy introduces a proportionate element. This acknowledges that not all the criteria will

apply to all development proposals. Nevertheless, the overall thrust of the policy remains unaffected. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace part A of the policy with:

‘Development proposals should preserve and, where practicable, enhance the character area in which it is located (as shown in Figure 16). Proposals should respond positively to the character and quality of the immediate local context and avoid standard housing designs and layouts. Innovation in design will be supported where it demonstrably enhances the quality of the built form in a character area.’

Replace the opening element of part B of the policy with: ‘As appropriate to their scale, nature and location, development proposals should demonstrate how they have addressed the following matters:’

Replace the opening element of part B d. with: ‘Preserve and, where practicable, enhance the setting and local views of the following (as shown in the Policies Map):’

Replace the opening sentence of part B e. with: ‘Development proposals which about the open countryside should incorporate measures to mitigate their visual impacts on the countryside.’

Policy CRAN4: Protecting employment and commercial activity

- 7.44 The Plan advises that residents are keen that Cranleigh retains a thriving local economy with local employment and businesses encouraged and supported, including rural enterprises. Generally, the High Street remains reasonably vibrant in what is an increasingly challenging retail environment, particularly with an increase, through permitted development rights, of change from commercial to residential, the effects of the pandemic impacting significantly on revenue and a dramatic increase in online shopping. However, more people have also been working from home and reported to be shopping locally and demand for flexible work spaces is increasing with the public sector also offering flexible working patterns.
- 7.45 Part A of the policy offers support for consolidation of existing employment uses. Part B advises that proposals involving the loss of any commercial, business or service units will not be supported unless it can be demonstrated that the continuing use of the property concerned for such uses is either unviable or would offer an equal or greater community benefit.
- 7.46 The policy recognises the commercial viability of the parish and is generally well-considered. Based on WBC’s comments and CPC’s response to the clarification note I recommend the deletion of part A of the policy. It does not add any local value to Local Plan policies on this matter and its wording is unclear.
- 7.47 I am satisfied that Part B of the policy meets the basic conditions. It recognises the strategic role of the village centre. In addition, it takes proper account of viability issues and the potential for other uses to offer greater benefits to the parish.

- 7.48 Finally, I recommend the correction of an error in the Planning policy section of the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Delete Part A of the policy.

In the list of Local Plan Policies delete 'Local Plan 2002 Retained Policy HE12'

Policy CRAN5: Rural Enterprise and use of agricultural buildings for business

- 7.49 This policy comments that outside the settlement boundary, changes of use of an agricultural building to employment-generating activity will be supported, providing it addresses a series of criteria. Part B seeks to safeguard the route of the Wey and Arun Canal.
- 7.50 The policy takes a positive approach to these matters. In general terms I am satisfied that it has regard to paragraph 6 of the NPPF. I recommend detailed modifications to the wording used in both parts of the policy to bring the clarity required by the NPPF. They do not alter the thrust of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In Part A c replace 'not cause harmful and/or negative impact with surrounding agriculture; with 'not have an unacceptable impact on agricultural uses in the immediate locality'

In Part B replace 'Development infringing on' with 'Development proposals in the immediate vicinity of' and 'detrimental' with 'unacceptable'

Policy CRAN6: Natural Landscape and Rural Character

- 7.51 The context to this policy is that Cranleigh is in the north-west corner of the Weald in a rural setting. It is surrounded by areas of Green Belt, the Surrey Hills Natural Landscape (previously known as the Surrey Hills AONB), and Areas of Great Landscape Value. The Plan advises that these landscapes have significant degrees of protection under the NPPF and are outlined in the Cranleigh Design Statement 2008. It also advises that this countryside is highly valued by residents who seek to protect it as much as possible.
- 7.52 The policy comments that development proposals should enhance the natural environment, retain landscape features, and enhance the rural character of Cranleigh. It also advises that development proposals should maintain and enhance existing on-site biodiversity assets, and provide for wildlife needs on site where possible, with major developments required to demonstrate a net gain in biodiversity. The policy also includes a series of criteria with which proposals should comply.
- 7.53 The policy takes a positive approach to this important matter in the neighbourhood area. I am satisfied that it has regard to Section 15 of the NPPF. I saw the importance of its setting in the landscape during the visit. Nevertheless, I recommend detailed modifications to the wording used in the various parts of the policy to bring the clarity required by the NPPF. They do not alter the thrust of the policy. They address the

wording issues in WBC's representation and CPC's response to the clarification note. I also recommend the inclusion of a proportionate element in Part A of the policy.

- 7.54 I recommend that part C of the Policy (on the Surrey Hills National Landscape) is modified based on a revised version of that suggested by CPC in its response to the clarification note. Finally, I recommend a modification to paragraph 6.20 so that its effect is consistent with the different elements of the policy (as modified)
- 7.55 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of part A with:

'As appropriate to their scale, nature and location, development proposals should preserve and, where practicable, enhance the natural environment, landscape features and the rural character of Cranleigh. Development proposals should also maintain and, where practicable, enhance existing on-site biodiversity assets, and provide for wildlife needs on site. In addition, major developments should demonstrate a net gain in biodiversity. Where appropriate development proposals should:

Replace the opening element of part B with: 'Development proposals should also respond positively to the following principles:'

Replace part C of the policy with:

'Development proposals which would affect the setting of the Surrey Hills National Landscape should submit evidence demonstrating their impact on the landscape. Where necessary a Landscape Visual Impact Assessment should be incorporated to help to demonstrate the scale and nature of the impact.'

In D replace 'must' with 'should' and insert 'unacceptable' between 'no' and 'disturbance'

In paragraph 6.20 insert 'unacceptable' after 'not cause'

Policy CRAN7: Air Quality

- 7.56 The context to this policy is that the Plan aims to protect the biodiversity, rural landscape, and character of Cranleigh. The Plan comments that this includes maintaining, and where possible, improving air quality. It also advises that whilst Cranleigh at present does not have an Air Quality Management Area it is important that air quality does not decrease with significant new development in the area and the surrounding villages.
- 7.57 The policy comments that major development proposals will be expected to assess the impact of the development on air quality via an Air Quality Assessment and propose appropriate mitigation measures having regard to existing local policies, strategies, or Air Quality Action Plans, where the development has the potential to impact on air quality, where there is the possibility that an air quality objective may be exceeded, either on its own or having regard to cumulative planned developments.

- 7.58 The ambition of the policy is clear. However, given that there is no Air Quality Management Area in the parish and that no other strategies are referenced in the supporting text, the way in which the policy would be administered is unclear. In all the circumstances I recommend that the policy is modified so that it takes on a more positive format (developments should be designed to safeguard existing air quality) rather than the submitted negative approach (the need for detailed assessment to show that current levels are not exceeded). I also recommend a consequential modification to the supporting text. It incorporates the helpful comments made by CPC in its response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Major development proposals should be designed to safeguard existing air quality. As appropriate to their scale, nature, and location, major development proposals should assess the impact of the development on air quality via an Air Quality Assessment and propose appropriate mitigation measures.’

At the end of paragraph 6.30 add: ‘Policy CRAN7 comments on this issue. Where necessary, developers should address any relevant opportunities identified in the Waverley Borough Council Clean Air Strategy 2023 and its Air Quality Action Plan 2023.’

Policy CRAN8: Water Quality

- 7.59 The context to the policy is that the neighbourhood area is in a designated Nitrate Vulnerable Zone (at risk from agricultural nitrate pollution) and a Drinking Water Safeguard Zone for Surface Water. Cranleigh has several rivers, the largest of which is Cranleigh Waters which runs to the west of Cranleigh flowing towards Guildford where it meets the River Wey. It is part of the Wey Catchment, which is part of the Thames River Basin Management Plan and in an area of classified serious water stress.
- 7.60 The policy comments that development should not cause a deterioration to water quality and water quality elements as outlined in the Water Framework Directive or updated legislation and should seek to improve water quality where possible. It also advises that development should not cause unacceptable risks to water quality arising from the storage and use of hazardous substances.
- 7.61 As with Policy CRAN7, the ambition of the submitted policy is clear. However, its first part is already addressed by the Water Framework Directive and the second part by legislation applying to the storage of hazardous substances (by HSE and/or the Environment Agency). In these circumstances I recommend that the policy is recast based on CPC’s helpful response to the clarification note. I also recommend a consequential modification to the supporting text. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Development proposals should seek to improve water quality wherever practicable.

Developments that propose to store and/or use hazardous substances should clearly demonstrate how their design will ensure that no unacceptable risks to water quality will arise.’

At the end of paragraph 6.40 add: ‘Policy CRAN8 addresses these matters. It sets out a local approach which seeks to complement the Water Framework Directive and legislation applying to the storage of hazardous substances (by HSE and/or the Environment Agency).’

Policy CRAN9: Soil Quality and Erosion

- 7.62 This policy comments that development should seek to retain best and most versatile agricultural land and should not increase the risk of soil erosion of existing agricultural land or pasture.
- 7.63 I am satisfied that the policy takes a positive approach to this matter. I recommend that the wording is modified to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘Development’ with ‘Development proposals’

Policy CRAN10: Energy Efficiency and Design

- 7.64 The Plan advises that the policy seeks to build on the policy framework provided by Policies CC1 to CC3 in LPP1 by specifically identifying design approaches which maximise the potential for development to address climate change and the adopted Climate Change and Sustainability Supplementary Planning Document 2022.
- 7.65 The policy advises that development proposals are encouraged to achieve the highest levels of sustainable design. It sets out a series of factors which proposals should address.
- 7.66 Part B comments that the retrofitting of heritage properties/assets is encouraged to reduce energy demand and to generate renewable energy where appropriate, providing it safeguards historic characteristics and development is done with engagement and permissions of relevant organisations. It also advises that efforts should be taken to avoid damage to the fabric, appearance, or setting of the building.
- 7.67 In the round I am satisfied that the policy takes a positive approach to this important matter and has regard to Section 14 of the NPPF. Its non-prescriptive style has been carefully considered. Within this context I recommend the following package of modifications to the wording used in both parts of the policy to bring the clarity required by the NPPF:

- ensuring that the initial elements of both parts of the policy have a clear policy direction;
- ensuring that the various criteria can be applied in a proportionate way;
- the deletion of criterion h as electric vehicle charging is now addressed nationally in the Building Regulations; and
- the removal of the unnecessary commentary in Part B of the policy about retrofitting works being undertaken in consultation with other organisations.

7.68 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the social and the environmental dimensions of sustainable development.

Replace the opening element of Part A with: ‘Development proposals should achieve the highest practicable levels of sustainable design. As appropriate to the scale, nature and location, proposals should address the following matters:’

Delete criterion h

Replace Part B with:

‘The retrofitting of heritage properties/assets to reduce energy demand and to generate renewable energy will be supported where the works safeguards the historic character of the property/asset concerned. In addition, the works concerned should be designed to avoid unacceptable damage to the fabric, appearance, or setting of the building.’

Policy CRAN11: Cranleigh Area of Strategic Visual Importance

7.69 The context to this policy is that CPC undertook a review of the boundaries of Cranleigh’s Area of Strategic Visual Importance (ASVI) (as detailed in Appendix 4.9) in July 2018. In addition, LPP2 recognises that a review of the ASVI boundaries is being undertaken by the Cranleigh Plan.

7.70 The Appendix and Figure 30 propose the extension of the ASVI in the following places:

- Snoxhall Fields and the area known as The Paddock
- Eastern Corner of Snoxhall Field
- Beryl Harvey Conservation Field including allotments
- Additional Fields to the west of the Downs Link path and the east of the Beryl Harvey Field

7.71 The policy comments that the extent of the Cranleigh Area of Strategic Visual Importance (ASVI) is shown on Figure 30 and on the Policies Map and that proposals within the ASVI will be required to address the requirements of Waverley Local Plan Part One Policy RE3 (Landscape Character).

7.72 Gleeson Homes objects to the proposed extension of the ASVI and suggests that insufficient evidence has been submitted. It brings to my attention detailed information which was submitted as a representation to an earlier version of the Plan.

7.73 In its response to the clarification note CPC advised that:

'The area of the ASVI is addressed in Local Plan Part 2. The Plan was found sound by the Inspector who stated in his report that it was a non-strategic plan (paragraph 14). Therefore, the issue of the boundary and the way that it is determined must also be a non-strategic matter which is therefore within the gift of a neighbourhood plan to address.

This question may concern the issue raised in the study commissioned by Gleeson Land Limited (by David Williams Landscape Consultancy, or DWLC). At paragraph 7, it cites wording by the Examiner of the previous version of the Neighbourhood Plan that was subsequently withdrawn, stating that there was no policy to support the amendment of the ASVI boundary. Notwithstanding that the Neighbourhood Plan was withdrawn... the Examiner's Report is no longer a matter of public record (and) the reason the Examiner came to this conclusion was that, at that time, the Local Plan Part 2 had yet to reach Regulation 19 consultation stage. Now there is a Local Plan Part 2 which has passed examination and, pending the outcome of the judicial review will be adopted. This provides the appropriate policy framework.'

7.74 As CPC advises in its response to this matter, the broader context is set by the supporting text of LPP2. Paragraphs 4.20, 4.21 and 4.23 of that Plan comment as follows:

'Areas of Strategic Visual Importance is a local designation that was developed as part of the Local Plan Brief of 1981 and the Local Plan 1984. The importance of the designation is to protect areas of land not protected by national landscape designations, but that still need protection because of the role they play in establishing the character of a locality and preventing coalescence between developed areas.

The issues that the designation addresses are:

- *Where land is vulnerable to development pressure*
- *Where protection is essential due to strategic visual importance*
- *Where there are strong environmental reasons*
- *For the preservation of the character of the locality*
- *In order to prevent coalescence*
- *Where parcels of land are relatively small and open on the urban fringe*

The ASVI in Cranleigh is being reviewed as part of the Cranleigh Neighbourhood Plan and so the boundary will remain unchanged until the Cranleigh Neighbourhood Plan has been made with a new ASVI boundary. Policy RE3 of Local Plan Part 1 will apply to the Cranleigh ASVI as set out in Map 35 below until the Cranleigh Neighbourhood Plan has been made, at which point Policy RE3 will apply to the ASVI as set out in the Cranleigh Neighbourhood Plan.'

7.75 I have considered all the information available to me very carefully. On the balance of the evidence, I am satisfied that the proposed extensions to the ASVI in the parish are both appropriate and evidence-based. In their slightly different ways, the two proposed extensions relate well to several of the purposes of the ASVI designation set out in

paragraph 4.21 of LPP2. In addition, I am satisfied that CPC has prepared the Review in a proportionate fashion and which properly addresses the key issues concerned.

- 7.76 In reaching this conclusion, I have taken account of the representation from Gleeson Homes about the way in which the submitted Plan has responded to earlier issues raised by the examiner who considered an earlier version of the Plan. Plainly circumstances have moved on considerably since that time, and the LPP2 has been adopted. Whilst it would have been helpful if CPC had updated its Review of the ASVI, I looked as best I could carefully at the parcels of land concerned. Having done so I am satisfied that the circumstances of the parcels of land concerned have remained unchanged from the information and conclusions reached in the July 2018 Review.
- 7.77 Gleeson Homes contend that there is insufficient evidence to conclude that the proposed extension to the ASVI would be consistent with the promotion of sustainable development in the parish. Plainly sustainable development has several aspects and a balance needs to be struck. However, in the context of my judgement about the delivery of the strategic delivery of new homes earlier in this report, I am satisfied that the proposed extension to the ASVI is consistent with the delivery of sustainable development in Cranleigh.
- 7.78 The policy itself is straightforward. It applies the requirements of Waverley Local Plan Part One Policy RE3 (Landscape Character) to the revised area. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.
- 7.79 The relationship between Figure 29 and Figure 30 is unclear. I recommend that the details shown on Figure 30 are also be shown on Figure 29

Shown the details on Figure 30 on Figure 29

Policy CRAN12: Local Green Spaces

- 7.80 This policy proposes the designation of a package of local green spaces (LGSs). The approach taken is underpinned by the information in Appendix 4.3 and summarised in paragraph 6.60. The various LGSs are shown on Figure 31.
- 7.81 The package of proposed LGSs is extensive. They range from modest green spaces in residential areas to formal recreation areas and more extensive areas such as Cranleigh Common.
- 7.82 Representations were made by the Cranleigh and South East Agricultural Society about the Agricultural Showground (LGS A) and the Royaltown Group about The Common (LGS O). I looked at these two proposed LGSs during the visit. I address them against the tests in the NPPF in the following sections of this report.

LGS A Cranleigh Agricultural Showground

- 7.83 In its representation, the Society makes its own comprehensive assessment of the proposed LGS against the criteria in paragraph 102 of the NPPF. It concludes that the proposed designation fails to meet each of the three criteria.

7.84 In its response to the clarification note on LGS A CPC commented that:

‘For everything other than the Cranleigh Show, the area is used almost exclusively by local residents, Moreover, its use by local people has increased since Covid. One of the main reasons is that a lot of the countryside surrounding Cranleigh is not easily accessible for most people, due to its hilly, winding nature. Therefore, local residents have to travel a long way for more accessible informal leisure space, often well outside the village. The Showground is the only relatively flat space which is accessible for most people on the eastern side of the village. Also, there is no parking so most users walk to the area. Given how far it is for people from outside Cranleigh to travel to, the lack of parking is a deterrent and bicycles are not permitted. For these reasons it is considered that it is local in character,’

7.85 I have considered these conflicting views very carefully against the various tests in the NPPF. On the ‘reasonably close proximity’ test. I note that proposed LGS is on the north-eastern edge of the village. As such I am satisfied that this test is met.

7.86 On the ‘demonstrably special’ test Appendix 4.3 sets out a range of information on this matter. In summary it advises that:

- *the site is of particular importance with an area of Ancient Woodland and an Area of Great Landscape Value, it also is adjacent to the Surrey Hills AONB;*
- *the site is of particular recreational value and popular for walkers including those walking dogs on a daily basis and then for the major events running throughout the year;*
- *the site is a quiet and secluded area for daily walking as it is not interrupted by any roads and is flanked in the main by ancient woodland and with views of the Surrey Hills AONB beyond;*
- *Fishpond Copse section is classified as a site of Nature Conservation Interest (SNCI) for its ancient semi natural woodland; and*
- *it is extremely important to the community of Cranleigh the Cranleigh Show alone attracts some 10,000 visitors and provides a link with Cranleigh’s rural past and current rural businesses.*

7.87 On the balance of the evidence, I am satisfied that the proposed designation meets this test. I have given considerable weight to the second, third and fourth points listed above.

7.88 On the size of the proposed LGS test the Appendix advises that it is 31.43 hectares. CPC acknowledges that this may represent an extensive tract of land and alerts me to a LGS elsewhere of a similar scale.

7.89 It is common ground that government guidance on this matter does not set a specific figure for what would be local in character and leaves matters for a degree of judgement. In this case I have concluded that the site is an extensive tract of land and not local in character. In my judgement it is of a scale well beyond what may be regarded as local in character. This is reinforced by its location on the north eastern edge of the village and its proximity to the wooded areas to the north and east. In reaching this judgement I have taken account of the information which CPC included

in Appendix 4.3 about the East Horsley Plan. However, each LGS needs to be assessed on its individual merits and direct comparisons between LGSs cannot be readily made.

7.90 Based on these findings I recommend that LGS A is deleted from the policy.

LGSO The Commons

7.91 In its representation the Royalton Group raises two matters. The first is the overall size of the proposed LGS (at 13.4 ha). The second is that the proposed area is already protected in either due to its location in the conservation area or that most of the proposed designation is Common Land.

7.92 In its response to the clarification note on LGS O CPC commented that

‘For many of the same reasons that the Showground is local in character, the Common is considered local in character. The difference is in the way the space is used, with the Common less a space for walking and more for formal and informal leisure activities. The formal activities, such as the annual bonfire celebration are predominantly aimed at local people. The informal activities such as picnicking, etc, tend to mainly attract local people as it is a long way for non-residents to travel in order to undertake such activities. Whilst the common land designation affords certain protections, it does not address all matters satisfactorily. As the body that is the first port of call to protect the rights of the community, the Parish Council’s experience is that legislation relating to common land is very complex and hard to uphold. Specifically, there are increasing areas of the Common that are being infringed on, either by seeking to park on or drive over them. This has been permitted through easements granted over many years but attempts to add further spaces that are the subject of such easements has increase in recent years. There is a steady erosion of the Common as a space for the community, therefore it is considered that a local green space designation is justified.’

7.93 On the ‘reasonably close proximity’ test I note that proposed LGS is located at the very heart of the village. As such I am satisfied that this test is met.

7.94 On the ‘demonstrably special’ test Appendix 4.3 sets out a range of information on this matter. In summary it advises that:

- *the site provides the major area of greenspace close to the centre of the village;*
- *the site contains several historic features. The remains of an historic Windmill (Killick’s Mill) built C18 partially demolished 1917. A commemorative drinking fountain at the north end of the Cricket Ground erected by Cranleigh School in 1897 to commemorate Queen Victoria’s Diamond Jubilee. The Grade II listed War Memorial erected in c1920 at the eastern end of the Common. Home of Cranleigh Cricket Club founded in 1856;*
- *the site includes Cranleigh Cricket Club and Cricket Academy with pitches and a clubhouse bordered by a newly coppiced willow hedge. The Common is used for Cranleigh’s Carnival, bonfires, fireworks, and carnival stalls. It is used daily by walkers, including dog walking;*

- *The Common provides a tranquil green space in the centre of the village; and*
- *Great Crested Newts are present in the Stonewall Pond on the High Street area of the Common. A wildlife corridor with wood piles has been created around the pond with wild flowers. There are a further two ponds, one on the northern tip of the Common and the other on the northern edge of the Guildford Road.*

7.95 On the balance of the evidence, I am satisfied that the proposed designation meets this test. I have given considerable weight to each of the points set out in the appendix.

7.96 Appendix 4.3 does not directly assess the added value for the designation of the LGS beyond its inclusion in the Conservation Area and most of it being Common Land. Nevertheless, the overlaps are identified. I have addressed this matter in the round and taken account of CPC's response to the clarification note. On the balance of the information, I am satisfied that the designation of the LGS is both justified and appropriate. It is an iconic feature of the village. In addition, LGS designation will provide the level of designation which both CPC and local people consider to be appropriate. This sits at the heart of the localism agenda.

7.97 On the size of the proposed LGS the proposed LGS is 13.56 ha.

7.98 As with LGS A it is common ground that government guidance on this matter does not set a specific figure for what would be local in character and leaves matters for a degree of judgement. In this case I have concluded that whilst the proposed LGS is towards the higher end of what might reasonably be regarded as local in character, it displays such characteristics and is not an extensive tract of land. This is reinforced by its location at the heart of the village and that the overall area is effectively subdivided into a series of smaller areas separated either by main roads or by access roads leading from the main roads to groups of properties.

7.99 In addition, I am satisfied that the proposed designation would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that it is consistent with the local planning of sustainable development. The LGS does 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 LGS is capable of enduring beyond the end of the Plan period. Indeed, it is an established element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green space would not endure beyond the end of the Plan period.

7.100 In all the circumstances I am satisfied that LGS O meets the basic conditions.

The other proposed LGSs

7.101 I looked carefully at the proposed LGSs during the visit. Based on my own observations and the information in the Plan, I am satisfied that the various LGSs meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy.

7.102 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 101 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.

The policy itself

7.103 The policy simply lists the proposed LGSs. Whilst the effects of LGS designation is now well-established it is important for such a policy to set out the implications of such designations. As such I recommend that the policy includes the matter-of-fact approach as set out in paragraph 103 of the NPPF. I also recommend a modification to the supporting text to clarify the way in which any planning applications can be assessed on a case-by-case basis and how WBC 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. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

The table of LGS in paragraph 6.60

7.104 WBC comments that Roberts Way, St Nicholas Church and Rectory Green Space, Elmbridge Road Green Areas are labelled incorrectly in the table as Areas s, t, and u. I recommend accordingly.

Delete LGS A (Cranleigh Showground) from the list in the policy

After the list of LGSs add: ‘Development proposals affecting the designated local green spaces will only be supported in very special circumstances.’

Delete LGS A (Cranleigh Showground) from Figure 31

Delete LGS A (Cranleigh Showground) from the table in paragraph 6.60

Incorporate paragraph 6.59 into paragraph 6.58

Replace paragraph 6.59 with: ‘Policy CRAN12 designates a package of local green spaces and follows the matter-of-fact approach in the NPPF. If development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by Waverley Borough Council. The Borough Council 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’

Revise the labelling in the table in paragraph 6.60 so that it corresponds with the information in the list of LGSs in the policy.

Policy CRAN13: Residential Gardens and Amenity Space

- 7.105 The Plan comments that gardens are an important characteristic in most parts of Cranleigh and contribute towards its biodiversity, forming an extensive network of habitats and critical wildlife corridors. It also advises that their contribution to the diversity and richness of urban landscapes can often be overlooked, together with an unnoticed and gradual reduction in overall size through rapid infill development and loss of front gardens to parking. Finally, it comments that they are an important piece in the landscape jigsaw, attracting all important pollinators as well as providing food and shelter for local wildlife, with larger gardens providing important nesting sites for birds and habitats for amphibians and mammals including roosting sites for bats.
- 7.106 The policy sets out a series of principles which development proposals should meet. In the round I am satisfied that they are distinctive to the parish.
- 7.107 Gleeson Homes generally supports the policy but draws attention to the inconsistent way in which the practicability of the policy is addressed. I recommend that this issue is remedied by a modification to the opening element of the policy so that it can be applied both proportionately and where it is practicable to do so. I recommend consequential modifications to some of the detailed elements of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

‘Development proposals should respond positively to the importance of residential gardens to the character of Cranleigh and its local biodiversity. Where it is practicable to do so, and as appropriate to their scale, nature and location, development proposals should:’

In part A delete ‘where possible’

Policy CRAN14: Flood Risk and Drainage

- 7.108 The context to the policy is that Cranleigh is vulnerable to flooding from fluvial, groundwater and surface water flooding. Much of Cranleigh lies on heavy clay soil making it unsuitable for infiltration drainage systems.
- 7.109 The policy comments that development must ensure that the risk of flooding (in terms of severity, frequency, and area) is minimised. It also comments that development proposals must comply with a series of detailed points.
- 7.110 In general terms the policy takes a positive approach to this matter and has regard to Section 14 of the NPPF.
- 7.111 WBC and Gleeson Homes make detailed comments about the policy. I recommend modifications to address the matters raised. At the heart of the modifications is the inclusion of a proportionate element in the opening element of the policy. This will provide the flexibility for WBC to apply the policy on a case-by-case basis and in the light of the evidence provided with individual planning applications. Otherwise, the

policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

‘As appropriate to their scale, nature and location, development proposals should ensure that the risk of flooding (in terms of severity, frequency, and area) is minimised. In this context, development proposals should:

In A delete ‘as part of their planning application’

In C replace ‘where possible and necessary’ with ‘where practicable’

Policy CRAN15: Transport and Movement

7.112 This policy concentrates on transport and movement. Its comprehensive supporting text sets out the context to the challenges of the local highways network, the limited public transport opportunities, and the existing congestion in the High Street.

7.113 The policy comments that development that includes the provision of new dwellings and/or new commercial development (apart from rural enterprise and commercial activities that are appropriate in the countryside) should be well connected to the existing settlement of Cranleigh by sustainable modes of transport. It also advises that development should be designed around the concept of ‘walkable neighbourhoods’ which support and encourage walking.

7.114 The ambitions of the policy are clear. However, in certain places the policy itself fails to address the various matters in a way which WBC will be able to apply with clarity through the development management process. I recommend the following modifications to address these matters:

- the introduction of a proportionate element to Part B of the policy;
- the introduction of a practical element to Part C of the policy. As submitted it could have unintended consequences; and
- the deletion of Part D of the policy (on the need for a Transport Assessment). It is a process requirement that is already applied by WBC and Surrey County Council through the development management process.

7.115 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In Part B replace ‘Development proposals must’ with ‘As appropriate to their scale, nature and location, development proposals should’

Replace Part C with: ‘Wherever practicable, development proposals should include highway solutions that mitigate the impact of through traffic on the High Street.’

Delete Part D

Policy CRAN16: Residential Parking

- 7.116 The supporting text explains the context to the policy. It advises that parking is a major source of concern with a high percentage of survey respondents wanting a reduction in on-street parking. It comments that there should be sufficient car parking and cycle parking for both residents and visitors within development sites and that parking must be safe and well-integrated. It also advises that car parking should not dominate the street scene and it should feel secure for residents, as outlined in the Building for a Healthy Life standards, Secured by Design, and adopted Parking Guidelines.
- 7.117 Part A comments that new development must be supported by appropriate car and cycle parking provision that is consistent with the Waverley Borough Council Parking Guidelines (October 2013) or any successor document. Part B comments that all car parking spaces associated with new development should be designed to support electric vehicle charging, with provision made in accordance with Surrey County Council Vehicular and Cycle Parking Guidance (January 2018), or any successor document. Part C sets out detailed criteria with which development proposals should comply.
- 7.118 In the round the policy responds positively to these matters in a distinctive way. Nevertheless, I recommend the deletion of Part B (on electric vehicle charging) as the issue is already addressed in the Surrey County Council guidance and is now administered nationally through the Building Regulations. I also recommend specific modifications to Part C of the policy to bring the clarity required by the NPPF. Finally, I recommend an addition to the supporting text to explain the way in which electric vehicle charging facilities will be determined in the Plan period. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete Part B

In Part C replace 'are encouraged to' with 'should'

In Part C criterion c replace 'with' with 'within'

At the end of paragraph 7.22 add: 'Policy CRAN16 addresses these matters. Electric vehicle charging facilities are now addressed by the Building Regulations.'

Policy CRAN17: Water Supply and Wastewater Infrastructure

- 7.119 The context to the policy is that Cranleigh Sewage Treatment Works (STW) is located on the Elmbridge Road and discharges effluent under licence from the Environment Agency into Cranleigh Waters. It is bordered to the south by allotments and to the southeast by residential properties. The STW provides sewerage infrastructure for the residents of Cranleigh, in addition to parts of Alfold, Dunsfold and Ewhurst.
- 7.120 The policy comments that development must be designed to be water efficient and reduce water consumption. It also advises that refurbishments and other non-domestic development will be expected to meet BREEAM water-efficiency credits and that residential development must not exceed a maximum water use of 105 litres per head

per day (excluding the allowance of up to 5 litres for external water consumption). Finally, it advises that planning conditions will be applied to new residential development to ensure that the water efficiency standards are met. Part B of the policy comments about process requirements.

- 7.121 The policy takes a positive and distinctive approach to this matter. To bring the clarity required by the NPPF I recommend that the final sentence of the first part of the policy (on planning conditions) is relocated into the supporting text. It is a process matter which will be applied by WBC on a case-by-case basis.
- 7.122 I also recommend that Part B is repositioned into the supporting text as it is a process matter. This approach was agreed by CPC in its response to the clarification note. In doing so I recommend a refinement to the wording used as the ambitions of CPC may not always be practicable. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In Part A delete the final sentence

Delete Part B

Incorporate paragraph 7.32 into paragraph 7.31.

Replace 7.32 with: 'Policy CRAN17 addresses these various matters. Where necessary, the Borough Council will apply planning conditions to new residential development to ensure that the water efficiency standards are met. Developers are encouraged to contact the water/waste water company as early as possible to discuss their development proposals and intended delivery programme to assist with identifying any potential water and wastewater network reinforcement requirements. Where there is a capacity constraint the Borough Council will, where appropriate, apply phasing conditions to any approval to ensure that necessary infrastructure upgrades are related to the relevant phase of development.'

Community Infrastructure Projects

- 7.123 Section 8 of the Plan highlights a series of community infrastructure projects. They are non-land use issues which have naturally arisen during the plan-preparation stage. They are included in a separate part of the Plan as advised by national policy. I am satisfied that they are both appropriate and distinctive to the neighbourhood area.

Monitoring and Review

- 7.124 The Plan is in the fortunate place of being produced within the context of an up-to-date development plan. Nevertheless, it is silent on how its effectiveness would be monitored and the potential for a review of its contents. In its response to the clarification note CPC acknowledged that there may be a need for a review of the Plan.
- 7.125 In the same way in which there is no need for a qualifying body (here CPC) to prepare a neighbourhood plan there is no need for a qualifying body to review a made neighbourhood plan. However, in February 2023, WBC agreed that the Local Plan Cranleigh Neighbourhood Plan – Examiner's Report

requires updating and in July 2023 it resolved that this should be a comprehensive update covering both strategic and non-strategic policies. The Local Development Scheme sets out a timetable to produce the new Waverley Local Plan. In these circumstances I recommend that the Plan addresses this matter in the following way:

Add a new section to the Plan as follows:

'Monitoring and Review

Once made the Neighbourhood Plan will form part of the development plan for the area and will help to determine planning applications. The Parish Council will monitor the effectiveness of the policies in the Plan through the development management process. It will specifically monitor the delivery of the three housing allocations (Policies CRAN1A/1B/1C).

The Parish Council will also assess the need or otherwise for a full or a partial review of a made Plan throughout the Plan period. Such assessments will be made:

- *if it becomes clear that the delivery of new housing on the three allocated sites will not be achieved in a timely fashion; or*
- *if changes to national or local planning policy are so significant that they make the policies in the Plan ineffective or out of date; and*
- *at the end of the Plan period.'*

Other Matters - General

- 7.126 This report has recommended a series of modifications both to the policies and to the text in the submitted Plan. Where consequential changes to the text are required directly because 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 because of the recommended modifications to the policies. It will be appropriate for WBC and CPC 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.

Other Matters – Specific

- 7.127 On 22 November 2023 all Areas of Outstanding Natural Beauty in England and Wales were retitled as National Landscapes. References to the Surrey Hills AONB appear throughout the Plan. I recommend that they are modified accordingly. I have recommended a specific modification to the wording of Policy CRAN6 which directly addresses landscape matters.

Throughout the Plan replace Surrey Hills AONB with Surrey Hills National Landscape.

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 the independent examination of the Plan, I have concluded that the Cranleigh Neighbourhood Development Plan meets the basic conditions subject to a series of recommended modifications.

Conclusion

- 8.3 On the 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 the Cranleigh 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 designated neighbourhood area. In my view, that 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 Waverley Borough Council on 16 July 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. CPC's responses to the clarification note were both helpful and collaborative.

Andrew Ashcroft
Independent Examiner
18 December 2023