



The Planning Officer
Waverley Borough Council
Western Planning Committee
BY EMAIL

29 December 2022

Dear Sir

Land to rear of Harscrosse 48 Petworth Road (S52/2022/03170) - Objection

The application seeks to replace the Landscape and Ecological Management Plan (LEMP) on which that element of the s106 relating to this development is based, with a newer one. The Haslemere Society objects to this application for the reasons set out below.

- 1. Unacceptable reduction in the buffer zone.** The original LEMP gives a 15 metre wide buffer zone from the edge of the ancient woodland. This is in line with the *minimum* buffer zone suggested by Natural England and with generally accepted practice. The proposed new LEMP notes that the current fence has been incorrectly placed so that it gives a buffer of between 11m and 14m. That is a very significant difference – at its worst, nearly 1/3 of the proposed buffer has been removed.
- 2. Inadequate reasoning for the proposed solution.** The proposed new LEMP makes no attempt to claim that there are any special circumstances here that mean a smaller buffer zone is inherently appropriate, instead arguing that the reduced buffer zone should be allowed to stand on the basis that replacing or moving the existing fence would “be less impactful in the short to medium term”. The report does not state what the impact would be. We note, however, that ancient woodland is both irreplaceable and a long-term asset. It is undoubtedly better to accept a level of impact now through installing the correct boundary than to allow the far greater and longer-term damage that could result from an inadequate buffer zone. Furthermore, since less than half of the planting stipulated has actually been done to date, there will be a real opportunity to make good any impact on the thorny shrubs. We consider this rationale wholly inadequate.
- 3. Inadequate fencing and, again, inadequate justification.** The original LEMP proposed a series of protective measures within the buffer zone. The first fence, to be sited at 15m from the ancient woodland, was to be a lattice or slatted fence. Further in there was to be a chain-link fence and then some native thorny shrubs and finally a line of native broad-leaved trees and shrubs. There were to be no gates or other access through the fences, which were to be 1.8m high. What has actually been installed is a single line of chestnut pole fencing. This presents no barrier to entry for people or domestic pets and

does not in any way act as a deterrent to dumping of household or garden waste in the buffer zone. The new LEMP suggests that this will be sufficient to act as a deterrent when the planting plan is actually completed as originally stipulated. No attempt is made to explain why measures thought necessary for protection in 2018 are no longer required. Instead, the new LEMP argues that the existing fencing is “more in keeping with the local landscape” (possibly true but not relevant here) and that it will allow in more light. However, the original LEMP specifically states that the fencing proposed would allow sufficient light for the planting behind it.

4. **Conditions not covered by the new LEMP.** Aside from the changes clearly proposed in the new LEMP, there are a number of conditions in the original document that are not addressed at all in the new one and would simply fall by the wayside if this proposed new LEMP were substituted for the original one. These include, but are not limited to:
- The wildlife buffer zone is to lie outside the curtilage of the gardens and not within the ownership of the new residents. Has this been complied with? If it has, the existing fencing lies on someone else’s land.
 - Composting bins were to be constructed elsewhere in the gardens to deter the dumping of garden waste in or near the buffer zone.
 - Control of rhododendron.
 - Sensitive lighting for bats.

Ancient woodland is both irreplaceable and, despite being in private ownership, a community asset. If granted, this application would significantly weaken the protections provided to the ancient woodland abutting the site. No reasonable justification has been given for this and the application should therefore be refused.

The Society notes further that the original LEMP played a material role in the granting of the permission on appeal. Despite that, it has plainly not been complied with in a number of significant ways. One cannot help but ask whether permission would have been granted at all on the basis now proposed. To permit these breaches of the s106 requirements to stand now would send a clear message that planning conditions can be disregarded with impunity. That would be a very unfortunate precedent for Waverley to set. For this reason also, the Society strongly urges the Council to refuse this application.

Yours Sincerely

S. Dullaway (by email)
(on behalf of The Haslemere Society Planning Group)