The Planning Inspectorate

Appeal Decision

Inquiry Held on 11-14, 18-21, 24, 25, 31 January; 1, 2 February; 17, 18 March 2022

Site visits made on 8 January and 16 March 2022

by Christina Downes BSc DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10th May 2022

Appeal Ref: APP/Y3615/W/21/3273305
Land at Ash Manor, Ash Green Road, Ash, Guildford, GU12 6HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Bewley Homes Plc against Guildford Borough Council.
- The application Ref 20/P/01461, is dated 26 August 2020.
- The development proposed is the erection of 73 dwellings with associated vehicular and pedestrian access from Ash Green Road, parking and secure cycle storage, onsite open space, landscape and ecology management and servicing.

DECISION

1. For the reasons given below, the appeal is dismissed.

APPLICATION FOR COSTS

2. At the Inquiry an application for costs was made by Bewley Homes Plc against Guildford Borough Council. An application for costs was also made by Guildford Borough Council against Bewley Homes Plc. These applications are the subject of separate Decisions.

PROCEDURAL MATTERS

3. Following the submission of the appeal the number of dwellings was reduced to 69 in order to accommodate the Veteran oak tree within the site. This also resulted in alterations to the housing layout and mix. I am satisfied that this relatively minor change would not materially alter the nature of the scheme or prejudice any third party. The Council raised no objections and so I shall determine the appeal on the basis of these alterations. For the avoidance of doubt the layout plan is drawing number SL.02 Rev P2. Unfortunately during Storm Eunice the Veteran oak tree blew down. The Appellant did not propose to amend the scheme to take account of this but rather to retain the area as amenity space and plant a heavy standard replacement tree.

4. The Council indicated that it would have refused planning permission had it been in a position to do so. Its outstanding objections are two-fold. The first relates to harm to the significance of the heritage assets within the Ash Manor complex. The second concerns insufficient information to be satisfied that the proposed changes to the pond would not result in unacceptable harm to rural character and the landscape.

5. A further objection related to the lack of a Sustainability Statement in accordance with planning policy requirements. However, this document was subsequently provided and the Council did not pursue the matter at the inquiry. There were also putative reasons relating to planning obligations, but these were addressed by the close of the inquiry in the form of a Planning Obligation by Agreement (the Section 106 Agreement).

6. The Ash Green Residents' Association (AGRA) were granted Rule 6 status and took a full part in the inquiry. As well as their concerns about the heritage assets and the pond, they also raised a number of other issues, which are considered below.

REASONS

Planning policy and the approach to decision making

7. The development plan includes the saved policies in the *Guildford Borough Local Plan* (the Local Plan) adopted in 2003 and *the Guildford Borough Local Plan: Strategy and Sites* (2015-2034) (the LPSS) adopted in 2019. There is also the single saved policy NRM6 in the South East Plan relating to the Thames Basin Heaths Special Protection Area. There is no dispute that the development plan for the purposes of this appeal is up to date.

8. Policy S2 in the LPSS establishes a minimum requirement for 10,678 new homes during the plan period of 2015-2034. The Borough is heavily constrained by the Green Belt, Area of Outstanding Natural Beauty and nature conservation sites including the Thames Basin Heaths Special Protection Area. This explains the importance of the unconstrained areas for housing delivery, including the area around Ash and Tongham. Within this vicinity, the strategic allocation under policy A31 of the LPSS proposes approximately 1,750 homes. It comprises a number of disconnected land parcels and the appeal site is within the largest, northern, section of the allocation.

9. The *Strategic Development Framework Supplementary Planning Document* (the SDF) was adopted to inform the master planning principles for each allocation with a series of illustrative diagrams as to what is envisaged. The policy A31 land has been brought forward on an incremental basis, reflecting its disparate land ownerships. At the present time about 1,341 dwellings have either been built or have received planning permission within the allocation. This means that some 409 dwellings remain to be built within the local plan period.

10. As part of an allocated site, the principle of development on the appeal land is not in question. I heard no convincing evidence that this land was unsuitable for housing or should be kept as a green open space. Indeed, if that had been the intention, I would have expected that the requirements in policy A31 would have said so. The Local Plan Inspector and those drafting the relevant LPSS policies would have been aware of the presence of the heritage assets when allocating the A31 land.

11. The Council has a supply of deliverable housing land to meet its requirements for the next 7 years. Housing delivery over the last 3 years has also exceeded requirements. These matters have not been challenged and this is not therefore a case where the provisions in paragraph 11d) ii), or the so-called *tilted balance* approach to decision making, applies.

The effect of the proposed development on the significance of heritage assets.

The heritage assets

12. There is no dispute that the relevant designated heritage assets are the listed buildings that form the Ash Manor complex immediately to the north of the appeal site. It comprises five properties, which are now in residential use. Ash Manor and the adjoining Ash Manor Cottage are the most northerly of the buildings and are Grade II*. Ash Manor Oast and The Oast House are in the centre and to the south is Oak Barn. These buildings are Grade II. To the east of Oak Barn is a large modern building that appeared to be used for storage. To the west of the complex is Ashe Grange. This large residential property is Grade II and stands in extensive grounds. However, I concur with the parties that the appeal development would have no effect on its significance.

13. Although Ash Manor and Ash Manor Cottage are now separate residences, they were originally one building, possibly dating back to the 13th century. A water filled square moat survives to the north, south and west of Ash Manor and is a non-designated heritage asset. Ash Manor would have been a manorial estate surrounded by countryside and farmland. The farmstead, known as Manor Farm, included the 16th century oak-framed barn at the southern end of the complex and the 18th/ early 19th century oast, store and stables in the centre. Historic England comments that the listed buildings and moat have a strong group value, which shows integrity and coherence as a manorial site in a rural setting.

14. The reasons for designation include the architectural and historic interest of the buildings themselves, their value as a group and the historic interest of an evolving farmstead dating back to medieval times. The importance of the Ash Manor complex is demonstrated by the upgrading of the two oldest elements to Grade 11* in 2017. It is to be noted that only a relatively small proportion of buildings are so graded and that such buildings are of particular importance.

15. There was debate at the inquiry about whether the access trackway, which crosses the western part of the appeal site and the pond close to the northern boundary are non-designated heritage assets. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) anticipate that it will be for local planning authorities to take the lead in the identification of such assets using clear and consistent criteria for selection. This may be through compilation of local lists, the plan making regime or undertaking heritage reviews. The Council had not previously recognised these two features in any of these ways. However, it seems to me that an asset could still qualify if there is sound evidence given to the inquiry to establish a sufficient degree of significance. The Framework defines "*significance*" as the value of the asset because of its heritage interest. This may be archaeological, architectural, artistic or historic.

16. There has been a pond on the northern side of what was once Ash Green for a long time. It can be seen in roughly its present form on the 1841 Tithe Map and late 19th century Ordnance Survey mapping entitles it Manor Farm Pond, which suggests a link to the farmstead. On the 1841 Tithe Map a road ran from Ash Village and crossed Ash Green in a southerly direction. A spur from this road served Manor Farm. Ash Green was subject to enclosure later in the 19th century and the road system changed at this time, probably in response to the

construction of the railway to the south. The earlier road became the driveway to Ash Manor and joined the newly built Ash Green Road. I have no doubt that the pond and trackway have some historic value and contribute to the wider significance of the designated assets. However, I do not consider that there is sufficient evidence that they have a degree of significance that would justify classification as non-designated heritage assets in their own right.

Setting and significance

17. The special interest of the Ash Manor complex derives from the architecture and history of its buildings and their setting. The immediate setting now comprises domestic curtilages and so has changed considerably. The farmstead no longer exists due to the conversion of some farm buildings and the removal of others. Nevertheless, the interrelationship between the farmstead and the moated site of Ash Manor is still evident. The main parties agreed that the significance of the heritage assets also derives from their wider setting.

18. The wider setting comprises the surrounding agricultural fields, including the appeal site. Despite many changes in the Ash and Tongham area itself, I consider that the rurality of the area surrounding the Ash Manor complex can still be appreciated. It provides the visual, historical and functional context in which the assets are seen, understood and experienced. This was clearly an estate of some importance and status as demonstrated by the location of Ash Manor within the countryside and well separated from Ash, which would have been a village at this time. This would also explain the defensive position provided by the moat. Whilst the buildings in the Ash Manor complex are now occupied as separate dwellings, there remains a functional connection with the surrounding land as the 19th century stables provide shelter for the horses that currently graze in the adjoining paddocks, including the appeal site.

19. There remains a strong visual connection between the adjoining land and the listed buildings, although in some places this is filtered by boundary trees and greenery. Within such views the importance of the rural setting can be appreciated, and the historical context can be understood. For the reasons given above, I do not consider that the pond and the trackway are heritage assets in their own right. However, they are both longstanding features in the historic landscape and contribute to the significance of the heritage assets.

20. There was some debate at the inquiry about whether the land around the Ash Manor complex has similar importance in terms of setting. It is the case that the two Grade II* buildings are at the northern end of the complex. However, I observed southerly views from the front windows and garden of Ash Manor. Furthermore, the entrance drive to the overall complex crosses the appeal site. It is appreciated that houses now front onto the southern side of Ash Green Road, but their presence is ameliorated by the boundary trees, especially in the summer months. Whilst much of the appeal site was at one time common land and part of Ash Green, it is not unreasonable to surmise that Ash Manor retained manorial rights. In any event, by the late 19th century the evidence indicates that the land had been enclosed and was being used as farmland. To my mind the appeal site is as important to the setting of the heritage assets as the other land surrounding them. Overall, the wider setting of the listed buildings contributes to their special interest both individually and as a group.

The effect of the appeal proposal on the significance of the heritage assets

21. The appeal proposes a residential estate of 67 houses on a large part of the currently open field to the south of the Ash Manor complex. The presence of the houses, gardens and roadways in place of the existing open field would be a change that would diminish this part of the setting of the heritage assets. There was no dispute that the scheme would result in less than substantial harm to the significance of the designated heritage assets.

22. I acknowledge that the Appellant has made changes to the layout in order to improve the relationship with the listed buildings. It has sought to reduce harm and to some degree this has been successful. For example, there would be an amenity area around the reconfigured pond that would provide undeveloped space between the nearest houses and the southern boundary of the Ash Manor complex. Furthermore, there would be an open vista in the direct line of sight from Ash Manor and this is to be welcomed.

23. I do though have particular concern about the proximity of the dwellings to the eastern side of the historic trackway to the Ash Manor complex. Although the vegetation on either side would be retained the buildings, their gardens and any domestic paraphernalia would be forefront in the easterly view. Their relative proximity would considerably diminish the sense of rurality and isolation that can still be experienced when approaching the Ash Manor complex from White Lane. This is recognised in policy A31(8), which requires that views to and from the Ash Manor complex, including their approach from White Lane, must be protected. The particular layout proposed would be insensitive to the value of the driveway in terms of significance and would fail to comply with this element of the policy.

24. The pond itself would be smaller in overall size but reconfigured in shape and elongated to extend northwards into part of the field to the east of Oak Barn. It would function as a flood risk attenuation basin and the water level would be about 1.9m lower than it is at present. It is proposed to plant the margins with aquatic plants and improve the water quality to enhance its ecological value. I accept that this could be a positive attribute within the context of a residential estate, although I am doubtful that it would resemble the rather idyllic feature that the computer-generated images envisage. However, I consider that the attenuation pond would have an engineered appearance due to its water level, configuration and profile and despite the information provided to the inquiry I also have concerns about the appearance of the inlets and outlets. It would certainly be quite different from the simple field pond that has existed in more or less the same form for centuries within the historic landscape. The effective loss of the field pond would diminish the setting of the heritage assets, particularly Oak Barn which is in closest proximity.

25. Drawing together the above points, the appeal scheme would cause less than substantial harm to the significance of the heritage assets. On a continuum of low to high within the less than substantial category, I consider that the harm would be towards the upper end of mid-range.

Cumulative effects

26. The Appellant did not consider that it was necessary to consider the effect of the appeal proposal within the context of committed projects, which in this

case comprise the Ash Road Bridge and the 100 dwellings to be built at the May and Juniper Cottage site to the east. I note however that a cumulative assessment was nonetheless undertaken. The PPG advises that cumulative change may need to be considered. Historic England indicated that the cumulative effects of the committed developments were likely to be greater that the effects individually.

27. There are circumstances where a number of small changes that are insignificant individually can together result in harmful change. That is not the case here as each of the relevant projects cannot be described as small scale and each has been assessed and determined to result in harm to the heritage assets in question. However, it is a perfectly reasonable exercise to consider whether the commitments would result in a degree of additionality to the harm caused solely by the appeal scheme. The fact that one is an infrastructure project and the other is a housing development does not seem to me to be relevant in terms of the legitimacy of the exercise.

28. Both of the above developments would result in significant change through their urbanising effect on the open land that provides part of the rural setting to the Ash Manor complex. In particular, the bridge would be relatively close to the Grade II* listed buildings. Taking account of its elevation, form and lighting I consider that the harm to the significance of the heritage assets would be in the middle of the scale in the less than substantial category.

29. The May and Juniper Cottage development would be to the east of the intervening field that forms the northern part of the appeal site. This field is intended as amenity space in the appeal proposal and would remain undeveloped other than in terms of the extension to the attenuation pond. The western boundary of the May and Juniper Cottage site is well screened by trees and a hedgerow. In addition, the large modern barn provides a degree of visual intervention between the southern part of the May and Juniper Cottage site and the Ash Manor complex. I consider that the harm to significance of the heritage assets would be at the low end of the scale in the less than substantial category.

30. Any cumulative consideration cannot merely be the product of the individual effects and is a matter of judgement. The combined effect would be to erode the historic setting of open fields, particularly to the north and south and to a lesser extent to the east. The importance of this to significance has already been addressed and I have no doubt that when considered together the appreciation of the heritage assets would be further diminished. It does though seem unlikely that the developments in question would all be experienced in one view, either from within the Ash Manor complex or when approaching it along the driveway. I do not agree with the Council that the cumulative effect would be close to the tipping point of substantial harm, but I do consider that it would rise to the upper end of mid-range harm in the less than substantial category.

Conclusions

31. For all of the above reasons the proposed development would cause less than substantial harm to the significance of the heritage assets of the Ash Manor complex, both to the listed buildings individually and to the listed buildings as a group. In terms of the harm arising solely from the appeal scheme this would

be towards the upper end of the mid-range and in terms of the cumulative harm this would be slightly higher, falling at the upper end of the mid-range.

32. The appeal proposal would conflict with saved Policy HE4 in the Local Plan, which relates to development that affects the setting of a listed building. It would also conflict with policy A31(8) in the LPSS, which requires sensitive design at the site boundaries with the Ash Manor complex and protection of views to and from the heritage asset, including their approach from White Lane. Whether there would be compliance with policy D3 in the LPSS or with the Framework will depend on whether the identified harm is outweighed by the public benefits. This is a matter to which I shall return below when considering the planning balance.

The effect of the proposed development on the landscape and rural character of the area.

33. In the *Guildford Landscape Character Assessment* (the LCA) the Tongham Urban-Rural Fringe landscape character area lies to the east of the built-up area. The LCA points out that the Tongham Urban-Rural Fringe is influenced by proximity to the urban edge and typical fringe uses such as horse paddocks. The LCA provides part of the evidence base to the LPSS. The Examining Inspector recognised that there are significant landscape constraints, including large parts of the Borough within the Surrey Hills Area of Outstanding Natural Beauty and the Green Belt. This was taken into account in his conclusion that the development allocations are in places that avoid significant landscape harm. Indeed, the Policy Map specifically removes the A31 allocation from the countryside designation and policy P3 in the LPSS does not apply.

34. The policy A31 allocation itself covers a large area and is not homogeneous in terms of landscape features. Even within the north-eastern part of the policy A31 allocation, where the appeal site is located, the land does not exhibit a uniform character. In the case of the appeal site, it seems to me that there is a rural ambience with the existing open fields and boundary trees and hedges being typical of the wider landscape. The pond and the historic farmstead comprising the Ash Manor complex also contribute to the rural feel. There are also urban influences, particularly the frontage housing on the southern side of Ash Green Road. However, it should also be borne in mind that this is an area planned to undergo substantial change. Even those developments that are currently permitted such as the Ash Road Bridge scheme and the May and Juniper Cottage residential development, will make a significant difference to the existing landscape.

35. Policy A31 has 12 requirements. However, it should be noted that they refer to the whole allocation and are not applicable to every site within it. The Examining Inspector considered that it was necessary to ensure that the policy A31 development protects the setting of Ash Manor and the identity of Ash Green village. He recommended modifications accordingly. The relevant requirements relating to landscape are (6) and (7), which I consider below.

Coalescence and transition between urban and rural

36. The SDF, which includes the development principles for the policy A31 land, does not refer to any anti-coalescence function either in the diagrams or the text. The policy that deals with coalescence is policy P3 in the LPSS. This relates specifically to the countryside, and as already commented it does not

apply to the policy A31 land. However, policy A31(6) does refer to the allocated land having a function relating to coalescence by seeking to prevent its development from merging Ash and Tongham with Ash Green village. Coalescence is a spatial concept and would normally require a significant area of land to be effective in separating one settlement from another. No-one has suggested that this is the intention in this case, and it is not reflected in the SDF diagrams, albeit that they are illustrative. It therefore seems to me that the purpose is for a green buffer to be provided that would be sufficient as a landscape feature to provide a visual break between the proposed development area and the houses along the southern side of Ash Green Road. Whether the proposal would be successful in this respect is a matter of judgement and I return to this below.

37. Policy A31(7) requires design to be sensitive at site boundaries so as to respect the transition between urban and rural. However, the appeal site is not one of the transitional sites as it adjoins allocated land to the north, east and west and Ash Green Road and its frontage housing to the south. This housing is specifically included within Ash Green village for the purposes of the policy. Furthermore, there is a small piece of allocated land to the rear of the houses fronting Ash Green Road and another development site under construction immediately to the south of the old railway line and east of White Lane. In the circumstances the area to the south of the appeal site could not properly be described as rural.

The pond

38. This is a feature that contributes to the landscape character of the site. Whether it is a wholly natural feature or was originally man made is not known. However, it has certainly been present in the landscape for a long time. Whilst the evidence suggests that it was extended on its southern side and increased in depth by a previous owner of Ash Manor, I observed that it has a natural appearance and sits comfortably in its surroundings. The proposal would replace this feature with an attenuation pond that would bear little resemblance to what exists at present. Nevertheless, there would be the opportunity for improved marginal planting and landscaping around its shores.

39. Policy A31(6) indicates that development as a whole should not be of a size and scale that would detract from the character of the rural landscape. However, this needs to be considered in the context of an allocated site where change is inevitable. The scheme would include a landscape framework, including the retention of most of the boundary trees and hedgerows. The northern field would remain undeveloped. Even though the reconfigured pond would be very different in appearance, I am satisfied that in terms of landscape character the proposal would reasonably meet the provisions of this element of policy A31(6). The Council also referred to saved policy G1(12) in the Local Plan. This seeks to protect natural features on a site such as trees, hedgerows and ponds. Bearing in mind the site allocation and the various landscape features that would be retained and enhanced, I am satisfied that overall policy G1(12) would not be offended.

Green buffer along Ash Green Road

40. As indicated above, the green buffer required under policy A31(6) is a landscape requirement with a spatial purpose. It would therefore need to be sufficient to provide adequate separation between Ash Green village and the

developed area on the appeal site. A secondary function would be to help soften the edges of the strategic development at this point. There is no specification as to the form or width of this feature and although the landscape framework in the SDF shows a wider green swathe than is proposed, it is illustrative. The proposed green buffer would comprise a strip of land behind the residential properties, and would contain most of the trees and the hedges fronting Ash Green Road. This would be relatively narrow, although it would widen out to the west of the pedestrian link, which would join Ash Green Road opposite Drovers Way.

41. The trees along Ash Green Road are proposed to be retained and reinforced with additional understorey planting. However, in my opinion the depth of this green space east of the pedestrian link would be insufficient to provide an effective buffer at the edge of the proposed development. I appreciate that rear gardens would adjoin this land, but their contribution would be of limited value. This is because in many cases pitched roof garages would extend behind the rear building line. Whilst boundary details could be subject to a planning condition, the application plans indicate that the gardens would be enclosed by close boarded fences. A means of enclosure of this nature would seem to be reasonable on security grounds. There would also be parking and turning areas intruding into this space, for example at the back of the apartment buildings. This would not therefore be an uninterrupted green open space running along the back of the houses that would meaningfully contribute to the effectiveness of the green buffer.

42. The situation could become even less satisfactory if a footway were to be provided along Ash Green Road in connection with the May and Juniper Cottages residential development. The impact this would have on the boundary trees and hedges would depend on whether it was constructed wholly along the northern side of Ash Green Road or only in part. It would also depend on whether mitigating techniques could be carried out successfully to prevent damage within the root protection zones. These outcomes would not be within the control of the Appellant and there could be potential for harm to the long-term health of the trees.

43. I appreciate that there would also be the option of providing a pedestrian link through the appeal site. However, this may not be an attractive alternative for the May and Juniper Cottage developer because no occupation would be permitted until the link was available. For all of these reasons I do not consider that the green buffer would be adequate for its intended purpose. In the circumstances the appeal scheme would not accord with policy A31(6) in this regard.

The effect of the proposed development on ecology.

Protected Species

44. It is appreciated that AGRA is critical of the ecological surveys undertaken. However, I am satisfied that the information now available, whilst it may not be perfect, is sufficient for an informed consideration to be made of the ecological impacts of the development.

45. With regards to bats, most of the places with roosting potential and areas conducive to bat activity comprise the tree and hedge lines along the site boundaries, which would remain largely undisturbed. The proposed layout

shows direct links through domestic gardens and between buildings to establish commuting routes between the pond area and the tree and hedge line along Ash Green Road. Whilst there would clearly be changes to the existing environment, effects such as lighting could be controlled through a planning condition.

46. The pond on the site, the pond adjacent to the north-eastern boundary, the Moat at Ash Manor and the newly formed pond just outside the western site boundary were surveyed in 2016, 2018 and 2021 and no presence of Great Crested Newts (GCN) was found. There are three other ponds further away and one of these, which is within 250m of the site boundary, was recorded as supporting a small breeding population of GCN in 2017. This pond is on the eastern side of Foreman Road and the distance would be such that the appeal site would have the potential to provide terrestrial habitat for the GCN associated with it. I also note that a local resident found a newt on the Ash Green Road verge close to the site boundary. Whilst there is no specific evidence of GCN using the site, a precautionary approach would be taken through a Construction and Environmental Management Plan and its associated Precautionary Working Method Statement. This would also apply to other amphibians and reptiles, including the Common Toad and Grass Snake, and could be controlled through a planning condition.

The grassland

47. The 2014 ecological survey characterised the site as unimproved neutral grassland containing a good range of grasses and herb species. However, subsequent surveys found that the higher quality sward was mainly confined to the field edges. The majority had no indicator species or features that are typical of unimproved grassland and its degraded condition could be on account of the use of fertilisers, herbicides, reseeding and animal grazing. AGRA considered that the marginal areas should have been assessed as a separate habitat unit. This seems to me to be a matter of judgement and it is difficult to see that the Appellant's approach was wrong when the peripheral areas are a relatively small and unrepresentative part of the grassland overall. The allegation that the survey in November 2021 was at an inappropriate time of year seems to me unfounded when a previous assessment in the summer months of 2016 had reached similar conclusions.

48. For the purposes of the Appellant's Biodiversity Metric 3.0 calculation, the grassland was assessed as the medium rather than low distinctiveness habitat type and so given a higher value than perhaps it deserved. The baseline of the main field and the field to the north was classed as being of poor condition having regard to the assessment criteria. Furthermore, the compensation land to the north of Ash Manor was similarly classed as being of poor condition. AGRA considered that the condition of the main site should be moderate as it believed that the sward height was varied and that there was between 1% and 5% of bare ground. This again comes down to professional judgement. From the evidence before me I do not consider that the Appellant's expertise, which benefitted from detailed fieldwork, was unsound in this respect.

The pond

49. The appeal proposal includes the re-configuration of the pond. It would be reduced in area by about 30% and this is proposed to be compensated by the creation of a new pond in land under the control of the Appellant to the north

of Ash Manor. I observed at my site visit that the water in the pond is turbid. I saw limited aquatic vegetation around the margins and was told that the pond is infested with non-native carp and a flock of Canada and Egyptian geese utilise it and graze on the surrounding grassland. It qualifies as a Priority Habitat on account of the presence of the Common Toad, although its condition and value as an ecological resource is relatively low for the other reasons given above. I do not consider that it is likely that the pond would qualify as an irreplaceable habitat as defined in the Glossary to the Framework, even though it has been in existence for a long period of time.

50. One of AGRA's main concerns in terms of ecology was the effect of the proposed development on water quality. It envisages the rapid runoff from surrounding roads, roofs and hard surfaces carrying pollutants and other toxic products into the pond. The matter of future water quality was discussed in some detail at the inquiry. The *CIRIA SuDS Manual* provides pollution hazard indices for different land use classifications. I am satisfied that in this case the pollution hazard level would be likely to be low for the appeal site itself. However, it is not unreasonable to surmise that it may be higher if the spine road connects through to other parts of the A31 land and carries higher volumes of traffic.

51. It is appreciated that the road would only represent a small proportion of the overall land use of the appeal site. However, this does not altogether assuage my concern on this point. The medium pollution hazard level in the *CIRIA SuDS Manual* would apply to all roads except low traffic roads and trunk roads/ motorways. A through road of the type serving the A31 land would not be likely to carry low levels of traffic. All runoff from the road, including pollution from hydocarbons, would be channelled into the pond.

52. At the inquiry various measures were discussed to limit the potential pollutants entering the water body. Even though there would be limited space around the reconfigured pond I remain unconvinced that it would be insufficient to incorporate other sustainable measures. As the Appellant suggested, these could include filter strips, swales, permeable paving or rain gardens within the landscaped open areas if considered necessary. I appreciate that AGRA was highly critical of the submerged bern suggested at the inquiry, and it may well be that this would not be suitable in this case. However, this is a matter that could reasonably be addressed through a planning condition to be discharged by the Council. I am satisfied from the information provided that the surface water drainage scheme could be designed to ensure that the water quality in the pond would be improved. This and other factors such as the removal of the non-native fish and birds, the introduction of aquatic vegetation and marginal planting and the provision of a more conducive aquatic environment for amphibians and insects would considerably improve its ecological value.

Biodiversity Net Gain

53. Paragraph 174 in the Framework seeks to ensure that development results in net gains to biodiversity. Policy ID4 in the LPSS indicates that new development should aim to deliver gains in biodiversity where appropriate. At the present time there is no requirement to deliver a specific level of gain. The use of the Natural England Biodiversity Metric 3.0 is a recognised method of measuring gains and losses in biodiversity. In the Appellant's assessment there would be a 19.95% net gain in hedgerow units and a 17.91% net gain in

habitat units. The gain in hedgerow units would all be achieved on the development site. The gain in habitat units would require the use of compensation land to the north of Ash Manor. This is within the control of the Appellant and its use and management would be secured through the Section 106 Agreement.

54. AGRA does not consider that there would be any net gain in habitat units. In fact, its assessment shows a net loss of -43.16%. The difference between the two assessments mainly results from two points. The first relates to the baseline condition of the grassland in both the appeal site and the compensation land and whether it is moderate or poor. The second relates to the condition of the pond following development and whether it would be moderate or fairly poor. The net gain assessment depends on the difference between the baseline situation and subsequent intervention. Clearly the lower the former and the higher the latter, the greater the net gain. In this case I agree with the Appellant's assessment for the reasons I have already given. The net gains in hedgerow and habitat units referred to above would be secured through the Section 106 Agreement.

The oak polypore

55. Along the boundaries of the compensation land to the north of Ash Manor are a number of Veteran trees. It is proposed that these are subject to a monitoring and management regime to ensure the longevity of their habitat. In addition, one of these veterans, a Pedunculate Oak, has been found to be host to the rare fungal species oak polypore *Piptoporus quercinus*, which is protected under Schedule 8 of the *Wildlife and Countryside Act* 1981. The proposal includes the planting of 12 heavy standard Pedunculate Oaks within the compensation area, which would provide a succession habitat for the endangered oak polypore. This seems to me to be an additional benefit flowing from the scheme that would be controlled through a covenant in the Deed.

56. I note that Natural England, Surrey Wildlife Trust and the Council's ecologist have no objections to the scheme on the grounds of ecological impact. For the reasons given, I conclude that the proposed development would have a positive effect on the ecological resource and result in a significant enhancement to biodiversity. It would accord with policy IP4 in the LPSS and the Framework in this respect.

The effect of the proposed development on groundwater and hydrology.

57. The appeal site is in Flood Zone 1 and the main parties do not dispute that there is a low risk of flooding from any source. The Environment Agency and the Lead Local Flood Authority have no objections to the surface water drainage strategy, which would involve a sustainable drainage system based on reconfiguring the pond to function as an attenuation basin. It would be designed as a permanent wet basin that would store and release surface water at a rate of 5 litres/second, up to and including the 1 in 100 year + 40% climate change event.

58. It is confirmed by the previous owner of Ash Manor in a statutory declaration that in the 1980's a pipe was laid from the moat to the drainage ditch adjacent to the access track. There is no verification that this pipe still exists although there is a capping stone on the southern side of the moat and an outfall into the ditch. The statutory declaration also states that that there is no connection

between the moat and the pond and there is no evidence to the contrary. The declaration is a legal document, and I was given no evidence that leads me to doubt its veracity. No doubt the Appellant could have undertaken a CCTV investigation as suggested by AGRA. However, in the circumstances it cannot be concluded as necessary.

Effect of groundwater

59. There is no dispute that the site is underlain by largely impermeable London Clay and groundwater would not generally be present within this strata or flow through it. The top 2-2.5m includes a variety of drift deposits, including sand, silt and gravel. A number of boreholes and trial pits were taken across the site, and these reveal the variable composition of the layers above the London Clay. Strata with a high component of sand will have greater permeability and allow more water to flow through it than denser strata with higher components of silt or clay. From all of the evidence it seems most likely that the sandy layers comprise unconnected pockets rather than forming a consistent sandy layer across the site.

60. The Appellant has calculated, using information from the trial pits and boreholes closest to the pond, that the maximum flow rate from groundwater would only be a small proportion of the 5 litres/second design flow of the attenuation basin. The much higher calculations put forward by AGRA were agreed to be incorrect and I do not consider that there is any credible evidence that the capacity of the attenuation pond would be insufficient to accommodate the ingress of groundwater, which would likely be modest. Whilst AGRA persisted with its criticism that the rate of infiltration of water into the sandy layers could and should have been measured, there was no satisfactory explanation as to why the methodology used by the Appellant was not fit for purpose.

The drainage strategy

61. The outlet to the attenuation pond would be piped to an existing ditch to the north of the site. Having regard to the levels, AGRA was concerned that the outfall would be submerged and that there would be insufficient gradient to allow an adoptable solution to be achieved. However, the Appellant pointed out that the detailed drainage design had not yet been finalised. In addition, I was told that at the present time it has not been decided whether the surface water drainage system would be adopted or not.

62. It is appreciated that AGRA has genuine concerns about whether the surface water drainage strategy, with its focus on the attenuation pond, would be capable of operating satisfactorily. It considers that in the absence of a detailed drainage design, planning permission should be refused. However, the evidence before me does not suggest that such an approach would be reasonable or necessary. These matters are usually addressed through planning conditions and are subject to the approval of the Council. If, as AGRA fear, the drainage strategy could only be achieved with significant changes to the layout, then the current proposal would be unable to go ahead.

Effect on the listed buildings

63. I note that there was some local concern that changes in groundwater flows as a result of the reconfiguration of the pond could affect the nearby listed

buildings. However, from what I heard, it seems very improbable that ground water would flow at such a rate as to result in the underlying London Clay drying out. Furthermore, the evidence indicates that the effects of changes to the flows would be localised and unlikely to extend as far as the listed buildings. Another concern related to the effect on the old buildings as a result of vibration from piling. However, the Appellant explained that the augured technique that would be used, was routinely employed on sensitive sites and was expected to be free of vibration. I am satisfied from what I heard that the nearby heritage assets would not be adversely affected.

64. Drawing all of the above points together, I conclude that there would be no unacceptable harm in terms of groundwater and hydrology as a result of the proposed development.

Whether the proposed development would result in good design that is sensitive to its locality.

65. The proposed development would be accessed from Foreman Road and a spine road would wend its way to the north-eastern corner of the site, which adjoins the May and Juniper Cottage development site. On the southern side of the spine road there would be frontage housing and the rear gardens would face towards Ash Green Road. The houses would be two-storey and the two blocks of apartments on the north-eastern part of the site would be half a storey higher. Affordable homes would be scattered through the site.

66. In terms of different character areas, I am not convinced that the northern part of the site around the reconfigured pond and amenity space would be very different to the remainder. Nevertheless, there would be a number of house types. The Appellant made clear that these had been designed specifically with this site in mind having regard to the surrounding context, including the nearby listed buildings. The success of the scheme would rely on the use of a carefully chosen palette of high-quality materials. This could be ensured by a planning condition. It should not be forgotten that the appeal scheme would be part of a much larger development of new housing and that this would also create an identity and sense of place.

67. An *Energy and Sustainability Statement* has now been submitted. This shows how the 20% reduction in carbon emissions below the relevant Building Regulations standard would be achieved in line with policy D2 in the LPSS. I appreciate that policy D2 also seeks such information to be submitted with the planning application. I also acknowledge that AGRA wanted to have more certainty as to what measures would be chosen. However, the Council is satisfied with the *Energy and Sustainability Statement* and did not pursue its putative reason for refusal on this matter. I am satisfied from the evidence I have received, that acceptable sustainable design measures could be achieved in accordance with the policy requirement, and that the matter would be appropriately controlled through the use of a planning condition.

68. The *National Design Guide* sets out 10 characteristics to inform a well-designed place. I do not agree with AGRA and other objectors that this should be described as yet another example of "*anywhere housing*". In many respects it would be a well-considered scheme and would provide an attractive place in which to live.

Other Matters

69. It is appreciated that there are various local concerns about highway safety, including from AGRA. However, it is important to remember that this is part of an allocated site and that as a consequence the generation of more traffic will be inevitable. Furthermore, whilst Figure 49 in the SDF is illustrative, it is clear that a spine road is envisaged with links to the new roundabout serving the Ash Road Bridge at one end and Foreman Road at the other. Surrey County Council as Highway Authority has no objection to the proposed access and is satisfied that it would not result in safety issues. This is important because it is the statutory authority responsible for the safety of the local highway network. In addition, there is now a speed restriction of 30 mph in place and the proposal includes high friction surfacing adjacent to the access, which would have a wider benefit for road users. Taking account of all of the evidence and my own site observations I do not consider that there would be an adverse effect on highway safety.

70. The policy A31 allocation recognises that this is a sustainable location. I have no doubt that new residents would use a car for many journeys as do the established population. However, the point is that there are options here to exercise modal choice. Some shops, services and facilities could be reached on foot or cycle. There is a reasonably good rail service from Ash Station, which also has bus connections. The most direct walking route to the station is not ideal because a section of the busy Foreman Road has no footways. However, once the development on its western side is completed, there would be an alternative route through the new residential area. I note that this may not be welcomed by the Management Company of Vyne Walk. If that were to be precluded as an option there is an alternative, albeit longer, route via Grange Road. AGRA and some local objectors question the use of the rail and bus services by new residents. However, those who regularly use buses do so knowing there can be delays from congestion. The train seem to me to provide an attractive option, including links to fast services to London.

71. I acknowledge the concerns from one of the local doctors' practices. This seems to have arisen partly because of changes to the boundaries of the relevant Clinical Commissioning Group. It also relates to a wider problem with the availability of doctors and support staff to meet the needs of new patients. This is a national issue and certainly not one that this appeal could resolve. Conversely it would be unreasonable to prevent allocated development for this reason. The Appellant's preference is for the necessary healthcare services to be provided on its Ash Lodge Drive site, which is a development being built out on another part of the policy A31 allocation. I was told that one of the local GP practices is keen to locate there but that the Clinical Commissioning Group has still to confirm that it would provide the necessary financial support. In the event that the new surgery is not operational by the date of the first occupation of the appeal site, the Healthcare Contribution would be paid. This would contribute towards planned improvements to the nearby Ash Vale Health Centre. I am satisfied that one of the two alternatives would reasonably provide for the healthcare needs of the proposed new population.

72. The appeal site is within 5 km of the Thames Basin Heaths Special Protection Area. The Council, in consultation with Natural England, has adopted the *Thames Basin Heaths Special Protection Area Avoidance Strategy*

Supplementary Planning Document (2017). In this case the appeal proposal would have the potential to result in significant adverse impacts on the integrity of the protected site, mainly due to increased recreational pressure by new residents. However, the approach in the aforementioned strategy is to avoid adverse impact through the provision of, or contribution to, Suitable Alternative Natural Greenspace (SANG) and a contribution to Strategic Access Management and Monitoring. The latter would be provided through a financial contribution in the Section 106 Agreement. The former would be provided on reserved land within the Ash Green Meadows SANG, which has been developed by the Appellant and is managed by the Land Restoration Trust. The arrangements for the provision and transfer of the SANG land are set out in the Section 106 Agreement and the proposal would be in accordance with saved policy NRM6 in the South East Plan.

Conclusions and planning balance

The benefits

For the sake of clarity, I have used the following scale when weighing the benefits from lowest to highest: moderate, significant, substantial.

73. There is no dispute that the Council has a housing land supply of about 7 years. There is also no evidence that the deliverable sites in the supply will not come forward during this period. On the policy A31 land about 409 dwellings remain outstanding. Whether or not the remaining undeveloped land, which includes the appeal site, will be able to provide this number of dwellings is open to question. Heritage constraints will clearly be an issue and there are other requirements such as Biodiversity Net Gain that will need to be addressed. The Appellant also questioned the availability of SANG space although from what I was told there are private facilities in the vicinity.

74. It is to be noted that policy A31 uses the word "approximate" in reference to the number of houses the allocation is expected to deliver. Common sense would suggest that this means what it says. I understand that it reflects that the number of dwellings in the allocation were derived from a capacity exercise. Whilst policy S2 establishes that the overall housing requirement is a minimum figure, the unchallenged evidence indicates that there is a considerable supply headroom across the whole trajectory.

75. It is appreciated that the appeal site could be brought forward quickly and that a relatively short implementation period has been agreed. However, it is not a necessity in terms of the supply or delivery of land in the short term, which does not depend on the appeal site or indeed on any of the remaining policy A31 land. The fact that the appeal site is not within the Council's 5 year housing land supply does not mean that it would not be beneficial if it were to be delivered expeditiously. It is Government policy to boost the supply of housing, and the proposed delivery from the appeal site would be in accordance with this objective. Nevertheless, the Council has a very favourable land supply position throughout the plan period and the Council's evidence in this regard was undisputed. Bearing all of these points in mind, the proposed housing provision on this sustainable allocated land would be a benefit to which I attribute significant weight.

76. The proposed development would also deliver the full policy level of affordable housing. The tenure split and unit size would meet identified needs in

accordance with the *Strategic Housing Market Assessment*. There is no dispute that there is an acute need for such housing within the Borough and that the situation is deteriorating year on year. I consider that the 28 affordable homes would be a benefit of substantial weight and I do not agree with the Council that it would be any less important because it would be policy compliant.

77. The Council is satisfied with the housing mix, which would comprise 1, 2, 3 and 4 bedroomed houses and apartments. There would also be accessible and adaptable dwellings. This would be a benefit of moderate weight.

78. There are various provisions that would be necessary to meet the needs of the development. These include the financial contributions towards education, off-site open space, healthcare and policing and they would provide proportionate mitigation rather than benefits. However, there would be other provisions that would also offer some wider advantage to the established population. These would include traffic calming measures and high friction surfacing along Foreman Road; the upgrade to off-site pedestrian and cycle routes; new pedestrian and cycle connections into the site; and provision of the on-site amenity space. These would be benefits of moderate weight.

79. The Appellant made much of the fact that the on-site pond, which is clearly valued by local people, would become publicly accessible. However, I do not consider this to be a benefit in its own right. The attenuation pond would bear little resemblance to what exists at present. I accept that the water quality would be improved and that there would be added value to biodiversity, which I consider below. There would also be the potential to contribute to an attractive amenity area within the context of the new housing estate, which I have considered above.

80. There would be a biodiversity net gain. Whilst at the present time there is no policy stipulation, it would be well above the 10% that is likely to be introduced in due course. The gains in terms of habitat and hedgerow units have been included as a covenant in the Section 106 Agreement and would represent a benefit of significant weight. In addition, the proposal to ensure the succession of the rare fungal species oak polypore *Piptoporus quercinus* through the planting of 12 heavy standard Pedunculate oaks would provide an additional significant ecological benefit.

81. Policy A31 includes the provision of new road and foot bridges to enable the closure of the level crossing adjacent to Ash railway station. The road bridge has now received planning permission and I was told that work is expected to start shortly. Funding depends on Section 106 contributions, including by the developers of the policy A31 land. The Council has committed to meeting any funding gap and so there is no reason to believe that the project will not go ahead. From the discussions at the inquiry, I am satisfied that the financial contribution from the appeal site would be proportionate and meet the requirements of Regulation 122 of the Community Infrastructure Levy Regulations. Whilst it would be necessary to mitigate the impacts of increased traffic generated by the scheme it would also provide a wider benefit by helping to enable delivery of this important infrastructure project. It is a benefit to which I afford moderate weight.

82. The development would generate employment during the construction period. Furthermore, there would be a reliance on associated goods and services that would help support local businesses and tradespeople. The new population

would generate additional income that would increase spending in the local economy to support local shops and services. These are economic advantages of moderate weight.

83. Reference has been made to various generic payments. The New Homes Bonus is intended to incentivise housing growth but as far as I am aware this would not be ring fenced by the Council for projects that might benefit the local area. Council Tax may generate significant revenue, but it is necessary to deliver local services and infrastructure to support the new development. These are neutral factors in the planning balance.

The heritage balance

84. For the reasons I have already given there would be less than substantial harm to the significance of the heritage assets comprising the various listed buildings in the Ash Manor complex both individually and as a group along with the moat, which is a non-designated heritage asset. This harm would be towards the upper end of the mid-range of the scale. Considered together with the committed developments of the Ash Road Bridge and the May and Juniper Cottage housing scheme it would be slightly higher.

85. Paragraph 199 of the Framework makes clear that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The importance of the asset is also relevant and the fact that Ash Manor and Ash Manor Cottage are Grade II* listed buildings has been taken into account in my conclusions with regards to harm to their significance.

86. The Appellant did not consider that the scale of harm in the less than substantial category was pertinent to the balancing exercise because in all cases great weight must be applied. I agree that great weight must be applied but I see no reason why this should necessarily be applied uniformly regardless of circumstance. It seems to me a matter of common sense that the decision maker has the discretion to take account of the nature of the scheme and the importance of the assets so long as the principle of applying great weight is adhered to. This approach does not seem to me to be inconsistent with recent caselaw and of course it is noted that the PPG advises that the extent of harm should be clearly articulated. It is difficult to understand the reason for doing such an exercise if it has no purpose.

87. The parties agreed that as the appeal site is within the setting of the listed buildings it is likely that any development would result in less than substantial harm to their significance. They also agreed that the principle of development is not in question as this is an allocated site. I agree with both propositions. However, I was also told that the allocation was not informed by any detailed heritage assessment during the local plan process and that this was expected to be undertaken when detailed proposals came forward. This means that any assessment of acceptability will be highly case-specific. There is no evidence that a smaller, less harmful development could not be devised or would not be viable. However, with regards to my determination the only scheme that is before me is the appeal development and my consideration is focused on the harms and benefits that it would generate.

88. The package of public benefits overall can be afforded substantial weight. However, in my judgement it would be insufficient in this case to outweigh the

degree of harm that would arise to the significance of the Grade II and II* listed buildings. The exercise that I have undertaken under paragraph 202 of the Framework is not an even balance and the great weight and importance that I attribute to the identified harm to the heritage assets tips in favour of their conservation, notwithstanding the public benefits. The appeal scheme would therefore fail to accord with paragraph 199 of the Framework. This conclusion is made having regard to the appeal scheme alone, although it would also obviously apply to the cumulative consideration as well.

The development plan

89. The appeal proposal would be contrary to policy HE4 in the Guildford Local Plan and policies D3 and A31 in the LPSS. I acknowledge that there would be compliance with many of the other policies in the development plan. In numerical terms there are relatively few that would be offended. However, the correct approach is not a matter of arithmetic. Some policies will be of more importance than others in the planning balance. In this case I consider that the heritage policy D3 in the LPSS and the policy specific to this allocated land, policy A31, are of utmost importance. In the circumstances, I do not consider that the proposed development would comply with the development plan as a whole.

90. Saved policy HE4 in the Guildford Local Plan does not fully accord with the Framework because it does not contain the balancing exercise relating to public benefits. I therefore give less weight to the conflict with that policy. However, this is somewhat academic because there is no dispute that policy D3 in the LPSS is not out-of-date. Overall, the development plan is up-to-date and, for the reasons I have given, there are no material considerations that would indicate a decision being made other than in accordance with it. The presumption in favour of sustainable development would not be engaged and as this is reflected in policy S1 in the LPSS, I cannot agree with the Council that the proposal would be in accordance with it.

91. I have considered all other matters raised in the representations and at the inquiry. However, I have found nothing that changes my conclusion that the appeal should not succeed.

Christina Downes

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY: GUILDFORD BOROUGH COUNCIL

Mr Thomas Cosgrove	Of Queen's Counsel
Mr Robert Williams	Of Counsel, both instructed by Delwyn Jones, Planning Lawyer, Guildford Borough Council

They called:

Ms J Bennett Smith BA MA	Senior Associate Consultant of Chris Blandford Associates
Mr K Goodwin BTP MRTPI	Director of KG Creative Consultancy
**Mr J Busher	Planning Officer with Guildford Borough Council
*Ms C Lawrance	Partner of Bevan Brittan, Solicitors
*Ms K Wilkinson	North Area Team Leader, Transport Development Planning Team at Guildford Borough Council
*Mr M Knowles	Programme Lead for Transport and Infrastructure at Guildford Borough Council
*Ms J Waddington	Consultant Solicitor of Pinsent Mason

FOR THE APPELLANT: (BEWLEY HOMES PLC)

Mr Sasha White	Of Queen's Counsel
Mr Luke Wilcox	Of Counsel, both instructed by Ms R Jones, Neame Sutton Limited

They called:

Professor B May BA(Hons) BPl DipMgt AoU FRTPI	Director of Ryan and May
Mr R Graham BSc(Hons) MSc Geophysics (1994) MSc Hydrogeology FGS	Technical Director of RPS Consulting UK and Ireland
Mr J Forbes-Laird BA(Hons) DipGRStud MICFor MRICS MEWI DipArb(RFS)	Senior Director of FLAC
Mr J Bevis Meng CMILT MCIHT	Partner of i-Transport LLP

Mr A Baxter BA(Hons) MA(Oxon) MSc CEcol CEnv MCIEEM	Senior Director of Aspect Ecology
Ms C Brockhurst FLI BSc(Hons) DipLA	Director of Leyton Place Limited
Mr P Morgan BAArch(Hons) DipArch RIBA	Managing Director of Thrive Architects Limited
MR D Neame BSc(Hons) MSc MRTPI	Director of Neame Sutton Limited
*Mr H Khan	Legal Director of Gateley Legal

FOR THE RULE 6 PARTY: (AGRA)

Mrs Sue Wyeth-Price	Committee Member of AGRA
Dr A Clothier PhD BScEng(Civil) CEnv CWem MCIWEM	Director of Water Environment Ltd
Dr N Doggett BA phD CertArchaeol FSA MCIfA IHBC	Managing Director of Asset Heritage Consulting
Mr R Andrews BA(Hons) MA(Cantab) CEnv FCIEEM	Associate of Lloyd Bore Ltd
**Mr R Rogers	Committee Member of AGRA

*Present at the planning obligations round table session
**Present at the planning obligations and conditions round table sessions

INTERESTED PERSONS:

Councillor P Spooner	Guildford Borough Councillor
Councillor R Nagaty	Guildford Borough Councillor
Mr T Thorne	Local resident
Mr P Finning	Local resident
Dr R Lawrence	Local resident and GP at the Border Medical Practice
Mr G Tyerman	Local resident
Mr J Henderson	Local resident

DOCUMENTS

1 Representation made to the inquiry by Mr Finning
2 Complete copy of Trial Pit TP2 – Enclosure A to Mr Graham's evidence, submitted by Mr White
3 Extract from the Cheltenham Plan Proposals Map and layout plan relating to the appeal development on land adjacent to Oakhurst Rise, Cheltenham (APP/B1605/W/20/3261154), submitted by Mr

White
4A Representation made to the inquiry by Mr Henderson
4B Photographs submitted by Mr Henderson
4C Further information by AGRA about the traffic light configuration on White Lane and the footpath proposal along Ash Green Road, submitted by Mrs Wyeth-Price
5 SANG provision on land to the south of Ash Lodge Drive, submitted by Mr White
6A Representation made to the inquiry by Dr Lawrence
6B Further written representation by Dr Lawrence
7 Sketch by Dr Clothier illustrating a possible arrangement at the pond outlet, submitted by Mrs Wyeth-Price
8 Addendum to the Statement of Common Ground between the Council and the Appellant relating to the Housing Delivery Test results 2021
9A Mr Andrews' summary of the differences of his assessment with that of Mr Baxter, submitted by Mrs Wyeth-Price
9B Extract from the Biodiversity Metric 3.0: *auditing and accounting for biodiversit*y relating to the 3 step method for assessing habitat condition
9C Biodiversity Metric Version 3.0 assessment by Mr Andrews
10 Note by Mr Forbes-Laird on the potential access design to retain the protected tree at the entrance to the site, submitted by Mr White
11 Plan of the land within the policy A31 area controlled by the Appellant, submitted by Mr White
12 Representation made to the inquiry by Mr Thorne
13 Briefing Note by Mr Baxter on the grassland condition assessment, submitted by Mr White
14 Note by the Council on the footpath provision along Ash Green Road, submitted by Mr Cosgrove
15 Note by Mr Graham on sustainable drainage, submitted by Mr White
16 Explanatory Note on Appendix 2 to Mr Neame's evidence, submitted by Mr White
17 Note by the Council correcting the affordable housing provision in the AMR 2020/ 2021, submitted by Mr Cosgrove
18 Note by the Council on the pedestrian route to Ash Station, submitted by Mr Cosgrove
19 Note by the Council on the approach to the policy A31 sites in the Land Availability Assessments 2020 and 2021, submitted by Mr Cosgrove
20 Technical Note by Dr Clothier responding to Document 15, submitted by Mrs Wyeth-Price
21 Representation by residents in Vyne Walk about the proposed footpath route to Ash Station
22 Note by Mr Forbes-Laird on the potential tree and hedgerow loss within the site as a result of the footpath provision along the northern side of Ash Green Road, submitted by Mr White
23 Comments by the Council's Arboricultural Officer, Mr Holman, on the tree and hedgerow loss within the appeal site as a result of the footpath provision along the northern side of Ash Green Road, submitted by Mr Cosgrove

24 Update to Document 14 and attached appeal decision, submitted by Mr Cosgrove
25 Site visit itinerary, agreed by the main parties
26 Clarification of points arising from Mr White's cross-examination of Mrs Wyeth-Price on planning policy and planning balance by Mrs G Squibb, Chair of AGRA
27 Statement of oral evidence given to the inquiry on planning policy and planning balance by Mrs Wyeth-Price on behalf of AGRA
28 Appellant's costs application
29 Council's response to the Appellant's costs application and Council's costs application
30 E-mailed note concerning the loss of the veteran Pedunculate Oak in Storm Eunice, submitted by Mr White
31 AGRA's response to Document 30, submitted by Mrs Wyeth-Price
32 Draft list of planning conditions
33 Addendum to the CIL Compliance Statement, regarding the healthcare and monitoring contributions, submitted by Mr Cosgrove
34 Appeal decision relating land at Lower Weybourne Lane, Farnham (APP/R3650/W/20/3262641), submitted by Mrs Wyeth-Price
35 Appellant's written agreement to the pre-commencement conditions
36 Copy of the consultation responses by Thames Water, submitted by Mrs Wyeth-Price
37 Appellant's response to the Council's costs application
38 Council's reply to the Appellant's response to its costs application
39 Certified copy of the Section 106 Agreement dated 29 March 2022

PLANS

PLAN A: Application Plans:	SL.01 REV F SE.01 REV D FB-A.pe E FB-B.E REV D HT.AVI.E REV B HT.CHI.E REV C HT.CRA.E REV B HT.EVE-SEM.E REV B HT.GOD.E REV D HT.LON.E REV C HT.MAL.E REV D HT.MAR.E REV B HT.RIP.E REV C HT.SHA.E REV B HT.WIT.E REV B P15-16_45-46.E REV B P21-22_35-36_57-58.E REV C P32-33.E REV B P37-38.E REV B FB-B.P REV C HT.AVI.P REV B HT.CHI.P REV C HT.CRA.P REV B HT.EVE-SEM.P REV B HT.GOD.P REV D HT.LON.P REV C HT.MAL.P REV D HT.MAR.P REV B HT.RIP.P REV C HT.SHA.P REV B HT.WIT.P REV B P15-16_45-46.P REV B P21-22_35-36_57-58.P REV C P32-33.P REV B P37-38.P REV B LP.01 REV A GAR.01.peA GAR.02.peA GAR.03.peA GAR.04.peB
PLAN B: Amended plans submitted with the appeal	SL.01 P2 SE.02 P1