



Appeal Decision

Hearing opened on 20 June 2023

Site visits made on 21 June 2023

by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2023

Appeal Ref: APP/Y3615/W/22/3312863

Orchard Farm, Harpers Road, Ash, Surrey, GU12 6DB

- 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 Bellway Homes (South London) Ltd against Guildford Borough Council.
 - The application, Ref 22/P/01083, is dated 17 June 2022.
 - The development proposed is the erection of 51 dwellings with associated open space, landscaping and parking.
 - The hearing was conducted over two days, 20 & 21 June 2023.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of 51 dwellings with associated open space, landscaping and parking at Orchard Farm, Harpers Road, Ash, Surrey, GU12 6DB, in accordance with the terms of the application, Ref 22/P/01083, subject to the conditions in Schedule 1.

Preliminary matters

2. On the application form, the site is given as Orchard Farm, Mobile Home, Harpers Road. The main parties agreed at the hearing that the reference to the mobile home should be omitted, and I have identified the site accordingly in the appeal details above.
3. A planning agreement has been submitted in connection with the appeal proposal (Document O29). It contains obligations concerning suitable alternative natural greenspace (SANG), affordable housing, highway works, public access over the estate roads, the payment of infrastructure contributions, cycle vouchers, first homes, and arrangements for the construction of access onto the adjacent Guildford Road residential development (known as Wildflower Meadow).

Main Issues

4. The appeal was made against the failure of the Local Planning Authority (LPA) to give notice of its decision on the planning application within the prescribed period. The LPA subsequently resolved that planning permission would have been refused because the proposal would reduce highway safety on Harpers Road, would not be in keeping with the character of the area, and in the absence of planning obligations there would be a likely significant effect on the Thames Basin Heaths Special Protection Area (SPA) and a failure to provide affordable housing and mitigate the effect on infrastructure.

5. The planning agreement subsequently submitted contains obligations which address concerns relating to the SPA, affordable housing and infrastructure. Having regard to the submitted documentation and the representations received, I consider that the main issues in this appeal are:
- i) The effect of the proposed development on highway safety on Harpers Road.
 - ii) The effect of the proposed development on the character and appearance of this part of Ash.

Background

6. The appeal site lies within a strategic allocation for development. Policy A31 of the Guildford Borough Local Plan: Strategy and Sites allocates 96ha of land in a number of parcels to the south and east of Ash and Tongham for approximately 1,750 homes. One of the requirements, included in the policy, for the development of this land is the provision of a new road bridge, to form part of the A323 Guildford Road and to enable the closure of the level crossing at Ash railway station. The Strategic Development Framework Supplementary Planning Document (SPD, Document O26) sets out principles and guidance for the development of land within the eastern part of the allocation. It includes primary routes running through the land, with development areas on either side¹.
7. Several parcels of land have already come forward for development², including the Wildflower Meadow site, which lies between Guildford Road at the northern end of the allocation and the appeal site, and land on Ash Green Road, on the opposite side of the railway to the appeal site. The appeal site is positioned on the east side of the line of the Ash Road Bridge, and includes a neck of land which extends to Harpers Road between frontage development.

Reasons

Highway safety on Harpers Road

Access arrangements

8. A single point of vehicular access is proposed for the development. This would be taken from Harpers Road, in the position of the existing access to Orchard Farm, and between two houses on the road frontage. Pedestrian and cycle access would be available not only from this access, but also via two links to the Wildflower Meadow development to the north.
9. Policy A31 of the Local Plan refers to access arrangements in the strategic allocation which includes the appeal site. Requirement 9 concerns provision of the Ash Road Bridge which would form the northern part of a spine road. Requirement 10 specifies that road layouts are to provide connections between the individual development sites and between Ash Lodge Drive and Foreman Road, in order to maximise accessibility and to help alleviate congestion on the A323 corridor. The routes of both Ash Road Bridge and between Ash Lodge Drive and Foreman Road are outside the appeal site, and do not fall within the scope of the appeal proposal, but a planning obligation would provide a financial contribution towards the cost of the bridge scheme. Although, as

¹ See figure 49 in Document O26.

² The plan at appendix A to Document L4 shows proposals in this part of the allocation.

things stand, the layout of the appeal proposal does not include road connections to other development sites within allocation A31, the Appellant has prepared a plan which shows indicative access points to the parcels of land to the north and south of the access road³.

10. Guidance in the SPD indicates a series of access points into development areas from the spine road. However, in the case of the land which includes the appeal site, the indication is only of a possible access from Ash Bridge Road⁴. The only other access identified is a pedestrian and cycle route to the north. There is no clear indication in the SPD as to where vehicular access for this part of allocation A31 should be located.
11. I heard from highways representatives for the Council that consideration had been given to providing direct access between the spine road and the land at Orchard Farm as part of the original design development. This was not progressed due to concerns about visibility for northbound traffic, the visual impact of the ramp needed to provide the access road, the loss of flood storage, and the impact on through traffic of the number of access points⁵. The approved scheme for h Ash Road Bridge does not, therefore, include vehicular access to land at Orchard Farm.
12. The appeal proposal includes two foot/ cycle way links to the Wildflower Meadow development. Provision of a road access in this direction would require an upgrade of a link, including the crossing of a watercourse. The Appellant has expressed concern that this work would adversely impact on flood storage, and its flood risk consultant advised that it would be very challenging to achieve. Furthermore, housing on the adjacent land to the north is under construction, and the LPA did not dispute the Appellant's evidence that the geometric parameters of the layout are not appropriate to accommodate the additional traffic which would be generated by the appeal proposal.
13. On the evidence before me, I am satisfied that there is no alternative to Harpers Road as a means of access to the appeal site or motor vehicles.

Harpers Road

14. Harpers Road runs south from its junction with Guildford Road (the A323), to the east of allocation A31, and turns to the north-east after the junction with Ash Green Road. The stretch between Guildford Road and Ash Green Road has the characteristics of a rural lane, passing areas of open land and scattered built development, and being of varying width, with no footways. In addition to a number of dwellings, there are a pre-school, playing fields and a playground and allotments situated towards the northern end of Harpers Road. A public house is positioned at the junction with Guildford Road. On-street parking occurs in places, and a watercourse runs along the western side of the road in the vicinity of the appeal site.
15. At the site visit, measurements were taken of the width of this stretch of Harpers Road and agreed by the LPA and the Appellant. The width recorded varies from 5.9m to the north-west of the junction with Ash Green Road to 3.7m at points to the south of Pine Cottages, the latter being to the north of the proposed site access. Manual for Streets (MfS) indicates that a

³ Plan ref 111909-BEL-SL-IAP-A

⁴ Figure 49 of the SPD.

⁵ See the letter dated 26 April 2023 from AECOM to the LPA (Document L7).

carriageway width of 4.1m is needed to enable cars travelling in opposite directions to pass⁶.

16. Levels of traffic movement on Harpers Road have been submitted by the Appellant, the LPA and Copperwood Developments who own a strip of land between the appeal site and Wildflower Meadow. It is common ground in the assessments that traffic movement is greater in the morning peak than in the afternoon peak, and the Appellant and the LPA both base their calculations on a greater proportion of traffic generated by the appeal proposal travelling to and from the north on Harpers Road.
17. Based on observed traffic movements at the junction with Guildford Road on a single day in 2022, the Appellant refers to 87 two-way movements on the northern part of Harpers Road during the morning peak hour⁷. An automatic traffic count (ATC) survey was undertaken for Copperwood for a seven day period earlier this year: that gave a weekday average of 118 two-way vehicle movements⁸, and is referred to by the LPA⁹. For the afternoon peak, there is a lower range of 54-66 two-way movements¹⁰.
18. The level crossing at Ash Station is a cause of congestion on the A323, and the LPA agreed that the Ash Road Bridge scheme would reduce pressure on Harpers Road from drivers seeking an alternative route through Ash. With the bridge in place, figures from the main parties give a range of 56-81 two-way movements for the morning peak hour on the northern part of Harpers Road and of 45-55 in the afternoon peak¹¹. The LPA has referred to reductions of 36% and 16% in a transport report undertaken for a planning application at the Streamside site on Harpers Road, whilst the Appellant's figures of 81 and 47 derive from the transport assessment for the road bridge. The Transport Statement for the appeal proposal calculates that an additional 19 and 18 vehicles would be generated by the appeal proposal on the northern section of Harpers Road during the morning and afternoon peaks¹², which would increase these ranges to 75-100 and 63-73 two-way movements. This apportionment of traffic is not disputed by the LPA.
19. Those figures do not take account of the development of other sites falling within the allocation. To the north-east of the appeal site, housing is proposed on land at Streamside for 22 dwellings with access from Harpers Road, and a parcel of land further south (known as Big Acre) is contained between the appeal site and Harpers Road. There is no certainty, though, that a scheme for housing will come forward and be permitted on the latter site. Beyond the railway, planning permission has been granted for a larger number of dwellings on Ash Green Road, some traffic from which would be expected to use Harpers Road¹³. The LPA has calculated that, taking these sites into account, the number of vehicle movements on the northern part of Harpers Road would increase to 118-138 during the morning peak, with 100-110 during the

⁶ Manual for Streets, figure 7.1.

⁷ Transport Statement July 2022, appendix J, figure 1.

⁸ Letter dated 16 March 2023 from Motion to the LPA, table 2.

⁹ Document L4, paragraph 4.15.

¹⁰ The Appellant's figure of 57 is taken from the Transport Statement July 2022, appendix J, figure 1, the LPA refers to the Streamside study which records a figure of 66 (Document L4, para 4.13), and the Copperwood figure of 54 is in table 2 of the letter dated 16 March 2023 from Motion to the LPA.

¹¹ The Appellant's figures of 81 and 47 are given in paragraph 6.4.4 of the July 2022 Transport Statement. The LPA refers to ranges of 56-76 and 45-55 in paragraph 4.21 of Document L4

¹² Transport Statement, July 2022, table 6.5.

¹³ The location of these three sites is shown on the plan at appendix A to Document L4.

afternoon peak. However this calculation includes 30 dwellings at Big Acre, whereas that figure is the estimated capacity for that site and Streamside. Moreover the access onto Ash Green Road is a temporary arrangement pending the provision of the spine road on land to the west. Taking these factors into account, I consider that figures towards the upper end of the Appellant's suggested ranges of 98-118 and 83-93 vehicles for the morning and afternoon peak periods are more likely to occur.

20. Planning permission has recently been refused for housing at Streamside and there is no certainty that residential development would come forward on the sites to the east of Orchard Farm. Any proposals on that land must be considered on their own merits, and I would expect that to include an assessment of the additional effect on highway safety on Harpers Road.
21. Insofar as the proposal before me is concerned, the appropriate comparison is between the existing traffic levels and a revised baseline with the bridge operational and including development traffic. Taking the upper end of the range for the latter scenario, that exercise indicates a reduction in vehicle movements from 118 to about 100 on the northern and busier section of Harpers Road during the morning peak. Alternatively, using the Appellant's figures for existing traffic movement indicates a modest increase of about 13 vehicles in the morning peak. Insofar as the afternoon peak is concerned, on each set of figures a lower increase of less than 10 movements is expected.
22. The Transport Statement considered accident data over the five years period to 2021. There were several slight injury accidents and one serious injury accident on nearby roads, but no personal injury accidents were recorded on Harpers Road itself¹⁴. The LPA argued that less travel occurred during the period of covid-19 restrictions, and referred to the period 2015-2019. That exercise revealed two slight injury accidents on Harpers Road: these were to the south of the site access close to the junction with Ash Green Road, on the stretch of Harpers Road which would be used by a lower proportion of traffic. The Appellant pointed out that no personal injury accidents had been recorded here since 2017, and that during this period minor amendments had been made to road marking which would be likely to have led to a reduction in speed. Two serious accidents were recorded on Guildford Road, close to the junction with Harpers Road, but there is nothing to indicate that traffic movement at the junction was a contributory factor. The local community has referred to a number of accidents on Harpers Road itself: whilst it is clear that there is concern about highway safety on the road, full details of the circumstances are not available, and the information before me does not provide clear evidence of a record of personal injury accidents on the road.
23. Harpers Road has no footways, and the carriageway is shared by vehicles, pedestrians and horse-riders. The Appellant has drawn attention to that part of MfS¹⁵ which refers to shared surface streets. Whilst the principles of MfS may be applicable to lightly-trafficked lanes in rural areas, the circumstances where shared surfaces are likely to work well do not exist on Harpers Road. Harpers Road is not a cul-de-sac, and I do not consider the distance of about 450m between the site access and Guildford Road to be a short length of road, bearing in mind that it exceeds the distance generally considered suitable to a bus stop. Insofar as parking is concerned, there is limited provision at several

¹⁴ Transport Statement, July 2022, section 3.6.

¹⁵ MfS, paragraphs 7.2.8-7.2.15.

of the terrace properties, and on-road parking occurs there and further north near the public house and playing fields/ playground.

24. Harpers Road is, though, a lightly trafficked road, and would remain as such with the development in place. Parking on the carriageway, and a section where there are widths below that which MfS indicates is necessary for two cars to pass, present potential constraints to movement, but given the relatively low level of vehicle movement with the development in place, I do not consider that there would be a materially greater prospect of conflict between road users.
25. I do not consider that the development would result in a material increase in movement by pedestrians and cyclists along Harpers Road. As part of the proposal, two foot and cycleway links, secured by a planning obligation, would be provided into the Wildflower Meadow development to the north from where access would be available to local services in Ash without the need to use Harpers Road. Those links would also provide an opportunity for the residents of properties in the vicinity of the access to Orchard Farm to reach Guildford Road on foot or by bike without using Harpers Road as far as its northern end. A further planning obligation provides for a contribution of £61,200 towards improvements to public rights of way and highway safety in the vicinity of the site, and for traffic calming works to be undertaken on Harpers Road. Works on Harpers Road are expected to include visual narrowing features and a series of speed limit roundels. I note also that improvements are to be made to the surface of the public footpath which runs west from Harpers Road to the railway station and Guildford Road as part of the Wildflower Meadow development.
26. Harpers House takes its access from the south side of the access road to Orchard Farm. An occupier of that dwelling expressed concern about conflict between reversing movements from his access and vehicles using the road into the site¹⁶. I agree that reversing manoeuvres from Harpers House could be more difficult with the development in place. However, there is a wide hardstanding at Harpers House, and I anticipate that it is of sufficient size to enable vehicles to turn within the curtilage and leave in forward gear.
27. Whilst the proposal would result in some additional vehicles using Harpers Road, the increase would be limited, and, together with the package of measures proposed, would avoid any material worsening of highway safety. Through the inclusion of footway and cycle links, which would provide access to bus services on Guildford Road and the railway station, and financial support for footpath improvements, the scheme would maximise the use of these sustainable transport modes, as required by part 1 of Policy ID3 in the Local Plan. The provision of appropriate opportunities to promote sustainable transport modes would also be consistent with paragraph 110(a) of the NPPF.

Conclusions on highway safety

28. The proposal would not lead to a material increase in traffic movement along Harpers Road, which would remain relatively lightly trafficked. Moreover the proposal includes measures to provide alternative routes for pedestrians and cyclists. In consequence, whilst there is on-road parking on certain parts of Harpers Road and a narrow section of carriageway, the likelihood of additional

¹⁶ See photographs submitted by Mr Nowroz, Document O8.

conflict between road users is minimal. Accordingly I find that the proposal would not conflict with the requirement in Policy ID3 to contribute to the delivery of a safe transport system. I note, moreover, that the Highway Authority does not maintain an objection to the proposal. I conclude that the proposed development would not have an unacceptable impact on highway safety: in such circumstances, paragraph 111 of the NPPF indicates that development should not be refused on highway grounds.

Character and appearance

29. The appeal site is within the largest part of strategic allocation A31, which lies between the built-up area of Ash to the west and the predominantly open landscape of the Green Belt which extends to the east of Harpers Road. Given the allocation in the Local Plan, the principle of residential development is appropriate on the appeal site. However, it is nonetheless important that development there takes account of its surroundings.
30. The site is on the eastern side of the allocation, but, apart from the access, is set back from Harpers Road. Requirement 7 of Policy A31 is for sensitive design at site boundaries that has regard to the transition from urban to rural, and the supporting text refers to the transition from urban to rural as a key consideration. The proposal involves a development of two-storey housing around a looped road layout with a central axis, with design details reflecting features within the surrounding area and the nearby development to the north. A significant part of the site, on its western and northern sides would remain open, consistent with the intention in the SDF for a radiating landscape structure between parcels of developed land¹⁷. The density of about 27 dwellings per hectare (dph) is lower than the average density of 30dph given in the SDF for that part of the allocation to the east and south-east of the station, and the proposal is consistent with the expectation for a semi-formal layout with medium density housing in this location.
31. Built development on the appeal site would be set back about 80-85m from the edge of the allocation on Harpers Road. There is a substantial belt of land between the proposed housing and the open land east of the road, and housing proposals have already come forward for the northern part of this area at Streamside. Irrespective of whether development proceeds within this belt, the housing on the appeal site would not present an unsympathetic contrast with the rural character of Harpers Road, given its position and the extent of vegetation along the road. For the same reasons, I do not consider that the orientation of several of the dwellings on the eastern side of the site with their rear elevations facing towards Harpers Road is an unsatisfactory aspect of the design of the scheme.
32. The proposal is consistent with the provisions of Policy A31 in the Local Plan and in the SDF concerning the form of development on this part of the allocation, and its semi-formal layout, medium density and extensive open space would contribute to an appropriate eastwards transition from urban to rural. I conclude that the proposed development would not harm the character and appearance of this part of Ash.

¹⁷ Document O26, figure 53.

Other Matters

Heritage assets

33. There are several listed buildings within the vicinity of the appeal site. About 500m to the west, within the existing built-up area of Ash, is the grade II* Church of St Peter, and there is a group of listed buildings at Ash Manor to the south of the railway and about 250m from the site.
34. There is a distant view of the spire of St Peter's Church from within the appeal site, although this is not a position to which there is public access. The layout incorporates a central east-west road, which would retain a view towards the church, albeit with the presence of housing in the foreground. There is also a distant view of the spire from the northern part of the site which would remain as open land. The relationship between the church and the appeal site will be eroded by the Ash Road Bridge, construction of which was expected to start in the near future and to be completed by early 2025¹⁸. Housing is proposed close to the church on the western side of this part of allocation A31, and I do not consider that the additional housing proposed on the appeal site would detract from its setting, or the contribution that setting makes to the significance of this heritage asset.
35. The group of listed buildings at Ash Manor comprises Ash Manor and Old Manor Cottage (grade II*), Ash Manor Oast and The Oast House (grade II) and Oak Barn (grade II). These listed buildings comprise a moated manor house and part of its former farmstead, set in an agricultural landscape, which serves as a reminder of the purpose for which the former farmstead was developed in this location. However the construction of the railway in the nineteenth century severed the fields of the appeal site from Ash Manor. Whilst the group of listed buildings is excluded from strategic allocation A31, the allocation extends across the open land around it, and there are proposals for housing on the south side of the railway line which are closer to Ash Manor than the appeal site. Outline planning permission for 100 dwellings has been granted on land between the railway and Ash Green Road, which is due south of Orchard Farm and extends to a point level with Ash Manor. I note that the LPA's Conservation Officer refers to the appeal proposal continuing the line of the outline scheme, which would lessen its impact upon the setting of the listed buildings.
36. The construction of housing on the appeal site would diminish to an extent the rural character of the setting of the listed buildings, although the impact of the appeal proposal is reduced by the retention of open land to the west of the housing. The position of the proposed housing at Orchard Farm beyond development proposed to the south of the railway would lessen its contribution to cumulative impact from the housing proposals in the strategic allocation on the setting of the Ash Manor listed buildings. Accordingly I consider that the proposal would result in less than substantial harm to the setting of these listed buildings and the contribution which setting makes to their significance. Nevertheless, since I have found a degree of harm, there would be conflict with part 1 of Policy D3 of the Local Plan.

Nature conservation

¹⁸ Oral evidence of Mr Kelly for the LPA.

37. The site is within the 40m to 5km zone of influence around the Thames Basin Heaths Special Protection Area (SPA) and its composite sites of special scientific interest (SSSIs). The SPA is a European site which is designated under, and subject to, the protection of The Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations). The SPA provides a habitat for three internationally important bird species: Dartford warbler, nightjar and woodlark. Conservation objectives for the SPA seek to maintain or restore the habitats of these species and their population and distribution within the SPA.
38. The three bird species for which the SPA has been classified nest on or near to the ground. In consequence they are susceptible to disturbance from informal recreation use. The proposal for residential development has the potential to affect qualifying features of the European site due to recreational disturbance in conjunction with this effect from other residential development. As the site is not far from the SPA, there is the potential that future residents would make recreational visits there. The cumulative impact from the presence of more people, including those walking dogs, is liable to cause disturbance to birds, and have a likely significant adverse effect on the Thames Bason Heaths European site.
39. Having identified a likely significant effect, an appropriate assessment is required in accordance with the Habitats Regulations. I do not doubt that, without mitigation, the construction of housing on the appeal site would lead to increased recreational pressures on parts of the SPA, the effects of which would be contrary to conservation objectives for this European site. The Thames Basin Heaths SPA Avoidance Strategy has been adopted by the LPA as a supplementary planning document (SPD, Document O27). Within the zone of influence the provision, improvement and/ or maintenance of Suitable Alternative Natural Greenspace (SANG) is required to attract people away from the SPA, together with site access management measures (SAMM) and monitoring to reduce the impact of those people who do visit it.
40. A planning obligation requires the provision of SANG and the payment of a SAMM contribution prior to the commencement of development. These obligations are consistent with the approach to safeguard the SPA set out in the SPD, and Natural England has no objection to the proposal in this respect. In addition, the main parties suggested a condition preventing occupation of dwellings until the SANG had been brought up to an appropriate standard for use. I am satisfied that with the mitigation measures provided by the obligation, and with the suggested condition, the proposal would not be damaging to the integrity of the SPA, and it would be consistent with Policy NRM6 of the South East Plan and Policy P5 of the Local Plan.

Housing land supply

41. The LPA's most recent assessment of housing land supply gives a level of provision sufficient for 6.46 years¹⁹. Whilst the Appellant indicated that it had reservations about the level of supply, it provided no alternative figure and did not directly dispute the availability of a five years' supply. In any event the site forms part of an allocation for housing, although the proposal would contribute to boosting delivery.

¹⁹ Document O11, table 5.

Drainage and flood risk

42. A parish councillor and local resident referred to existing problems of overflow from sewers affecting residents on Harpers Road, and expressed concern that the additional housing proposed would exacerbate the situation. I note that Thames Water has no objection to the proposal, and the Appellant had no objection to a condition requiring a foul drainage scheme to be submitted for approval. With this safeguard I am satisfied that the construction of dwellings at Orchards Farm should not worsen the existing foul drainage situation.
43. The Environment Agency's flood map for surface water shows that the majority of the site is at high risk of surface water flooding. To address this situation flood storage is proposed around the western and northern sides of the housing²⁰. Conditions would be necessary requiring the approval of a detailed surface water drainage scheme and details of earthworks to ensure that the site itself was satisfactorily drained and that the development would not increase the risk of off-site flooding.

Living conditions

44. Oakside Cottage is situated on Harpers Road, on the north side of the access road to Orchard Farm. An occupier of Oakside Cottage expressed concern about noise, fumes and disturbance arising from construction activities and use of the access road to serve the development. Construction activities would inevitably be apparent to nearby residents. However a construction transport management plan and a construction environmental management plan could include measures to control vehicle movements, and to address concerns about air quality, noise and dust.
45. In addition, the occupier of Oakside Cottage refers to loss of privacy as a result of the removal of trees and hedging on the boundary with the access road. Tree cover within the curtilage of Oakside Cottage would, however, remain, as would the screen fence on the boundary, and I do not consider that the proposal would cause any loss of privacy to the occupiers of Oakside Cottage. With the safeguard of conditions requiring approval of construction transport and construction environmental management plans and limiting working hours, the proposal would not unacceptably worsen the living conditions of local residents.

Health services

46. One of the partners in a local medical practice has referred to a difficulty in recruiting new GPs which has led to a request by the practice for a temporary capping on the registration of new patients. This representation also acknowledges that there has been good support from NHS agencies in respect of improvements to physical capacity, and that the challenge faced is not the medical facilities available. The staffing position is subject to change, as indicated by the request for a temporary capping on registration. Subject to the recruitment of additional staff, there is nothing before me to indicate that local health services do not have the capacity for the additional population from the proposed development.
47. The development of the appeal site would result in additional demands on police resources, and education and recreation facilities. Financial contributions

²⁰ See figure 4-4 in the Flood Risk Assessment.

towards these services would be provided, and, at the hearing, the LPA confirmed that these contributions towards infrastructure provision would meet its requirements. I have no reason to take a different view.

Planning obligations

48. I have already referred to planning obligations concerning a highways contribution, highway works, mitigation measures in respect of the Thames Basin Heaths SPA, contributions to certain local services, and a contribution towards the Ash Road Bridge scheme.
49. Policy H2 of the Local Plan seeks the provision of at least 40% affordable homes on sites providing 11 or more dwellings, and Policy H7 requires that 25% of this provision should be in the form of first homes. Provision broadly consistent with these policies would be secured by planning obligations²¹, and the LPA is satisfied that the proposal would be policy compliant in this respect. The cycle voucher contribution would complement the provision of cycle way links and encourage the use of cycling as an alternative to the car.
50. All of the obligations in the planning agreement are directly related to the development, are fairly and reasonably related to it in scale and kind, and are necessary to make it acceptable in planning terms. I find that the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations are met, and that the provisions of the planning agreement are material considerations in this appeal.

Economic considerations

51. The Appellant argues that the development would generate employment during the construction period, and that the demand for goods and services then and subsequently from the new population would benefit the local economy. There is no indication of the scale of this contribution to the local economy, and the benefits mentioned would arise from any development of this size. I consider that this merits moderate weight.

Biodiversity

52. The landscaping proposals would involve the retention of trees and hedgerows enhancement of grassland, the creation of heathland and scrub areas and the formation of a pond. It is common ground between the main parties that the proposal would result in a net gain of 6.38 biodiversity units. On the evidence before me, I share this view, and the proposal would comply with Policy ID4 of the Local Plan.

Conditions

53. I have considered possible conditions in the light of the advice in Planning Practice Guidance and the discussion on conditions at the hearing²². Those conditions which I consider would be necessary for the development to proceed are listed in the schedule, together with the reasons for their imposition. Matters which are covered in the planning agreement do not need to be repeated in conditions.

²¹ Five first homes would be provided, representing 24% of the 21 affordable homes.

²² Possible conditions agreed by the main parties are listed in Document O23.

54. In its response to possible pre-commencement conditions, the Appellant has suggested that occupation of 25 dwellings be permitted prior to the completion of the road bridge, and has commented that a condition preventing occupation until that scheme was completed would delay implementation of the development and payment of the road bridge contribution (Document A9). The introduction of the bridge to the road network has an important role in taking a proportion of exiting traffic movements off Harpers Road, thereby limiting the level of traffic in the post-development scenario. It is, therefore, important that occupation of housing on the site, and consequent generation of traffic, does not precede the opening of Ash Road Bridge. I note that the Appellant nevertheless agrees to all of the conditions which would be pre-commencement conditions. There is no need for a commencement condition to refer to a period of 12 months from the start of the bridge works, given that this was programmed for 31 July 2023.

Conclusions

55. Under Policy A31 the site is included within a strategic allocation for housing. There would be no conflict with requirements for surface water flooding mitigation measures, sensitive design at site boundaries, and a road layout which would allow for connections to other parts of the allocation. Moreover, consistent with requirement 10, the proposal includes a contribution towards the cost of construction of Ash Road Bridge.
56. In the context of this appeal, Policy ID3 concerning sustainable transport for new developments is one of the most important policies. The scheme would maximise the use of sustainable transport modes, and it would not have an unacceptable impact on highway safety: it would, therefore, contribute to the delivery of an integrated, accessible and safe transport system.
57. The proposal would also comply with other policies in the Development Plan. There would not be an adverse effect on the character and appearance of the area, and no conflict with Policy D4. Provision is made for infrastructure contributions, and mitigation measures in respect of flood risk and the Thames Basin Heaths SPA, consistent with Policies ID1, P4 and P5. The proposal would provide a mix of housing, including the required level of affordable units, and it would comply with Policies H1 and H2.
58. Although the proposal would allow for the retention of view to Ash Manor, I have found a degree of harm to the setting of the listed buildings there, and consequently there would also be conflict with part 1 of Policy D3 of the Local Plan. This impact would be minor and at the lower end of the spectrum of less than substantial harm. Not only is that harm minor, but it is an inevitable consequence of the inclusion of the containment of Ash Manor by a strategic housing allocation that implementation of that key policy would have some effect on the setting of the listed buildings. I conclude that the proposed development would comply with the Development Plan considered as a whole.
59. Paragraph 202 of the NPFF requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal. This is a proposal which would contribute to the delivery of housing in a strategic allocation of the Local Plan and support the provision of an important piece of highway infrastructure. It would provide an appropriate mix of housing, including affordable dwellings. These matters carry significant weight.

The economic benefits arising from development on the site merit moderate weight, and I also attribute moderate weight to the net gain in biodiversity and the opportunity for existing residents to use pedestrian and cycle links through the development to reach Ash. The public benefits clearly outweigh the minor harm to the significance of the listed buildings.

60. No other harm would arise from the proposal, and there are no material considerations which support a decision being taken other than in accordance with the Development Plan considered as a whole.
61. For the reasons given above, and having regard to all matters raised, including the suggested conditions, I conclude that the appeal should be allowed.

Richard Clegg

INSPECTOR

Richborough

Schedule 1 - Conditions

- 1) The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the plans listed in schedule 2.

Reason: To provide certainty.

- 3) No development shall take place, including any works of demolition, nor any clearance of vegetation, until an ecological management plan, prepared in accordance with section 6 of the Harpers Road Phase 2 Ecology Survey Report, October 2022, by Greengage Environmental Ltd, and including a programme for implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved ecological management plan.

Reason: To protect and enhance biodiversity in accordance with Policy ID4 of the Guildford Borough Local Plan Strategy and Sites and paragraph 180(d) of the National Planning Policy Framework.

- 4) No dwelling shall be occupied until the Suitable Alternative Natural Greenspace has been provided in accordance with a scheme which has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To safeguard the nature conservation value of the Thames Basin Heaths Special Protection Area.

- 5) No development shall commence, including any works of demolition, until a Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following:

- i) The anticipated number, frequency and types of vehicles used during construction.
- ii) The provision made for the parking of vehicles by site personnel and visitors.
- iii) The loading and unloading of plant and materials, including the timing of HGV deliveries.
- iv) Vehicle routing and measures for off-site traffic management.
- v) The provision of boundary hoarding behind visibility zones.
- vi) The provision of wheel washing facilities and other measures to mitigate the impact of construction traffic upon the public highway.
- vii) On-site turning space for construction vehicles.

The approved CTMP shall be implemented and adhered to throughout the construction period.

Reason: In the interest of highway safety, to safeguard the living conditions of nearby residents, and to ensure that construction works do not have a harmful environmental effect.

- 6) No development shall commence, including any works of demolition, nor any clearance of vegetation, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following:
- i) Measures to control the emission of dust and dirt during construction.
 - ii) The storage of plant, machinery and materials.
 - iii) Measures for the protection of trees, hedgerows and other landscape features to be retained.
 - iv) Measures to control the emission of noise during construction.
 - v) A soil management plan, including proposals for stripping and storing soil for re-use on site.
 - vi) External lighting to be used during construction, and measures to limit the disturbance from any such lighting.
 - vii) A construction phase drainage strategy to intercept, and attenuate surface water run-off. Chemicals and fuel must be stored in secure containers away from watercourses and water bodies.
 - viii) The use of protective fences and exclusion barriers.

The approved CEMP shall be implemented and adhered to throughout the construction period.

Reason: To safeguard the living conditions of nearby residents, and to ensure that construction works do not have a harmful environmental effect.

- 7) No development above ground level shall take place until details of earthworks have been submitted to, and approved in writing by, the Local Planning Authority. These details shall include the levels and contours to be formed, and shall show the relationship to the adjacent landform. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development takes proper account of flood risk and to safeguard the character and appearance of the area.

- 8) No development above ground level shall take place until a scheme for the provision of 10% of the dwellings to be designed to Building Regulation M4 Category 2 (accessible and adaptable dwellings) and 5% of the dwellings to be designed to Building Regulations M4 Category 3 (wheelchair user dwellings) has been submitted to, and approved in

writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 9) No development shall commence until a programme of archaeological work has been carried out in accordance with a written scheme of investigation which has been submitted, to and approved in writing by, the Local Planning Authority.

Reason: To ensure that archaeological material within the site is recorded.

- 10) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until details of the site roads, including levels, sections, surface water drainage, visibility splays, pedestrian crossing points, street lighting, and a timetable for implementation have been submitted to, and approved in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timetable.

Reason: in the interest of highway safety.

- 11) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until details of the external facing and roofing materials have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites, and Policy D4 of the Guildford Borough Local Plan: Development Management Policies.

- 12) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a landscaping scheme has been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include:

- i) Ground levels.
- ii) Details of external amenity spaces.
- iii) Measures to protect soft landscape areas from car parking.
- iv) The design of pedestrian and cycle circulation areas.
- v) Hard surfacing materials.
- vi) Details of street furniture.
- vii) Details of trees to be retained.
- viii) Specifications of tree planting, with species, size and densities.
- ix) Schedules of other plants, with species, plants sizes and densities.

x) Written specifications relating to grass and meadow plant establishment.

xi) A timetable for implementation and a schedule for maintenance.

The development shall be carried out in accordance with the approved scheme and timetable. Any trees or plants forming part of the approved landscaping scheme which, within a period of five years after planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

If, within a period of one year from the date of first seeding of landscape areas, seeded areas have not attained 80% cover, they shall be re-seeded on an annual basis until 100% cover has been achieved, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the character and appearance of the area, in accordance with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites, and Policies D4 and D7 of the Guildford Borough Local Plan: Development Management Policies.

- 13) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a scheme of boundary treatment and means of enclosure has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include acoustic screening to the rear amenity space of the dwellings adjacent to the southern boundary of the site. The development shall be carried out in accordance with the approved scheme.

Reason: To safeguard the character and appearance of the area, in accordance with Policy D1 of the Guildford Borough Local Plan: Strategy and Sites, and Policies D4 and D7 of the Guildford Borough Local Plan: Development Management Policies, and to protect the living conditions of occupiers of the development.

- 14) Prior to the first occupation of each of the dwellings, covered and secure cycle parking facilities to serve that dwelling shall be provided in accordance with details which have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the cycle parking facilities shall be retained for that purpose.

Reason: To encourage the use of alternative travel options to the use of the car in accordance with Policy ID3 of the Guildford Borough Local Plan: Strategy and Sites.

- 15) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a scheme of charging facilities for e-bikes, including a timetable for their provision, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To encourage the use of sustainable travel options in accordance with Policy ID3 of the Guildford Borough Local Plan: Strategy and Sites.

- 16) Prior to the first occupation of each of the dwellings, refuse and recycling storage facilities to serve that dwelling shall be provided in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse and recycling storage facilities shall be retained as approved and kept available for their approved purposes.

Reason: To safeguard the amenity of the area, and to encourage waste reduction and recycling in accordance with Policy D2 of the Guildford Borough Local Plan: Strategy and Sites.

- 17) No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme should be prepared in accordance with the hierarchy of preference for different types of surface water drainage disposal set out in the SuDS Manual published by the Construction industry Research and Information Association, and should include:
- i) Evidence that the scheme will effectively manage the 1 in 30 (+35% allowance for climate change) and 1 in 100 (+40% allowance for climate change) storm events, with 10% allowance for urban creep.
 - ii) A maximum discharge rate of 7.3l/s.
 - iii) Measures to provide protection from exceedance flows.
 - iv) Details of drainage management responsibilities and maintenance regimes.

Prior to the first occupation of the development, a verification report, demonstrating that the development has been constructed in accordance with the approved scheme must be submitted to, and approved in writing by, the Local Planning Authority. No dwelling shall be occupied until the surface water drainage system serving that property has been implemented in accordance with the approved scheme.

Reason: To minimise flood risk and to ensure that the site is satisfactorily drained.

- 18) No development shall take place until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the foul water drainage system serving that property has been implemented in accordance with the approved scheme.

Reason: To ensure that the site is satisfactorily drained.

- 19) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a scheme of measures to achieve a high level of energy performance and carbon reduction, including calculations to quantify the

photovoltaic provision for each dwelling, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure a sustainable form of development, having regard to Policy D16 of the Guildford Borough Local Plan: Development Management Policies.

- 20) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a scheme of external lighting has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall take account of those areas which are sensitive for wildlife, specify measures to avoid light pollution, and include a timetable for implementation. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To safeguard the character and appearance of the area and to protect wildlife, in accordance with Policy D12 of the Guildford Borough Local Plan: Development Management Policies.

- 21) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until a scheme for the installation of high speed broadband, including a timetable for implementation, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and timetable.

Reason: To ensure that the development is provided with digital connectivity in accordance with paragraph 114 of the National Planning Policy Framework.

- 22) Demolition work or construction of the development shall not take place outside 08:00 to 18:00 hours from Mondays to Fridays and 08:00 to 13:30 hours on Saturdays, and there shall be no demolition or construction work at any time on Sundays, bank holidays or public holidays. Deliveries shall not take place outside 08:00 to 18:00 hours from Mondays to Fridays, and there shall be no deliveries at any time on Saturdays, Sundays, bank holidays or public holidays.

Reason: To safeguard the living conditions of nearby residents.

- 23) None of the dwellings shall be occupied until the vehicular access from Harpers Road has been constructed in accordance with plan ref ITB16016-GA-016.

Reason: In the interest of highway safety.

- 24) No development above ground level (excluding ground works, construction up to damp proof course and formation of the access) shall take place until details of the design, materials and lighting of the pedestrian and cycle path links to Wildflower Meadow, as illustrated on plan ref 111909-BEL-SL-LINKS01, have been submitted to, and approved in writing by, the Local Planning Authority. The works shall include a raised 3.5m wide hard-surfaced route with edging and low-level lighting,

and bridges with railings. None of the dwellings shall be occupied until the pedestrian and cycle path links have been constructed in accordance with the site plan ref 111909-BEL-SL-01 revision C.

Reason: To encourage the use of sustainable travel options in accordance with Policy ID3 of the Guildford Borough Local Plan: Strategy and Sites.

- 25) No dwelling shall be occupied until the parking space serving that property has been constructed in accordance with the approved site plan ref 111909-BEL-SL-01 revision C. Visitor parking spaces shall be provided in accordance with plan ref 111909-BEL-SL-01 revision C and a timetable which has been submitted to, and approved in writing by, the Local Planning Authority. All parking spaces shall thereafter be retained for the parking and passage of vehicles.

Reason: In the interest of highway safety.

- 26) No dwelling shall be occupied until it has been provided with an electric vehicle charging point in accordance with a specification which has been submitted to, and approved in writing by, the Local Planning Authority. Provision shall be made for charging points at 50% of the visitor parking spaces and cabling for charging points at the remaining 50% of spaces, in accordance with a specification and timetable which has been submitted to, and approved in writing by, the Local Planning Authority.
- 27) The measures included in the travel plan statement (section 7 of the Transport Statement by i-Transport, 29 July 2022) shall be implemented in accordance with the framework for implementation in table 7.1 of the statement.

Reason: To encourage the use of sustainable travel options in accordance with Policy ID3 of the Guildford Borough Local Plan: Strategy and Sites.

- 28) None of the dwellings shall be occupied until a certificate demonstrating that Secured by Design has been achieved has been submitted to the Local Planning Authority.

Reason: To safeguard the living conditions of residents of the development.

- 29) No development shall take place until the construction contract for the Ash Road Bridge Scheme (as approved by planning permission ref 19/P/01460) has been engrossed and construction of the bridge scheme has commenced. None of the dwellings shall be occupied until the Ash Road Bridge Scheme is completed and open to traffic.

Reason: To avoid unacceptable highway conditions.

- 30) No development shall take place until a scheme for placing underground the existing overhead wires and cables on the site has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a programme for implementation. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the development can be carried out in accordance with the approved plans.

END OF CONDITIONS

Richborough

Schedule 2 – plans referred to in condition No 2

1. Presentation Planning Layout 111909-BEL-SL-01-C. Date 28.11.2022
2. Supporting Planning Layout 111909-BEL-SL-02-C. Date 28.11.2022
3. Storey Heights Layout 111909-BEL-SL-03-C. F Date 28.11.2022
4. Tenure Layout 111909-BEL-SL-04-C. Date 28.11.2022
5. Unit Types Layout 111909-BEL-SL-05-C. Date 28.11.2022
6. Location Plan 111909-BEL-SL-06. Date 10.06.2022
7. Pedestrian and Cycle Path Links Drawing ref 11909-BEL-SL-LINKS01 Date 02.12.2022
8. Perspective 01 11909-BEL-SL-PER01-B. Date 07.12.2022
9. Perspective 02 11909-BEL-SL-PER02-B. Date 07.12.2022
10. Street Scene 01 111909-BEL-SL-SS01-B. Date 07.12.2022
11. Street Scene 02 111909-BEL-SL-SS02-B. Date 07.12.2022
12. Street Scene 03 111909-BEL-SL-SS03-B. Date 07.12.2022
13. Dexter House Type 111909-DE-M-E1. Date 17.05.2022
14. Dexter House Type 111909-DE-M-P1. Date 17.05.2022
15. Dexter House Type 111909-DE-V-E1. Date 17.05.2022
16. Dexter House Type 111909-DE-V-E2. Date 13.05.2022
17. Dexter House Type 111909-DE-V-P1. Date 07.03.2022
18. Dexter House Type 111909-DE-V-P2. Date 17.05.2022
19. Draper House Type 111909-DR-V-E1. Date 17.05.2022
20. Draper House Type 111909-DR-V-P1. Date 17.05.2022
21. Fisher & Piper House Types 111909-FP-V-E1. Date 17.05.2022
22. Fisher & Piper House Types 111909-FP-V-P1. Date 17.05.2022
23. Fuller House Type 111909-FR-V-E1. Date 16.05.2022
24. Fuller House Type 111909-FR-V-P1. Date 16.05.2022
25. Mason House Type 111909-MA-M-E1. Date 13.05.2022
26. Mason House Type 111909-MA-M-P1. Date 17.05.2022
27. Mason House Type 111909-MA-V-E1. Date 17.05.2022
28. Mason House Type 111909-MA-V-P1. Date 17.05.2022
29. Millwright House Type 111909-MW-M-E1. Date 13.05.2022
30. Millwright House Type 111909-MW-M-P1. Date 17.05.2022
31. Millwright House Type 111909-MW-V-E1. Date 13.05.2022
32. Millwright House Type 111909-MW-V-P1. Date 17.05.2022
33. Philosopher House Type 111909-PH-M-E1. Date 13.05.2022

34. Philosopher House Type 111909-PH-M-P1. Date 17.05.2022
35. Philosopher House Type 111909-PH-V-E1. Date 17.05.2022
36. Philosopher House Type 111909-PH-V-P1. Date 17.05.2022
37. Watchmaker house type 111909-WA-V-E1. Date 02.12.2022
38. Watchmaker house type 111909-WA-V-P1. Date 01.12.2022
39. Weaver House Type 111909-WE-M-E1. Date 17.05.2022
40. Weaver House Type 111909-WE-M-P1. Date 17.05.2022
41. Terrace 02 111909-T02-V-E1. Date 17.05.2022
42. Terrace 02 111909-T02-V-E2. Date 17.05.2022
43. Terrace 02 111909-T02-V-P1. Date 17.05.2022
44. Terrace 03 111909-T03-V-E1. Date 17.05.2022
45. Terrace 03 111909-T01-V-E2-A. Date 24.10.2022
46. Terrace 03 111909-T01-V-P1-A. Date 24.10.2022
47. Terrace 04 111909-T04-V-E1. Date 17.05.2022
48. Terrace 04 111909-T04-V-E2. Date 17.05.2022
49. Terrace 04 111909-T04-V-P1. Date 17.05.2022
50. Terrace 05 111909-T05-V-E1. Date 17.05.2022
51. Terrace 05 111909-T05-V-E2. Date 17.05.2022
52. Terrace 05 111909-T05-V-P1. Date 16.05.2022
53. Terrace 06 111909-T06-V-E1. Date 17.05.2022
54. Terrace 06 111909-T06-V-E2. Date 17.05.2022
55. Terrace 06 111909-T06-V-P1. Date 17.05.2022
56. Terrace 07 111909-T07-V-E1. Date 17.05.2022
57. Terrace 07 111909-T07-V-E2. Date 17.05.2022
58. Terrace 07 111909-T07-V-P1. Date 17.05.2022
59. Terrace 08 111909-T08-V-E1. Date 17.05.2022
60. Terrace 08 111909-T08-V-E2. Date 17.05.2022
61. Terrace 08 111909-T08-V-P1. Date 17.05.2022
62. Terrace 08 111909-T08-V-P2. Date 17.05.2022
63. Terrace 09 111909-T09-V-E1. Date 17.05.2022
64. Terrace 09 111909-T09-V-E2. Date 17.05.2022
65. Terrace 09 111909-T09-V-P1. Date 17.05.2022
66. Garage Type 01 111909-GAR01. Date 27.05.2022
67. Garage Type 02 111909-GAR02. Date 27.05.2022
68. Garage Type 03 111909-GAR03. Date 27.05.2022

- 69. Garage Type 04 111909-GAR04. Date 27.05.2022
- 70. Cycle Shed 111909-SH01 Date 27.05.2022
- 71. Cycle Shed 111909-SH02 Date 27.05.2022
- 72. Cycle Shed 111909-SH03 Date 27.05.2022
- 73. Sub Station 111909-SUB01 Date 10.03.2022
- 74. Landscape Masterplan 017-APA-ZZ-XX-LA-L-1002 Rev P05. Date 06.12.2022
- 75. Landscape Strategy Plan 3000-APA-ZZ-GF-LA-L-1001 Rev P06. Date 06.12.2022

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APPEARANCES

FOR THE APPELLANT:

Mr Z Simons of Counsel	
Mr J McConnell MRTPI	Director, McConnell Planning
Mr J Williams BACons MSc CMILT MCIHT	Associate Director, Steer
Mr S Taylor	Director and Head of Design, Turley
Mr M D Chard BA(Hons) Dip(Hons) MAUD CMLI	Landscape Director, Stantec
Mr C Cooper	Associate Director, Ardent Consulting Engineers
Mr M Birch MRTPI	Planning Manager, Bellway Homes
Mr J Goodban MRTPI	Regional Planning Director, Bellway Homes

FOR THE LOCAL PLANNING AUTHORITY:

Mr C McKee PGDip BSc(Hons) MRTPI	Director, CMK Planning
Mr C Blamey BSc(Dunelm) MSc(Eng) MCIHT	Director, RGP Consulting Engineers Ltd
Mr P Kelly BA(Hons) MSc MIHT	Associate Director, Evoke Transport
Mr M Knowles BEng(Hons) MIHT	Programme Lead (Transport & Infrastructure), Guildford BC
Ms A Watson BA(Hons) GDL	Legal Specialist (Solicitor), Guildford BC

INTERESTED PERSONS:

Ms S Wyeth-Price	Committee Member, Ash Green Residents Association
Dr R Vellani	Local resident
Councillor P Golding	Member of Ash Parish Council and local resident
Dr R Goodburn	Local resident
Mr S Nowroz	Local resident
Mr S R J Briegel	Copperwood Developments (Bridge) Ltd

THE APPELLANT'S DOCUMENTS

- A1 The Appellant's statement of case.
- A2 Appendices to Document A1.
- A3 Transport statement and appendices.
- A4 Urban design statement.
- A5 Mr Chard's statement, documents and appendices.
- A6 Bundle of location plans for proposals referred to in Document A1.
- A7 Overarching walking and cycling plan relating to the proposed development.
- A8 Email dated 3 July 2023 from Mr McConnell concerning Document L9.
- A9 Email dated 10 July 2023 from Mr McConnell concerning Document O28.

THE LPA'S DOCUMENTS

- L1 The LPA's statement of case and appendix B.
- L2 The LPA's highways statement and appendices (appendix A to Document L1).
- L3 The LPA's rebuttal statement.
- L4 The LPA's highways rebuttal statement.
- L5 Site plan for housing proposed at Streamside, Harpers Road (ref 17/P/02616).
- L6 Site plan of Ash Road Bridge.
- L7 Letter dated 26 April 2023 from AECOM to the LPA concerning access between the appeal site and the Ash Road Bridge scheme.
- L8 Mr Blamey's closing statement.
- L9 Email dated 28 June 2023 from the LPA concerning the amount of housing in Local Plan allocation A31.

OTHER DOCUMENTS

- O1 The LPA's report on the planning application for the proposed development.
- O2 Statement of common ground between the LPA and the Appellant.
- O3 List of possible conditions. Submitted by the LPA and the Appellant.
- O4 Ms Wyeth-Price's statement.
- O5 Dr Vellani's statement.
- O6 Councillor Golding's statement.
- O7 Dr Goodburn's statement.
- O8 Bundle of photographs of access to Harpers House. Submitted by Mr Nowroz.
- O9 Notification of the hearing.
- O10 Planning Contributions SPD.
- O11 Planning agreement relating to planning permission for housing on land at May and Juniper Cottages, Ash Green Road.
- O12 Extract from Guildford BC Authority Monitoring Report 1 April 2021 – 31 March 2022.
- O13 Planning agreement relating to planning permission for residential development at Guildford Road, Ash.
- O14 Details of the Thames Basin Heaths SPA, English Nature.
- O15 European Site Conservation Objectives for Thames Basin Heaths SPA, 2019, Natural England.
- O16 European Site Conservation Objectives: Supplementary Advice on Conserving and Restoring Site Features - Thames Basin Heaths SPA, 2016, Natural England.
- O17 Site plan for residential development at Guildford Road, Ash.
- O18 List of relevant plans and documents.
- O19 Refusal of planning permission for 22 dwellings at Streamside, Harpers Road.
- O20 Email dated 27 June 2023 from the LPA referring to planning permission for housing between the railway and Ash Green Road.
- O21 Plans showing location of Thames Basin Heaths SPA and SSSIs.

- O22 Appeal decision for housing and SANG at Tongham.
- O23 Location plan relating to Document O21.
- O24 Guildford Borough Local Plan: Strategy and Sites.
- O25 Guildford Borough Local Plan: Development Management Policies.
- O26 Strategic Development Framework SPD.
- O27 Thames Basin Heaths SPA Avoidance Strategy SPD.
- O28 Regulation 2(4) notice concerning pre-commencement conditions.
- O29 Planning agreement relating to the appeal proposal.

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