



Appeal Decision

Inquiry Held on 11, 12, 13, 18 February,
Site visit made on 13 February 2025

by J Ayres, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 11th June 2025

Appeal Ref: APP/R3650/W/24/3353124

**Land at Old Park Lane, Farnham, centred coordinates (x)483317
(y)147157**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Gleeson Land Limited against the decision of Waverley Borough Council.
 - The application Ref WA/2023/01467, dated 9 June 2023, was refused by notice dated 23 August 2024.
 - The development proposed is an outline application with all matters reserved except access for up to 83 dwellings (including 24 affordable) and public open space/country park including related play space, community orchard, wildlife pond, internal access roads, footways/footpaths and drainage basins/corridor.
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Decision

1. The appeal is allowed, and planning permission is granted for an outline application with all matters reserved except access for up to 83 dwellings (including 24 affordable) and public open space/country park including related play space, community orchard, wildlife pond, internal access roads, footways/footpaths and drainage basins/corridor at Land at Old Park Lane, Farnham, centred co-ordinates 483317 147157 in accordance with the terms of the application, Ref WA/2023/01467, subject to the conditions in the attached schedule.

Preliminary Matters

2. The planning application was submitted in outline with all matters reserved for future consideration except for access. I have proceeded to determine the appeal on this basis. The drawings which accompanied the appeal are for illustrative purposes only, other than insofar as they relate to access, and have been treated as such.
3. I was provided with a draft planning obligation prior to the inquiry opening. I allowed some time following the close of the inquiry for the document to be finalised. A signed copy of the document was received on the 26 February 2025. I return to this matter below.
4. The development plan includes the Local Plan Part 1 (the LPP1) adopted in February 2018, the Local Plan Part 2 (the LPP2) adopted in March 2023, and the Farnham Neighbourhood Plan (the FNP) made in April 2020.

Main Issues

5. The main issues are;
- Whether the appeal site is suitable for the proposed development, having regard to policies which direct the provision of housing;
 - The effect of the proposed development on the character and appearance of the area;
 - The effect of the proposed access on the living conditions of residents and character and appearance of the area; and
 - Whether the proposal would provide necessary infrastructure.

Reasons

Whether the appeal site is suitable for the proposed development, having regard to policies which direct the provision of housing

6. Policy ALH1 of LPP1 aims to deliver at least 11,210 homes over the plan period and it is anticipated that 2,780 of those would be delivered within Farnham. LPP1 encourages development within settlement boundaries, however policy SP2 of LPP1 identifies in the explanatory text that the Council's strategy for housing delivery includes making selected releases of greenfield land around settlements.
7. Farnham is the largest settlement in the Borough, it offers an extensive range of services and facilities, and is classified as one of the settlements in the borough which is the first focus for new housing and other development.
8. The appeal site falls outside, but is adjacent to, the northern edge of the Farnham settlement boundary as defined in the LPP1 and is therefore within the countryside for the purposes of the Local Plan. The acceptability of development beyond the built-up area depends on the nature of the scheme and its compliance with policies within the FNP. The proposal does not come within any of the categories of development permitted outside the built-up area boundary and would not comply with Policy FNP10.
9. Accordingly, when considered expressly against the policies that direct the provision of housing, I find that there would be an in principle harm owing to the conflict with Policy FNP10.
10. In respect of reference to policies RE1 and RE3 of LPP1, and the Farnham Design Statement, these are relevant to the second main issue as they address landscape character.

The effect of the proposed development on the character and appearance of the area

11. The appeal site forms part of a rolling landscape, with the land gradually sloping down towards the town of Farnham, with an Area of Great Landscape Value (AGLV) at its northern boundary. The appeal site itself is located within an Area of Strategic Visual Importance (ASVI), which is a designation of local importance relating to the role the landscape plays.
12. The Surrey Landscape Character Assessment (2015) identifies that the appeal site is located within Landscape Type LF6: Rolling Clay Farmland. LF6

incorporates a group of relatively small character areas, with boundaries based on the transition from clay to chalk. Key characteristics include gentle rolling topography with light settlement. LF6 identifies that the character areas within this type are surrounded by built-up areas which enclose areas of landscape and results in urban influence limiting the sense of tranquillity and remoteness.

13. The appeal site is located within Local Landscape Character Area LCA04: Castle Paddocks, as set out in the Farnham Landscape Character Assessment (CD6.2). LCA04 contains characteristics including small, rectilinear, fields in pasture located on undulating landform. Farnham is located to the south of the Character Area, with a soft edge to the settlement, providing a transition between the settlement and the more rural landscape.
14. The appeal site is immediately adjacent to residential development within the Built up Area Boundary of Farnham (BUAB), it rises in places towards Old Park Lane and Farnham Castle. The landscape within which the appeal site sits is not devoid of development, indeed it is set within a range of existing built form. This includes university buildings to the south, and residential development within Abbey View and along Three Stiles Road. Large, detached dwellings are also visible on Old Park Lane. When walking around the site and the public footpaths, the appeal site is experienced within the context of the town. In contrast, I observed at my site visit that the woodland to the north of the site depicts a visual and sensual block between the town and a far more tranquil, rural environment, consistent with the character of the Old Park.
15. Throughout the borough there are significant levels of high-quality landscapes, and these are covered by national designations. In addition to some 77% of land within the Borough forming part of a national landscape (previously AONB), approximately 61% of land within the borough is in the Metropolitan Green Belt. In places these designations overlap. The appeal site does not fall within the Green Belt, a National Landscape or its setting, National Park, Area of Great Landscape Value, Area of High Landscape Value and Sensitivity, Conservation Area, Strategic Gap, or Area of Strategic Visual Importance. Whilst the appeal site contributes locally to the character of the area, and has some pleasant attributes, I consider on the basis of the evidence submitted to the Inquiry and my site visit observations, that its contribution to the character of the landscape, both intimately and on a wider scale, to be modest. I find the appeal site as having Medium Susceptibility, and as being of Medium Sensitivity.
16. Evidence was provided of the landscape led approach to the development to mitigate potential landscape and visual effects. Development would be concentrated on lower lying ground to reduce the need for extensive earthworks, an additional footpath would be provided to create permeability and improved access for pedestrians, building heights would be constrained to maintain public views to the tower of St Andrews Church. In respect of soft landscaping, new planting could be incorporated to restore historic field patterns. In addition to preserving and reinforcing existing hedgerows, a new hedgerow would be provided along the northern boundary with planting along the western boundary. This would reinforce and safeguard the characteristics of the landscape character.

17. The site is visually well contained due to the existing development along some of the boundaries, and the topography of the site and surrounding area. Accordingly, if the development were laid out as suggested in the illustrative plans, it would be contained from view from the key approaches into the town. Whilst the appeal site is clearly visible from the public footpaths, with long ranging views from the north of the site towards the settlement, the views are largely of open land and the soft settlement edge leading to the BUAB. Views towards the tower of St Andrews Church are intermittent however St Swithun's Way allows views of St Andrews Church tower. Views along this corridor would remain free of built form, and I return to these views later in my decision. The wider views across the site would continue to incorporate a level of openness, landscaping and built form, similar to the existing situation.
18. The illustrative plans show that the residential development would be located within the basin of the site to the southwest, where the development would be adjacent to, and visually would appear to be incorporated into, the existing development at Abbey View. This would allow the development to be experienced as part of the soft edge of Farnham, where residential development transitions into the softer rolling landscape, thereby respecting that character. Large areas of the site would then be retained and enhanced to create open spaces, which would reinforce the transition away from residential development and respect the characteristics of LCA04. I consider that the character of the site and its relationship with the surrounding area would be capable of accommodating residential development in a cohesive and respectful way.
19. The views of those residents on the Abbey View development living immediately adjacent to the site would change to include built form. However, longer views across towards the north would be possible, again maintaining that sense of transition. Furthermore, the nature of the area includes existing built form, the area is not rural or entirely absent of development, and therefore the overall transitional character would be retained.
20. The development would alter the experience of those using the public footpaths to a limited extent. The location and gradient of the development would ensure that, over time, the development would be seen and experienced as part of Abbey View. Abbey View itself sits comfortably with the streetscape and layout creating the transition to the town. It was agreed at the Inquiry¹ that landscape effects at year 1 would be moderate adverse, and at year 15 moderate-minor adverse for LCA04 and for LF6 landscape effects would be moderate adverse at year 1, and minor adverse by year 15. I am content that the proposal would create a similar, functionally and visually, positive development to that existing at Abbey View, and agree with the landscape effects set out above.
21. The parties agreed in the Statement of Common Ground that the proposal would result in some localised harm to landscape character due to the development off a currently undeveloped site². On the basis that the appeal site is currently undeveloped, I find that the erection of development within a currently open site would inevitably result in some harm to the character

¹ Evidence in Chief of the Council's witness

² Landscape Statement of Common Ground

of the site. However, for the reasons set out above, I consider that the level of harm would be very limited both in scale and longevity, arising simply from the change in the nature of the landscape in the short term.

22. I consider that there is sufficient space within the development parameters to create an appropriate layout and mixture of development, with tree lined streets and open spaces which would respect the character of the area and reinforce those characteristics of the area that transition from the town into the countryside. In this regard I find that the proposal would comply with Policy TD1 of LLP1 which requires development to be of high-quality design and to be well related in size, scale and character to its surroundings.
23. I find that in time the proposal would sit comfortably within the landscape and as part of the fringe of the settlement. Having regard to my findings and the evidence, and mindful of the additional landscaping initiatives, it would comply with Policy RE1 of the LPP1 which states that the intrinsic character and beauty of the countryside will be recognised and safeguarded.
24. Policy FNP10 Policy seeks to protect the countryside from inappropriate development and identifies a number of categories that would be permitted for development outside of the built-up area boundary. The proposal would not comply with FNP10(a) which requires compliance with FNP16, FNP17 and FNP20, none of which apply for this proposal. Nor would it comply with FNP10(e) which only permits development where it would enhance the landscape value of the countryside. I have found that any harm to the character and appearance of the area would be very localised, and that in time the proposal would sit comfortably within the landscape and as part of the fringe of the settlement. However, the proposal would not enhance the landscape value, and therefore the proposal would conflict with Policy FNP10. It would also conflict with the Farnham Design Statement in respect of ensuring that the rural nature of the Old Park should be preserved.
25. Accordingly, I conclude on the second main issue that the proposal would conflict with the development plan when taken as a whole.

The effect of the proposed access on the living conditions of residents and the character and appearance of the area

26. This issue does not repeat the first main issue in respect of character and appearance, it is focused on the Abbey View development, immediately adjacent to the appeal site. As part of the proposal, access to the development would be through the Abbey View development. This has been agreed with the Highway Authority as the only possible access. Therefore, it is necessary to consider the effect of the proposal, and the use of the access, on the character and appearance of the area in respect of the Abbey View development, and on the living conditions of those residents already living on the Abbey View Estate.
27. In order to accommodate access to the appeal site it would be necessary to alter the existing access through Abbey View. Increases in the width of Cascade Way and Keepsake Close would be required. This would remove a limited amount of the grass verges that run through these two streets, as identified and agreed within the Planning Statement of Common Ground.

28. At present, Abbey View appears as a carefully designed, pedestrian focused and comfortably spaced estate, and the grass verges and placement of trees contribute to this. The level of verge to be removed would not be significant in respect of the overall level of green space and openness of the estate. As part of the proposal a Tree Replacement Strategy would be implemented, which provides details of the location, size and species of replacement trees. Whilst I appreciate that replacement trees will, themselves, take a period of time to establish, there is nothing in the evidence that suggests that this will not be possible. Accordingly, whilst the street scene would change slightly due to the increase in width of sections of Cascade Way and Keepsake Close, the overall soft and welcoming character of the area would not be harmed by the proposal, with particular regard to the effect of the accessway.
29. The proposal would result in an increase in traffic movements through the Abbey View Estate due to the additional residential development, and the single accessway along Cascade Way and Keepsake Close. The effect of this on existing residents is two-fold, residents are concerned in respect of the effect of construction traffic, and subsequent effect of additional traffic movements of future residents of the proposal.
30. In respect of construction traffic, residents raised a number of concerns including health and safety issues, as well as noise, and air pollution. The process of construction undoubtedly creates a period of change, which can have an effect on living conditions of existing residents, albeit these are temporary in nature. Having regard to the representations from the statutory consultee, and the evidence given by the Appellant³, I am satisfied that the construction movements could be suitably controlled by a carefully agreed construction management plan. I am mindful of the nature of the Abbey View Estate with a significant level of pedestrian and bicycle movements, which were apparent on both of my site visits (I carried out an unaccompanied visit prior to the Inquiry in addition to my accompanied visit). It would be necessary to agree a controlled and specific management plan to ensure health and safety matters were addressed. In respect of air quality, I note the representations of the Council's environmental officer and am satisfied that these matters could be addressed within a management plan.
31. Once completed the development would result in additional traffic movements through the estate. Quantum Acoustics prepared a Noise Impact Assessment which identified the potential change in noise levels as a result of changes traffic volumes. It is likely that the proposal would have an impact on a small number of residents, particularly those at the end of Keepsake Close, where the proposed dwellings would be accessed, and at this point there would be a noticeable change in traffic levels.
32. Based on the TRICS data there would be an additional 45-50 vehicle movements during peak hours. This evidence is supported by the Travel Plan, and a financial contribution towards either the Farnham LCWIP scheme or the Farnham Town Centre improvement scheme. It is expected that the additional contributions, along with the location of the site near to the town centre, with functional and safe access routes for pedestrians and cyclists, would allow for a very real alternative to use of the private vehicle.

³ Phillip Bell - transport

33. In respect of vehicle movements, it would be possible to ensure that the internal estate roads on the appeal site mimic those of the Abbey View Estate, which encourage the slow movement of vehicles and create a pedestrian focused experience. The Abbey View development is a residential area and already has a number of movements. Even those residing at the end of Keepsake Close are subject to existing vehicle movements entering, turning, and leaving the area. I acknowledge that there would be a change in the living conditions for residents due to an increase in vehicular movements. However, I consider that these would not be of a volume such to be harmful, or to create an environment that would no longer be safe.
34. Concerns have been raised regarding the effect of car lights on the residents of number 18 keepsake close. At this stage, whilst the location of the access is being considered, further design elements are reserved. Details on specific accessway, topography, and line of travel etc would be explored at a detailed stage. The outlook and environment would change for residents of Keepsake Close and the Abbey View estate. However, residents already live on a populated housing development, with cars, cyclists, dog walkers, runners etc travelling through it. I do not consider that additional residents would create such a monumental change that it would result in harm.
35. I find that, subject to appropriate conditions, the proposal would not be harmful to the living conditions of residents of the Abbey View Estate, or to the character and appearance of the area. It would comply with Policy TD1 of the LPP1 which seeks to secure development of a high quality and inclusive design. It would comply with Policies DM4 and DM5 of the LPP2. Collectively these policies seek to secure ensure that development avoids harm to the amenity of future occupants and existing occupants and responds to the local context. It would comply with Policy FNP1 of the Farnham Neighbourhood Plan which requires development to be of a high quality which responds to the distinctive character of the individual area of Farnham in which it is located.

Necessary Infrastructure

36. The submitted S106 Planning Obligation would secure 24 affordable homes, on the basis of a total of 83 dwellings on the site, and if necessary a top-up financial contribution, which would equate to the 30% required by Policy AHN1 of LLP1, and Waverley's Affordable Housing Supplementary Planning Document Update, March 2023. These are set out at Schedule 1, Part 1 and 2 of the S106 Planning Obligation. I consider that the affordable housing is necessary to make the development acceptable and, in its entirety is fairly and proportionately related to the proposed development.
37. The S106 Planning Obligation at Schedule 1 Part 3 sets out the obligation to provide and maintain the publicly accessible parts of the development. This would include the play areas, open space and non-adopted SUDS, estate roads and communal/visitor car parking areas.
38. Schedule 1 Part 4 secures an obligation to provide a number of self-build/custom build plots, and to make those available for an agreed period is secured.

39. Obligations to secure the relevant mitigation in respect of the Thames Basin Heath Special Protection Area is set out in Schedule 1 Part of the S06 Planning Obligation. I address this specific matter later in my reasoning.
40. Schedule 2 of the Planning Obligation contains the obligations and covenants in respect of transport and highways matters. These include a financial contribution of £162,860 to be used towards sustainable transport improvements in Farnham Town Centre, the implementation of an electric bike scheme for occupants of the development, and a financial contribution towards travel plan monitoring. I consider these measures to be necessary to promote and encourage sustainable travel with a view to achieving a modal shift, and that they are reasonable and fairly related in scale to the development.
41. I am satisfied that all of the above obligations are necessary, directly related to the development and reasonable. They comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the NPPF.

Other Matters

Historic Environment

42. There are a number of heritage assets located within the vicinity of the appeal site which have the potential to be affected by the proposal. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be had to the desirability of preserving the setting of listed buildings. This means that considerable weight and importance must be given to any harm caused to designated assets in the planning balance. This includes any harm to the setting of a listed building. Similarly, section 72(1) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of any buildings or other land in a conservation area.
43. The NPPF details that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
44. The Farnham Castle Group of Assets can be divided into two subgroups; Farnham Castle and the Grange. The Farnham Castle subgroup includes Farnham Castle (Scheduled Monument), Buildings to the south of Farnham Castle (Grade 1 Listed Building), Outer Curtain Wall and Gatehouse at Farnham Castle (Grade I Listed Building), Stable Block at Farnham Castle (Grade II Listed Building). The Grange subgroup includes The Grange (Grade I Listed Building), Garden Walls to Gardens East and North of The Grange (Grade II* Listed Building), Barn to the North West of the Grange (Grade II Listed Building), Boundary Walls to the Kitchen Garden, and Garden to the east and north east of The Grange and wall to the south east of Grange Corner (Grade II Listed Building). Farnham Park is a Grade II Registered Park and Garden. In addition, assets are identified as the Farnham Conservation Area and St Andrews Church (Grade I Listed Building). Old

Park is not designated as a heritage asset, however due to its historical role as the original Deer Park for the castle it has been included⁴.

45. There is substantial overlap between the heritage significance of the collective assets of Farnham Castle, The Grange and Farnham Park and the Farnham Conservation Area. The list entry from Farnham Castle (Grade I Listed Buildings) identifies that the Castle subgroup, together with the whole of the Park, The Grange subgroup and the Conservation Area, is very exceptional and should be considered as a unit for purposes of preservation. The Heritage Statement assessed the heritage group of Farnham Castle together (albeit as subgroups), and then the CA and St Andrews Church, and I consider this to be a sensible approach.

The Assets

46. The first record of building on the castle site is from 1138, when Bishop Blois constructed a motte-and-bailey castle, Farnham was founded as a conveniently located palace on the route from Winchester to London. The group of assets at Farnham Castle have exceptional historic interest derived from both their illustration of medieval society and association with historical figures and events nationally, regionally and locally. Farnham Castle has been altered and extended over the course of approximately 800 years, and has existing high archaeological interest, and the potential for additional high archaeological interest. There is evidence that the Keep at Farnham Castle contains a number of archaeological features. The development of the Castle and the buildings associated with the Castle complex have archaeological significance in providing evidence of the lives of those who occupied the complex, and important historical events.
47. The Grange as currently standing was built on the site of the former Bishop's Grange, it was likely associated with the management of the surrounding estate and farmland. This group of assets have archaeological interest relating to the operations of that high status estate and the survival of any potential remains of these earlier buildings.
48. Farnham Park and Old Park were initially laid out in the late medieval period but then remodelled or converted to agricultural land, and are historic parts of the wider estate associated with Farnham Castle. They have historical and archaeological interest in respect of the survival of potential remains, and structural landscape elements associated with the earlier iterations of their layout and function.
49. Farnham Castle, The Grange and Farnham Park, in addition to the historic core of Farnham, were all under the jurisdiction of the Bishops of Winchester at times from the 14th century onwards. The shared historic interest across the assets makes a positive contribution to the overall significance of each designated asset, reinforcing and enhancing the understanding of the power and authority of the Bishops of Winchester. Accordingly, all the assets identified in the heritage statement, and listed above, contribute in some way to the combined architectural and historical interest of the Farnham Castle Group of which they form.

⁴ Heritage Statement Table 2.1

50. Setting makes a contribution to the overall heritage significance of the assets. Farnham Castle was a building meant to be seen, in an elevated position with an element of architectural display, experienced as part of a wider landscape and alongside religious establishments, administration buildings, and designed landscapes. This experience of the castle is intrinsic to its significance, and remains present today, particularly in respect of the historic centre which reinforces the use of the castle as a statement of power.
51. Various phases of Farnham Park survive relatively intact and its is designated as a garden of special historic interest. The intactness, openness, and legibility of the original intention of Farnham Park as a deer park, overlaid by later improvements, makes a positive contribution to the significance of Farnham Castle in respect of its setting, functioning as a reminder of the relationship between the castle and its landscape.
52. The Old Park would likely have been created alongside the original construction of Farnham Castle in 1138. Whilst the historical functional relationship of the Old Park with Farnham Castle was severed, it having been broken up into farm holdings. However, the Old Park retains a sense of its historic function and character and, by extension, its connection to Farnham Castle as a part of the high-status estate. Accordingly, it contributes to the setting of the assets through its historical context.
53. The appeal site would likely have been owned by the Bishops of Winchester in the medieval period, however there is no evidence to suggest that any historic connection remains legible. The character of the appeal site is experienced in the context of the expansion of the town, having evolved in its use with it. Due to the expansion of the town, with the residential and education built form within the immediate vicinity and along the boundaries, the function of the appeal site is not generally experienced in conjunction with the heritage assets, and visual relationships have been eroded for similar reasons. It does not function as part of the setting of the assets, and I find that the appeal site does not contribute strongly to the significance of the heritage assets in either the Farnham Castle or the Grange subgroups.

The Farnham Conservation Area (CA)

54. The character and appearance of the CA is determined by the town's historical development. Farnham Castle and St Andrews Church illustrate two distinct phases of the town's history and are important landmarks within the CA. The planned streets indicate a high density of development, with networks of rear passages and yards, which then integrate with green public open spaces such as St Andrews Churchyard and Bishops Meadow Victoria Gardens. The topography of the area, with the core of historic core of Farnham growing northwards from the bank of the river, contributes to the CA's character. Beyond the historic core, the town has evolved and developed to include a variety of styles and materials in its buildings, which demonstrate its development as a town.
55. The Farnham Conservation Area Appraisal (2005) identifies that some elements of the wider setting make a positive contribution to its overall significance, this is reinforced by the topography of the area allowing views across and through the CA. However, whilst the appeal site is part of the wider, broader, setting of the CA, it is separated by significant levels of

development. Moreover, it does not read as an element of the setting of the groups that I assess above. I consider that the appeal site does not contribute to the significance or special interest of the CA.

St Andrews Church

56. St Andrews Church plays an important role in the character of Farnham. It serves as a central point of orientation, and is visible from numerous locations. It has a long and complex history, the listing identifies that it dates from the 12th century, and replaced a Saxon church on the same site. It has exceptional historic interest due to its age, and for the important role it played in the early development of Farnham. The continuity of the role that religion played in medieval society and in modern life demonstrates the continuity in the function of the church and is evidence of its historical significance. Due to the retention of 12th to 16th century fabric (including the west tower) provides architectural interest, and its position as a landmark contributes to this.
57. St Andrews Church is located within the Saxon core of Farnham, an urban church enclosed by the townscape of the CA. There are a number of Grade II and Grade II* listed buildings in the immediate setting of St Andrews Church, and these buildings contribute positively to the significance of St Andrews Church, allowing it to be appreciated in its historic townscape.
58. St Andrews Church and its tower are distinctive and can be appreciated in intimate and wide ranging views from the surrounding landscape. The tower acts as a wayfinding feature and adds to the overall significance of the listed building. However, whilst the widespread visibility makes a positive contribution to the overall significance, the architectural and historical interest are better appreciated from within the immediate vicinity of the church.
59. The appeal site does not contribute to the overall heritage significance of St Andrews Church, there is no evidence of any historical functional relationship between the two.
60. St Swithun's Way, a walking route, runs along part of the site. The view of St Andrews Church from St Swithun's Way is a positive experience, the church is legible as the most prominent built feature within the town centre. In addition, due to the topography of the area, glimpses of St Andrews Church tower can be seen intermittently from points along Public Footpath 94, which runs along the northern edge of the appeal site.
61. Whilst detailed design would be considered at reserved matters, the illustrative plans confirm that the development would respond positively to the historic environment. The location of development would be on the lower parts of the appeal site, protecting transitional views where they exist, and not encroaching towards the setting of the assets identified. A landscape led approach would reinforce positive elements of the historic landscape, and could reinstate lost elements. The legibility of St Andrews church would be maintained, particularly from St Swithun's Way through layout and landscape.

Conclusion on heritage

62. I find that any contribution that the appeal site makes to the setting of the identified heritage assets is very limited, and it does little to contribute to the significance of those assets. I am mindful that, in accordance with the NPPF, great weight should be given to the conservation of designated heritage assets. I am satisfied on the basis of the evidence and my observations at the appeal site and surrounding area, that the illustrative plans confirm that the proposal would be deliberately designed and laid out such to ensure that the development would read as part of the established townscape, and could be delivered in a manner that would sustain the heritage significance of the identified heritage assets.

Other Highway matters

63. Concerns were raised regarding highway safety concerns. I have addressed these in relation to the immediate effect of the proposal in my reasoning. However concerns were raised by residents in respect of the wider effects of the proposal. As part of the proposal a number of improvements would be made to the wider highway network, which I observed on my accompanied visit, and would be secured as part of the proposal through a S278 Agreement. The highway evidence is clear that the increase in traffic would not have a severe impact on the functioning capability of the highway network. I am satisfied that the off-site highway works would assist with the functioning of the highway in the wider area, and that the proposal would not be harmful to highway safety, neither in itself or in combination with other development.

Facilities

64. Concerns were raised regarding the pressure of additional residents on local facilities including but not limited to schools and healthcare. The proposal would require a contribution from the developer towards the Council's Community Infrastructure Levy, and the Council's Regulation 123 list identified the infrastructure that would benefit from the contribution. There is no evidence to suggest that these payments would not come forward, and it is for the Council to prioritise where these contributions are invested, and should be used to ensure adequate facilities are provided.

Flood Risk

65. A number of concerns were raised in relation to the flooding of properties within the Abbey View Estate. These existing issues are beyond the control of the appellant, however it is necessary to ensure that the proposal would not increase the risk of flooding elsewhere.
66. In respect of ground water flooding, the Council's Strategic Flood Risk Assessment (SFRA) in November 2018 indicates the site lies on the border of the 25-50% and 50-75% areas susceptible to groundwater flooding. Investigations were carried out as part of the Flood Risk and Drainage Statement including the excavations of boreholes to a depth of 4.25m. A single borehole recorded groundwater at 3.7m below ground level. I am satisfied that the risk of the site being subject to groundwater flooding is low⁵.

⁵ Flood Risk and Drainage Statement, Proof of Evidence of Simon Packer, Appendix 3

67. Whilst the risk of flooding was assessed as negligible from all sources, there is a potential flood route through the site for an extreme water surface event with a probability of less than 0.1%⁶. To address this a diversion route for flood waters was proposed through the use of a diversion corridor, which was assessed by the Local Lead Flood Authority. In respect of flooding and drainage concerns, a Flooding and drainage statement was submitted, and the Local Lead Flood Authority confirmed that the drainage strategy proposed would be suitable subject to conditions. I am satisfied with the findings of the Flood Risk and Drainage Statement, and I note the position of the Local Lead Flood Authority. I find that the proposal would not result in an increase in flooding either on site, or in the surrounding area.
68. I have had regard to the representation from Thames Water and a suitable condition could be imposed as suggested.

Fault line

69. Concerns were raised in representations and at the inquiry regarding a fault line that is located within the appeal site. Having regard to the location of the built form, and the fact that this is an outline only scheme with all matters other than access reserved, I am satisfied that this matter could be investigated at the reserved matters stage.

Ecological features

70. A number of important habitats and species are present on the appeal site, as identified in the Ecological Impact Assessment. A number of measures would be provided to protect and enhance the ecological features of the site. These include the enhancement of existing linear features, installation of additional bird and bat bricks, hedgehog friendly fencing to allow movement of small species across the site and landscape, creation of a wildlife pond, creation of a traditional orchard, and long term management of communal habitats to benefit wildlife. Accordingly, I am satisfied that the proposal would protect and enhance ecological feature on the site.

Access to SANG

71. Concerns were raised at the Inquiry that parking should be laid out within the proposed development, and signage erected, to allow members of the public to access the remaining open space on the site. It was discussed at length at the inquiry, and the parties agreed that there was some confusion regarding the provision of a SANG at the site. As no SANG is being proposed it would not be necessary to provide parking on the development, or signage.

Thames Basin Heath Special Protection Area – Appropriate Assessment

72. The appeal site lies within the zone of influence for the Thames Basin Heath SPA (TBHSPA). The SPA is designated for its population of breeding Nightjar, Woodlark and Dartford Warbler.
73. European and national legislation requires that any plan or project should not give rise to any likely significant effect upon these areas. In order to avoid any likely significant effect, proposals for development are required to

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demonstrate that they can avoid or mitigate such effect. The proposal in combination with other projects has the potential to affect the integrity of the TBHSPA as a result of increased recreational pressures that would arise from the increase in local population.

74. The Conservation of Habitats and Species Regulations (2017) (Habitats Regulations) are engaged and it is necessary for me as the competent authority in this case to carry out the required appropriate assessment in accordance with the Habitats Regulations.
75. The Habitats Regulations specify that the competent authority may only give permission for the proposal after having ascertained that it will not adversely affect the integrity of the European site. In so doing, the competent authority may give consideration to any conditions or other restrictions which could secure mitigation and so provide certainty that the SPA would not be unreasonably affected.
76. The Council's TBHSPA Avoidance Strategy (the Avoidance Strategy) provides guidance on the level of avoidance measures expected to see incorporated within proposals for development. The Avoidance Strategy was prepared to respond to Natural England's advice that any application for residential development that would result in an increase in the number of dwellings within 5km of the SPA will, without avoidance measures, be likely to have a significant effect as set out in the Habitats Regulations. The Avoidance Strategy identifies that mitigation and avoidance are secured through the provision of Suitable Alternative Natural Green space (SANG), or financial contributions towards the management of SANG, and Strategic Access Management and Monitoring (SAMM) contributions used at the SPA.
77. Natural England has confirmed that, provided the appellant complies with the requirements of the Avoidance Strategy, through a legal agreement securing contributions to SANG and SAMM, that it does not object to the proposal. It advises that subject to securing the SANG and SAMM mitigation package it considers that the proposal would not lead to an adverse effect on the SPA.
78. The S106 Planning Obligation provides a financial contribution towards the Church Crookham SANG, which has been identified as suitable by Natural England. However, as discussed at length at the inquiry, due to the nature of the appeal scheme there may be capacity at the Farnham Park SANG in due course. The S106 Planning Obligation allows some flexibility as to where the SANG is provided. I am content that, whilst flexible in location, both SANGs are confirmed to be appropriate by Natural England for the purposes of provided mitigation. Therefore, I am able to find that the mitigation would be secured as required by the Habitats Regulations.
79. Subject to these measures I conclude that the development would not adversely affect the integrity of the SPA either alone or in combination with other plans and projects. Accordingly, the proposal would comply with Policies NE1 and NE3 of LPP1.

Other material considerations

80. I have found that the proposal would conflict with the FNP in respect of the first and second main issues, and it would therefore conflict with the

development plan when taken as a whole. The Planning and Compulsory Purchase Act 2004, s38(6) directs that determination must be in accordance with the development plan unless material considerations indicate otherwise.

81. There is agreement between the parties that the Council is unable to demonstrate a five year housing land supply. Following changes to the Standard Method in December 2024, it is agreed that the housing land supply figure is currently in the region of 1.28 years⁷. I consider this to be a significant shortfall in supply.
82. The proposal would deliver 83 homes, of which 24 would be affordable. In an authority which is unable to demonstrate a 5 year supply of homes, these dwellings would boost the supply of housing in one of the most sustainable settlements within the borough, and would be particularly important in the context of the shortfall for general market housing and also in the context of an identified need for affordable housing in the wider area.
83. The delivery of housing is of substantial weight, especially given the Government's objective of boosting the supply of homes and the location of the site being on the edge of the highest tier settlement.
84. A significant area of Public Open Space would be provided, some 8.7 hectares. The council suggests that these would replace existing open countryside which already provide recreational uses, however these areas are not maintained. The proposal would create accessible and functional open space for the benefit of all users, easily accessed from the surrounding developments, university, and town centre, which could be carefully designed to create a community led space. I attach significant weight to this as a benefit of the scheme.
85. A Locally Equipped Area of Play would be provided, combining play with nature using predominantly natural materials for equipment. This would benefit residents and users of the space; however I am mindful that there is an existing LEAP within the Abbey View development, and therefore accord this element limited weight.
86. Part of the proposal would include a community orchard, the benefits of which could be enjoyed by the general public and local residents. The orchard would also be within the view corridor of St Andrews Church tower, creating a pleasant element of the entry to the town, and I attach moderate weight to this element.
87. There would be economic benefits associated with the additional spending from the new housing, along with temporary construction spend and job creation. I attach moderate weight to this consideration, having regard to the increased economic activity from future occupiers.
88. The substantive evidence before me concludes that there would be an on-site biodiversity net gain in excess of the 10% required. Having considered the representations made by interested parties, I attach moderate weight to this benefit.

⁷ Planning Statement of Common Ground

Planning Balance

89. The proposal would conflict with the development plan as a whole. The site is located outside the limits of development and there is an 'in principle' policy harm. The proposal would also result in limited harm to the character and appearance of the area.
90. Having regard to the lack of a 5 year housing supply, NPPF paragraph 11(d)(ii) is engaged, such that there is a presumption in favour of granting planning permission for sustainable development, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
91. Paragraph 14 of the NPPF goes on to provide that in situations where the presumption applies, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. This is subject to two criteria; that the neighbourhood plan became part of the development plan five years or less before the date of the decision, and that the neighbourhood plan contains policies and allocations to meet its identified need. The FNP was made in April 2020, and accordingly for the purposes of decision making, it is in excess of five years old. As such, the first criteria of para 14 of the NPPF is not met.
92. The 'in principle' policy harm is of limited weight because there is no obvious remedy to the housing shortfall and this overall position indicates that the development plan is failing to meet its strategic challenges. Some unplanned development is necessary to address the shortage of housing land supply in this area. This is recognised in the explanatory text of policy SP2 of LPP1, and there would be a risk of some harm to the character and appearance through green field developments, depending on the specific nature of the site.
93. The location of the development on the edge of Farnham as one of the four highest order settlements means the site could not be better located in terms of its proximity to a settlement. It is very well located for local services and would allow residents to access them without reliance on a private car, which attracts moderate weight. Together with its, footpath/cycle links, travel plan, public open space and other obligations in the S106, I consider the development would be sustainable. Therefore, there would be compliance with core policy SP1 of the LPP1.
94. The shortfall in market housing is considerable and there is a substantial shortfall in affordable housing. The proposal would provide up to 24 affordable dwellings for people in housing need and up to 59 market dwellings. This would make a significant contribution to housing supply and the provision of both affordable and market housing is of substantial weight. Furthermore, there are other social, economic and environmental benefits outlined above, such that, when applying the tilted balance, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the many benefits of the proposal, when assessed against the policies in the NPPF taken as a whole.
95. Consequently, there are material considerations which indicate a decision should be taken other than in accordance with the development plan.

Conditions

96. The Council and Appellant produced a list of conditions, which were discussed at the round table session, with all parties encouraged to participate. Where there was a dispute between the parties, this was discussed at the round table session. Whilst Farnham Town Council did not participate as a Rule 6 party, they were given the opportunity to input to the drafting of the conditions at this session. I have had regard to these discussions in preparing the list of conditions in the attached schedule, as well as the Planning Practice Guidance regarding the use of conditions and the NPPF. Where necessary, I have amended the wording of the suggested condition in the interest of clarity, precision and enforceability.
97. Conditions dealing with the timescale for implementation of the permission, the approved plans, as well the reserved matters are necessary to provide certainty (conditions 1-5). Drainage and flood prevention conditions are necessary to ensure satisfactory drainage and future maintenance of the site in the interests of flood prevention (conditions 6-8). A condition to provide protection to existing trees (condition 9) is necessary in order to protect the character and appearance of the area.
98. In the interest of highway safety, conditions are necessary (conditions 10-14) to address surfacing and edging of access, completion of a S278 Agreement to secure off-site works, prohibition of access from Old Park Lane, layout of internal roads, footpaths, footways and cycle routes, and the provision of turning areas for vehicles.
99. Conditions securing bicycle parking and charging, and a Travel Plan (conditions 15-16) are necessary to ensure the development provides for sustainable modes of transport and to encourage public health.
100. A specific condition (17) requiring a Construction Transport Management Plan is necessary to ensure the living conditions of residents on Cascade Way and Keepsake Close are adequately protected and in the interest of highway safety. Similarly, to protect the living conditions of neighbouring occupiers, and future occupiers, a condition (18) is necessary in respect of internal and external noise levels.
101. In the interest of public health, conditions are necessary to address any potential contamination issues on the site (conditions 19-21). Conditions regarding a bat strategy, Sensitive Lighting Management Plan, and Landscape and Ecological Management Plan (conditions 22-24) are necessary to ensure that measures are taken to protect protected species and provide biodiversity enhancements. A condition securing play areas is necessary for the living conditions of future occupants (condition 15).
102. A specific condition relating to the layout of the open space is necessary to protect the character and appearance of the area (condition 26). A condition requiring a Sustainable Energy Strategy is necessary to secure a high level of design and sustainable construction (condition 27). A condition is necessary (condition 28) to secure a written scheme of investigation at the site. This is necessary due to the historical association of the area with the historical environment.

103. A condition requiring a Waste Management Plan (condition 29) is necessary to reduce the generation of waste. A condition (condition 30) dealing specifically with the need for a development and infrastructure phasing plan is necessary in respect of flooding and potential pollution.
104. Conditions relating to materials, long term management of landscaping, and tree replacement (conditions 31, 32, 34) are necessary to ensure the development respects the character and appearance of the area.
105. A condition dealing specifically with the provision of SANG is necessary (condition 33) to ensure that the proposal will not have an adverse effect on the Thames Basin Heaths Special Protection Area.
106. Conditions 7, 13, 17, 23, 25, 28, 29 and 33 are pre-commencement conditions. These are fundamental to the development and the matters must be addressed prior to commencement.

Conclusion

107. For the reasons given above I conclude that the appeal should be allowed subject to the conditions in the attached schedule.

J Ayres

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
2. The first application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. All subsequent reserved matters applications shall be made to the local planning authority not later than five years from the date of this permission.
3. Details of the appearance, landscaping, layout, and scale hereafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
4. The development hereby permitted shall not exceed 83 dwellings.
5. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing No. A2046_001 Rev. P4 - Site Location Plan
 - Drawing No. A2046_002 – Parameters Plan
 - Drawing No. A2046_004 - Parameters Plan Full Site
 - Drawing No. 1902021-11 Rev, D – Proposed Access Arrangements
 - Drawing No. 1902021-TK01 Rev. C – Swept Path Analysis Refuse Vehicle
 - Drawing No. 1902021-TK04 Rev. A - Swept Path Analysis Large Tipper
 - Drawing No. 10542 TPP 01 Rev. A - Tree Protection and Removal Plan
 - Drawing No. 10542 TS 01 Rev. B - Tree Schedule
 - Drawing No. 10542 TCP 01 Rev. D – Tree Constraints Plan
 - Arboricultural Impact Assessment (ref. 10542_AIA.001 rev B)
 - Drawing No. 10542 PAIA 15 (1/2) and (2/2) – Arboricultural Mitigation
 - Landscape Strategy Rev. E (Ref. GLES3004)
 - Landscape and Visual Appraisal March 2024
 - Biodiversity Net Gain Calculator (March 2024)
 - Biodiversity Net Gain Report (March 2024)
6. Any reserved matters application relating to scale or layout shall be accompanied by full details of the finished floor levels for each residential building. The finished ground floor levels shall be a minimum of whichever is

higher, 300 mm above the existing ground levels of the site, or 600 mm above the estimated river or sea flood level. The development shall be carried out in accordance with the approved details.

7. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- ii) include a timetable for its implementation; and,

- iii) provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be carried out in accordance with the approved details. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.

8. Prior to occupation of the first dwelling , a verification report carried out by a qualified drainage engineer must be submitted to and be approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.
9. Any reserved matters application relating to layout/landscaping shall be accompanied by a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced). The scheme for the protection of the retained trees shall be carried out as approved.
10. Prior to occupation of the first dwelling the means of access for vehicles and pedestrians shall be constructed in accordance with the approved drawings as listed in condition 4 (Drawing No. 1902021-11 Rev, D – Proposed Access Arrangements) together with a scheme detailing the proposed surfacing and edging of the access, that shall first have been submitted to and be

approved in writing by the Local Planning Authority. The access shall be retained thereafter.

11. Prior to occupation of the first dwelling a scheme shall be delivered through a Section 278 Agreement with the County Highway Authority to provide off-site highway improvements, including:
 - a) Reinstating faded yellow line markings on Crondall Lane as identified by the Local Planning Authority.
 - b) Pedestrian crossing and bus stop improvements on West Street (as indicated in drawing 1902021 - 14)
 - c) Pedestrian crossing improvements on Falkner Road (as indicated on drawing 1902021-15)
 - d) Pedestrian crossing improvements on Long Garden Way and Lion and Lamb Way (as indicated on drawing 1902021-16)
 - e) Pedestrian crossing improvements on The Hart, at the junction with West Street (as indicated on drawing 1902021-17).
12. No vehicular access to the site shall be provided from Old Park Lane, either for construction traffic or site traffic.
13. The development hereby approved shall not be commenced unless and until the layout of internal roads, footpaths, footways, and cycle routes have been submitted to and been approved in writing by the Local Planning Authority. Such details shall include the provision of visibility splays (including pedestrian inter-visibility splays) for all road users, pram crossing points and any required signage and road markings. There shall be no obstruction to visibility splays between 0.6 metres and 2.0 metres high above ground level.
14. Prior to occupation of the first dwelling space shall be laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear, including appropriate signage, and that space shall thereafter be kept available at all times for those purposes.
15. Prior to occupation of the first dwelling space shall be laid out within the site in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority for independently accessible secure parking of bicycles, integral to each dwelling or building within the development site and the provision of a charging point with timer for e-bikes by said facilities, and that space shall thereafter be kept available for the storage of bicycles.
16. Prior to occupation of the first dwelling on the site a Travel Plan, and details of a Travel Plan Co-ordinator shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework and Surrey County Council's "Travel Plans Good Practice Guide". The approved Travel

Plan shall thereafter be implemented and the appointed Travel Plan Co-ordinator shall thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.

17. No development shall commence until a Construction Transport Management Plan, to include details of:

- a) parking for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) storage of plant and materials
- d) programme of works (including measures for traffic management)
- e) provision of boundary hoarding behind any visibility zones
- f) HGV deliveries and hours of operation
- g) vehicle routing
- h) measures to prevent the deposit of materials on the highway
- i) before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
- j) on-site turning for construction vehicles
- k) Detailed plans of amendments to Keepsake Close and Cascade way to enable safe access for construction vehicles, to be in place ahead of any construction works commencing has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction of the development.
- l) details of a banksman, should this be required.
- m) details of the provision of refuse disposal facilities for the use of construction workers.

18. A scheme to ensure that the internal noise levels within the residential units and the external noise levels in back garden will conform to the 'indoor ambient noise levels for dwellings guideline values' specified within BS8233:2014. 'Guidance on sound insulation and noise reduction for buildings', shall be submitted to and approved in writing by the Local Planning Authority. No residential units shall be occupied until the approved scheme is implemented.

19. Prior to commencement of development, other than that required to be carried out as part of demolition or approved scheme of remediation, the following shall be submitted to and approved in writing by the Local Planning Authority:

a) An investigation and risk assessment, in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by a competent person as defined in Annex 2: Glossary of the NPPF.

b) If identified to be required, a detailed remediation scheme shall be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property. The scheme shall include:

(i) All works to be undertaken

(ii) Proposed remediation objectives and remediation criteria

(iii) Timetable of works

(iv) Site management procedures

The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation works shall be carried out in strict accordance with the approved scheme. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

20. Upon completion of the approved remediation works, a verification report demonstrating the effectiveness of the approved remediation works carried out shall be completed in accordance with condition 19 and shall be submitted to the Local Planning Authority for approval prior to occupation of the development.

21. Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found, the development [or relevant phase of development] shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

22. Prior to the submission of any reserved matters application relating to layout/landscaping (as required by condition 2), a final bat mitigation strategy, update reptile surveys, update bat surveys, update badger surveys and update great crested newt surveys shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with any mitigation measures identified as necessary.

23. Prior to the commencement of development, a Sensitive Lighting Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall detail how all external lighting installed on this development shall comply with the recommendations of the Bat Conservation Trusts' document entitled "Bats and lighting in the UK – Bats and the Built Environment Series". The development shall be undertaken and maintained in complete accordance with the approved details.
24. Any reserved matters application relating to layout/landscaping (as required by condition 2) shall include a Landscape and Ecological Management Plan (LEMP). Proposals for ecological enhancement, and where required, compensation and mitigation put forward within the LEMP should be based on the impact avoidance, mitigation and biodiversity enhancement recommendations of the Preliminary Ecological Appraisal (2023 Update) and the Ecological Impact Assessment (prepared by the Ecology Partnership in May 2023) and the results or requirements of any protected species presence/likely absence surveys carried out. The LEMP shall include:
- a) Description and evaluation of features to be managed and created including measures to compensate for loss of proposed tree and hedge removal;
 - b) Numbers and locations of bat and bird boxes, including provision integral to the design of the new buildings;
 - c) Aims and objectives of management;
 - d) Appropriate management options to achieve aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule for securing biodiversity enhancements in perpetuity;
 - g) Details of the body or organisation responsible for implementation of the LEMP;
 - h) Ongoing monitoring and remedial measures; and
 - i) Details of legal / funding mechanisms by which the long-term implementation of the plan will be secured by the applicant with the management body(ies) responsible for its delivery
- The enhancement proposals put forward within the LEMP shall have been subject to quantifiable evaluation through application of the DEFRA Biodiversity Metric ensure to demonstrate to a measurable net gain. The development shall be undertaken in complete accordance with the approved details.
25. Prior to the commencement of development a detailed scheme for the provision of a Local Equipped Area of Play (LEAP) and Local Areas of Play

(LAPs) including the timetable for their implementation shall be submitted for approval by the Local Planning Authority, if required. The LEAP shall be a minimum size of 400 square metres and the LAP a minimum size of 100 square metres. The LEAP and LAPs shall be implemented in accordance with the approved scheme and timetable and retained thereafter.

26. Any reserved matters application relating to layout/landscaping (as required by Condition 3) shall be in broad accordance with Drawing No. GLES004_01 Rev. 1 - Illustrative Landscape Masterplan in relation to the developable area and location of open space only, unless otherwise agreed in writing with the Local Planning Authority.
27. A detailed Sustainable Energy Strategy shall be prepared and submitted as part of the reserved matters details and shall be in accordance with the Sustainability and Energy Statement prepared by Daedalus Environmental and dated May 2023. It shall include measures to ensure a reduction in CO2 emissions across the site measured against the relevant Target Emission Rate (TER) set out in the Building Regulations 2010 (as amended) (Part L). The development shall be carried out in accordance with the approved Sustainable Energy Strategy unless otherwise agreed in writing by the Local Planning Authority.
28. No development [(including demolition)] shall take place until: (i) An archaeological Written Scheme of Investigation (WSI) been submitted to and approved in writing by the Local Planning Authority; and (ii) Any necessary safeguarding measures to ensure the preservation in situ of important archaeological remains and/or further archaeological investigation and recording identified in the WSI have been undertaken in accordance with a specification and timetable that shall first have been submitted to and approved in writing by the Local Planning Authority.

The development should be carried out in full accordance with the approved details within the WSI.

29. No development shall take place until a Waste Management Plan is submitted to and approved in writing by the Local Planning Authority. This plan should demonstrate that waste generated during the construction, demolition, and excavation phase of the development is limited to the minimum quantity necessary; and opportunities for re-use and recycling of any waste generated are maximised. The Waste Management Plan should be implemented as approved.
30. Prior to occupation of the first dwelling, relevant details shall be submitted to and agreed in writing by the Local Planning Authority that either of the following is acceptable:
- i). Surface water drainage or disposal capacity exists off site to serve the development; or
 - ii). A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water. Where a

development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; or

iii). All surface water network upgrades required to accommodate the additional flows from the development have been completed.

31. Prior to the commencement of any works above slab level of any of the dwellings hereby permitted the materials for all hard surfaced areas including any roadways, pavements and footway/cycleways, fences and walls (with typical elevation sections including straights and where there are changes in alignment supplied for both including any coping details, decorative brickwork and piers etc.), shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be completed in accordance with the details as approved. All soil and vent pipes and other flues shall be dark coloured. All electrical meter boxes shall be painted or otherwise coloured to match closely the colour of the facing brickwork or render wall as appropriate.
32. Prior to occupation of the first dwelling hereby permitted a long-term management and maintenance scheme to provide for hard and soft landscaping future maintenance in perpetuity for public areas shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall include the long-term management and maintenance of all shrub, grasses and tree planting in public areas which includes all public open spaces, drainage basins and play areas, and the maintenance of other public facilities including benches and bins and other elements of hard landscaping and public infrastructure works. This shall be implemented and retained in accordance with the approved scheme thereafter.
33. No development hereby permitted shall commence prior to written confirmation from the Local Planning Authority that the requisite allocation of Suitable Alternative Natural Greenspace (SANG) has been secured by the applicant at Naishes Wood, Church Crookham or within such other SANG area as may be approved by the Local Planning Authority as SANG for the purposes of Waverley Borough Council's Thames Basin Heath Avoidance Strategy (adopted July 2016 or such subsequent revision thereof as may be adopted).
34. a) The approved Tree Replacement Strategy reference 10542 PAIA 15 (1/2) and (2/2) shall be implemented prior to occupation of any dwelling and post completion of the necessary highway improvements works on Keepsake Close and Cascade Way. Any alternative replacement strategy shall first be submitted to and agreed by WBC before development commences and thereafter implemented prior to occupation and post completion of the necessary highway improvements..
- b) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed, damaged or dies, another tree of the same species and size as that originally planted shall be planted at the same place in the first planting

season thereafter (30 November – 28 February), unless the Local Planning Authority gives its written consent to any variation.

END OF SCHEDULE

Richborough

APPEARANCES

FOR THE APPELLANT:

John Litton KC of Landmark Chambers
He called

Instructed by Turley Consultants

Joanna Ede
Philip Bell
Simon Packer

Turley Planning Consultants
Motion Consultants Limited
Turley Planning Consultants

FOR THE LOCAL PLANNING AUTHORITY:

Mr Robin Green of Cornerstone Barristers
He called

Instructed by Waverley Borough
Council

Robert Petrow
Christopher Sampson

Petrow Harley Limited
KLW Limited

INTERESTED PARTIES:

John Schonegevel
Tersia Hopkins
Joan Oldroyd
Rebecca Clear
Catherine Keeble
Julian Minto
Tony Haslam
Trevor Free
Mr Tilbury
Mr Howell
Mr Milton
Mr Edge
Councillor Powell
Councillor Cockburn
Councillor Beaman

DOCUMENTS SUBMITTED AT THE INQUIRY

Running order of Interested Parties from Abbey View

Appellant's Opening Statement

Opening Statement on behalf of Waverley Borough Council

Submission by Mr Tilbury, Farnham Town Council

Objection on behalf of the Open Spaces Society

Submission by John Schonegevel

Weight to be given to benefits/disbenefits

Submission by Tersia Hopkins-Sarai

Planning appeal inquiry statement of Cllr Catherine Powell

Representation submitted by Stewart Edge

Updated Allocation site delivery table

Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3)

Assessing landscape value outside national designations

Surface Water Flood Risk Update

Submission by Mr Trevor Free

Submission by Joan Oldroyd

Submission by Rebecca Clear

Submission by Catherine Keeble

Submission by Julian Minto

Details of residents for site visit

Evidence note of Ms Ede

Site Visit Itinerary for 13 February 2025

Email note from Natural England dated 10 February 2025

Closing submission on behalf of Waverley Borough Council

Closing submission on behalf of Appellant

Updated Noise Impact Assessment dated 12 February 2025